

FIRST REGULAR SESSION

HOUSE BILL NO. 756

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHRISTOFANELLI.

1614H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 288.036 and 288.060 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, section 288.036 as enacted by house bill no. 1456, ninety-third general assembly, second regular session, and section 288.060 as enacted by house bill no. 163, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to employment security.

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

Section A. Sections 288.036 and 288.060 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, section 288.036 as enacted by house bill no. 1456, ninety-third general assembly, second regular session, and section 288.060 as enacted by house bill no. 163, ninety-sixth general assembly, first regular session, are repealed and two new sections enacted in lieu thereof, to be known as sections 288.036 and 288.060, to read as follows:

~~288.036. 1. "Wages" means all remuneration, payable or paid, for personal services including commissions and bonuses and, except as provided in subdivision (7) of this section, the cash value of all remuneration paid in any medium other than cash. Gratuities, including tips received from persons other than the employing unit, shall be considered wages only if required to be reported as wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section 3306, and shall be, for the purposes of this chapter, treated as having been paid by the employing unit. Severance pay shall be considered as wages to the extent required pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section 3306(b). Vacation pay, termination pay, severance pay and holiday pay shall be considered as wages for the week with respect to which it is payable. The total amount of wages derived from severance pay, if paid to an insured in a lump sum, shall be prorated on a weekly basis at the rate of pay received by the insured~~

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 at the time of termination for the purposes of determining unemployment benefits
15 eligibility. The term "wages" shall not include:

16 ~~(1) The amount of any payment made (including any amount paid by an~~
17 ~~employing unit for insurance or annuities, or into a fund, to provide for any such~~
18 ~~payment) to, or on behalf of, an individual under a plan or system established by~~
19 ~~an employing unit which makes provision generally for individuals performing~~
20 ~~services for it or for a class or classes of such individuals, on account of:~~

21 ~~(a) Sickness or accident disability, but in case of payments made to an~~
22 ~~employee or any of the employee's dependents this paragraph shall exclude from~~
23 ~~the term wages only payments which are received pursuant to a workers'~~
24 ~~compensation law; or~~

25 ~~(b) Medical and hospitalization expenses in connection with sickness or~~
26 ~~accident disability; or~~

27 ~~(c) Death;~~

28 ~~(2) The amount of any payment on account of sickness or accident~~
29 ~~disability, or medical or hospitalization expenses in connection with sickness or~~
30 ~~accident disability, made by an employing unit to, or on behalf of, an individual~~
31 ~~performing services for it after the expiration of six calendar months following~~
32 ~~the last calendar month in which the individual performed services for such~~
33 ~~employing unit;~~

34 ~~(3) The amount of any payment made by an employing unit to, or on~~
35 ~~behalf of, an individual performing services for it or his or her beneficiary:~~

36 ~~(a) From or to a trust described in 26 U.S.C. Section 401(a) which is~~
37 ~~exempt from tax pursuant to 26 U.S.C. Section 501(a) at the time of such~~
38 ~~payment unless such payment is made to an employee of the trust as~~
39 ~~remuneration for services rendered as such an employee and not as a beneficiary~~
40 ~~of the trust; or~~

41 ~~(b) Under or to an annuity plan which, at the time of such payments,~~
42 ~~meets the requirements of Section 404(a)(2) of the Federal Internal Revenue~~
43 ~~Code (26 U.S.C.A. Section 404);~~

44 ~~(4) The amount of any payment made by an employing unit (without~~
45 ~~deduction from the remuneration of the individual in employment) of the tax~~
46 ~~imposed pursuant to Section 3101 of the Federal Internal Revenue Code (26~~
47 ~~U.S.C.A. Section 3101) upon an individual with respect to remuneration paid to~~
48 ~~an employee for domestic service in a private home or for agricultural labor;~~

49 ~~(5) Remuneration paid in any medium other than cash to an individual~~
50 ~~for services not in the course of the employing unit's trade or business;~~

