

FIRST REGULAR SESSION

# SENATE BILL NO. 539

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURLISON.

2283S.02I

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 288, RSMo, by adding thereto one new section relating to employment security.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 288, RSMo, is amended by adding thereto  
2 one new section, to be known as section 288.112, to read as  
3 follows:

288.112. 1. Notwithstanding the provisions of section  
2 288.113 to the contrary, a new employer shall receive an  
3 experience rating not later than twelve months after such  
4 employer hires an employee who works at least one thousand  
5 five hundred hours annually, pro rata.

6 2. Unless there have been twenty-four months  
7 immediately preceding the computation date of a new  
8 employer's experience rating throughout which an individual  
9 in the new employer's employ could have received benefits,  
10 if eligible, no new employer shall pay an unemployment  
11 contribution rate higher than average rate of all employers  
12 within the industrial classification division to which the  
13 new employer is assigned.

14 3. The department shall promulgate rules and  
15 regulations to implement this section. Any rule or portion  
16 of a rule, as that term is defined in section 536.010, that  
17 is created under the authority delegated in this section  
18 shall become effective only if it complies with and is  
19 subject to all of the provisions of chapter 536 and, if

20 applicable, section 536.028. This section and chapter 536  
21 are nonseverable and if any of the powers vested with the  
22 general assembly pursuant to chapter 536 to review, to delay  
23 the effective date, or to disapprove and annul a rule are  
24 subsequently held unconstitutional, then the grant of  
25 rulemaking authority and any rule proposed or adopted after  
26 August 28, 2021, shall be invalid and void.

27 4. For purposes of this section, the term "new  
28 employer" means any employer which has not yet received an  
29 experience rating.

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