51 ~~(6) Remuneration paid in the form of meals provided to an individual in~~
52 ~~the service of an employing unit where such remuneration is furnished on the~~
53 ~~employer's premises and at the employer's convenience, except that remuneration~~
54 ~~in the form of meals that is considered wages and required to be reported as~~
55 ~~wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section 3306~~
56 ~~shall be reported as wages as required thereunder;~~

57 ~~————— (7) For the purpose of determining wages paid for agricultural labor as~~
58 ~~defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034~~
59 ~~and for domestic service as defined in subsection 13 of section 288.034, only~~
60 ~~cash wages paid shall be considered;~~

61 ~~————— (8) Beginning on October 1, 1996, any payment to, or on behalf of, an~~
62 ~~employee or the employee's beneficiary under a cafeteria plan, if such payment~~
63 ~~would not be treated as wages pursuant to the Federal Unemployment Tax Act.~~

64 ~~————— 2. The increases or decreases to the state taxable wage base for the~~
65 ~~remainder of calendar year 2004 shall be eight thousand dollars, and the state~~
66 ~~taxable wage base in calendar year 2005, and each calendar year thereafter, shall~~
67 ~~be determined by the provisions within this subsection. On January 1, 2005, the~~
68 ~~state taxable wage base for calendar year 2005, 2006, and 2007 shall be eleven~~
69 ~~thousand dollars. The taxable wage base for calendar year 2008 shall be twelve~~
70 ~~thousand dollars. The state taxable wage base for each calendar year thereafter~~
71 ~~shall be determined by the average balance of the unemployment compensation~~
72 ~~trust fund of the four preceding calendar quarters (September thirtieth, June~~
73 ~~thirtieth, March thirty-first, and December thirty-first of the preceding calendar~~
74 ~~year), less any outstanding federal Title XII advances received pursuant to section~~
75 ~~288.330, less the principal, interest, and administrative expenses related to any~~
76 ~~credit instrument issued under section 288.030, and less the principal, interest,~~
77 ~~and administrative expenses related to any financial agreements under~~
78 ~~subdivision (17) of subsection 2 of section 288.330. When the average balance~~
79 ~~of the unemployment compensation trust fund of the four preceding quarters~~
80 ~~(September thirtieth, June thirtieth, March thirty-first, and December thirty-first~~
81 ~~of the preceding calendar year), as so determined is:~~

82 ~~————— (1) Less than, or equal to, three hundred fifty million dollars, then the~~
83 ~~wage base shall increase by one thousand dollars; or~~

84 ~~————— (2) Six hundred fifty million or more, then the state taxable wage base~~
85 ~~for the subsequent calendar year shall be decreased by five hundred dollars. In~~
86 ~~no event, however, shall the state taxable wage base increase beyond twelve~~
87 ~~thousand five hundred dollars, or decrease to less than seven thousand dollars.~~
88 ~~For calendar year 2009, the tax wage base shall be twelve thousand five hundred~~
89 ~~dollars. For calendar year 2010 and each calendar year thereafter, in no event~~
90 ~~shall the state taxable wage base increase beyond thirteen thousand dollars, or~~
91 ~~decrease to less than seven thousand dollars.~~

92
93 ~~————— For any calendar year, the state taxable wage base shall not be reduced to less~~
94 ~~than that part of the remuneration which is subject to a tax under a federal law~~
95 ~~imposing a tax against which credit may be taken for contributions required to be~~
96 ~~paid into a state unemployment compensation trust fund. Nothing in this section~~
97 ~~shall be construed to prevent the wage base from increasing or decreasing by~~
98 ~~increments of five hundred dollars.]~~

99

288.036. 1. "Wages" means all remuneration, payable or paid, for personal services including commissions and bonuses and, except as provided in subdivision (7) of this ~~section~~ **subsection**, the cash value of all remuneration paid in any medium other than cash. Gratuities, including tips received from persons other than the employing unit, shall be considered wages only if required to be reported as wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section ~~3306~~ **3301 et seq., as amended**, and shall be, for the purposes of this chapter, treated as having been paid by the employing unit. ~~[Severance pay shall be considered as wages to the extent required pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section 3306(b).]~~ Vacation pay, **termination pay, severance pay**, and holiday pay shall be considered as wages for the week with respect to which it is payable. **The total amount of wages derived from vacation pay, termination pay, severance pay, or holiday pay, if paid to an insured in a lump sum, shall be prorated on a weekly basis at the rate of pay received by the insured at the time of termination for the purpose of determining unemployment benefits eligibility.** The term "wages" shall not include:

(1) The amount of any payment made (including any amount paid by an employing unit for insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an individual under a plan or system established by an employing unit which makes provision generally for individuals performing services for it or for a class or classes of such individuals, on account of:

(a) Sickness or accident disability, but in case of payments made to an employee or any of the employee's dependents this paragraph shall exclude from the term wages only payments which are received pursuant to a workers' compensation law; or

(b) Medical and hospitalization expenses in connection with sickness or accident disability; or

(c) Death;

(2) The amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employing unit to, or on behalf of, an individual performing services for it after the expiration of six calendar months following the last calendar month in which the individual performed services for such employing unit;

(3) The amount of any payment made by an employing unit to, or on behalf of, an individual performing services for it or his or her beneficiary:

(a) From or to a trust described in 26 U.S.C. Section 401(a) which is exempt from tax pursuant to 26 U.S.C. Section 501(a) at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such an employee and not as a beneficiary of the trust; or

37 (b) Under or to an annuity plan which, at the time of such payments, meets the
38 requirements of Section 404(a)(2) of the Federal Internal Revenue Code (26 U.S.C.A. Section
39 404);

40 (4) The amount of any payment made by an employing unit (without deduction from the
41 remuneration of the individual in employment) of the tax imposed pursuant to Section 3101 of
42 the Federal Internal Revenue Code (26 U.S.C.A. Section 3101) upon an individual with respect
43 to remuneration paid to an employee for domestic service in a private home or for agricultural
44 labor;

45 (5) Remuneration paid in any medium other than cash to an individual for services not
46 in the course of the employing unit's trade or business;

47 (6) Remuneration paid in the form of meals provided to an individual in the service of
48 an employing unit where such remuneration is furnished on the employer's premises and at the
49 employer's convenience, except that remuneration in the form of meals that is considered wages
50 and required to be reported as wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C.
51 Section ~~[3306]~~ **3301 et seq., as amended**, shall be reported as wages as required thereunder;

52 (7) For the purpose of determining wages paid for agricultural labor as defined in
53 paragraph ~~[(b)]~~ **(a)** of subdivision (1) of subsection 12 of section 288.034 and for domestic
54 service as defined in **subdivision (13) of** subsection ~~[13]~~ **12** of section 288.034, only cash wages
55 paid shall be considered;

56 (8) Beginning on October 1, 1996, any payment to, or on behalf of, an employee or the
57 employee's beneficiary under a cafeteria plan, if such payment would not be treated as wages
58 pursuant to the Federal Unemployment Tax Act.

59 2. The increases or decreases to the state taxable wage base for the remainder of calendar
60 year 2004 shall be eight thousand dollars, and the state taxable wage base in calendar year 2005,
61 and each calendar year thereafter, shall be determined by the provisions within this subsection.
62 On January 1, 2005, the state taxable wage base for calendar year 2005, 2006, and 2007 shall be
63 eleven thousand dollars. The taxable wage base for calendar year 2008 shall be twelve thousand
64 dollars. The state taxable wage base for each calendar year thereafter shall be determined by the
65 average balance of the unemployment compensation trust fund of the four preceding calendar
66 quarters (September thirtieth, June thirtieth, March thirty-first, and December thirty-first of the
67 preceding calendar year), less any outstanding federal Title XII advances received pursuant to
68 section 288.330, less the principal, interest, and administrative expenses related to any credit
69 instrument issued under section ~~[288.030]~~ **288.330**, and less the principal, interest, and
70 administrative expenses related to any financial agreements under subdivision (17) of subsection
71 2 of section 288.330. When the average balance of the unemployment compensation trust fund

72 of the four preceding quarters (September thirtieth, June thirtieth, March thirty-first, and
73 December thirty-first of the preceding calendar year), as so determined is:

74 (1) Less than, or equal to, three hundred fifty million dollars, then the wage base shall
75 increase by one thousand dollars; or

76 (2) Six hundred fifty million or more, then the state taxable wage base for the subsequent
77 calendar year shall be decreased by five hundred dollars. In no event, however, shall the state
78 taxable wage base increase beyond twelve thousand five hundred dollars, or decrease to less than
79 seven thousand dollars. For calendar year 2009, the tax wage base shall be twelve thousand five
80 hundred dollars. For calendar year 2010 and each calendar year thereafter, in no event shall the
81 state taxable wage base increase beyond thirteen thousand dollars, or decrease to less than seven
82 thousand dollars.

83

84 For any calendar year, the state taxable wage base shall not be reduced to less than that part of
85 the remuneration which is subject to a tax under a federal law imposing a tax against which
86 credit may be taken for contributions required to be paid into a state unemployment
87 compensation trust fund. Nothing in this section shall be construed to prevent the wage base
88 from increasing or decreasing by increments of five hundred dollars.

~~288.060. 1. All benefits shall be paid through employment offices in
2 accordance with such regulations as the division may prescribe.~~

~~3 2. Each eligible insured worker who is totally unemployed in any week
4 shall be paid for such week a sum equal to his or her weekly benefit amount.~~

~~5 3. Each eligible insured worker who is partially unemployed in any week
6 shall be paid for such week a partial benefit. Such partial benefit shall be an
7 amount equal to the difference between his or her weekly benefit amount and that
8 part of his or her wages for such week in excess of twenty dollars, and, if such
9 partial benefit amount is not a multiple of one dollar, such amount shall be
10 reduced to the nearest lower full dollar amount. For calendar year 2007 and each
11 year thereafter, such partial benefit shall be an amount equal to the difference
12 between his or her weekly benefit amount and that part of his or her wages for
13 such week in excess of twenty dollars or twenty percent of his or her weekly
14 benefit amount, whichever is greater, and, if such partial benefit amount is not a
15 multiple of one dollar, such amount shall be reduced to the nearest lower full
16 dollar amount. Pay received by an eligible insured worker who is a member of
17 the organized militia for training or duty authorized by Section 502(a)(1) of Title
18 32, United States Code, shall not be considered wages for the purpose of this
19 subsection.~~

~~20 4. The division shall compute the wage credits for each individual by
21 crediting him or her with the wages paid to him or her for insured work during
22 each quarter of his or her base period or twenty-six times his or her weekly
23 benefit amount, whichever is the lesser. In addition, if a claimant receives wages~~

24 ~~in the form of termination pay or severance pay and such payment appears in a~~
25 ~~base period established by the filing of an initial claim, the claimant may, at his~~
26 ~~or her option, choose to have such payment included in the calendar quarter in~~
27 ~~which it was paid or choose to have it prorated equally among the quarters~~
28 ~~comprising the base period of the claim. For the purpose of this section, wages~~
29 ~~shall be counted as wage credits for any benefit year, only if such benefit year~~
30 ~~begins subsequent to the date on which the employing unit by whom such wages~~
31 ~~were paid has become an employer. The wage credits of an individual earned~~
32 ~~during the period commencing with the end of a prior base period and ending on~~
33 ~~the date on which he or she filed an allowed initial claim shall not be available~~
34 ~~for benefit purposes in a subsequent benefit year unless, in addition thereto, such~~
35 ~~individual has subsequently earned either wages for insured work in an amount~~
36 ~~equal to at least five times his or her current weekly benefit amount or wages in~~
37 ~~an amount equal to at least ten times his or her current weekly benefit amount.~~

38 ~~5. The duration of benefits payable to any insured worker during any~~
39 ~~benefit year shall be limited to:~~

40 ~~(1) Twenty weeks if the Missouri average unemployment rate is nine~~
41 ~~percent or higher;~~

42 ~~(2) Nineteen weeks if the Missouri average unemployment rate is~~
43 ~~between eight and one-half percent and nine percent;~~

44 ~~(3) Eighteen weeks if the Missouri average unemployment rate is eight~~
45 ~~percent up to and including eight and one-half percent;~~

46 ~~(4) Seventeen weeks if the Missouri average unemployment rate is~~
47 ~~between seven and one-half percent and eight percent;~~

48 ~~(5) Sixteen weeks if the Missouri average unemployment rate is seven~~
49 ~~percent up to and including seven and one-half percent;~~

50 ~~(6) Fifteen weeks if the Missouri average unemployment rate is between~~
51 ~~six and one-half percent and seven percent;~~

52 ~~(7) Fourteen weeks if the Missouri average unemployment rate is six~~
53 ~~percent up to and including six and one-half percent;~~

54 ~~(8) Thirteen weeks if the Missouri average unemployment rate is below~~
55 ~~six percent.~~

56
57 ~~As used in this subsection, the phrase "Missouri average unemployment rate"~~
58 ~~means the average of the seasonally adjusted statewide unemployment rates as~~
59 ~~published by the United States Department of Labor, Bureau of Labor Statistics,~~
60 ~~for the time periods of January first through March thirty-first and July first~~
61 ~~through September thirtieth. The average of the seasonally adjusted statewide~~
62 ~~unemployment rates for the time period of January first through March thirty-first~~
63 ~~shall be effective on and after July first of each year and shall be effective~~
64 ~~through December thirty-first. The average of the seasonally adjusted statewide~~
65 ~~unemployment rates for the time period of July first through September thirtieth~~

66 shall be effective on and after January first of each year and shall be effective
 67 through June thirtieth; and

68 ~~(9) The provisions of this subsection shall become effective January 1,~~
 69 ~~2016.~~

70 ~~6. In the event that benefits are due a deceased person and no petition has~~
 71 ~~been filed for the probate of the will or for the administration of the estate of such~~
 72 ~~person within thirty days after his or her death, the division may by regulation~~
 73 ~~provide for the payment of such benefits to such person or persons as the division~~
 74 ~~finds entitled thereto and every such payment shall be a valid payment to the~~
 75 ~~same extent as if made to the legal representatives of the deceased.~~

76 ~~7. The division is authorized to cancel any benefit warrant remaining~~
 77 ~~outstanding and unpaid one year after the date of its issuance and there shall be~~
 78 ~~no liability for the payment of any such benefit warrant thereafter.~~

79 ~~8. The division may establish an electronic funds transfer system to~~
 80 ~~transfer directly to claimants' accounts in financial institutions benefits payable~~
 81 ~~to them pursuant to this chapter. To receive benefits by electronic funds transfer,~~
 82 ~~a claimant shall satisfactorily complete a direct deposit application form~~
 83 ~~authorizing the division to deposit benefit payments into a designated checking~~
 84 ~~or savings account. Any electronic funds transfer system created pursuant to this~~
 85 ~~subsection shall be administered in accordance with regulations prescribed by the~~
 86 ~~division.~~

87 ~~9. The division may issue a benefit warrant covering more than one week~~
 88 ~~of benefits.~~

89 ~~10. Prior to January 1, 2005, the division shall institute procedures~~
 90 ~~including, but not limited to, name, date of birth, and Social Security verification~~
 91 ~~matches for remote claims filing via the use of telephone or the internet in~~
 92 ~~accordance with such regulations as the division shall prescribe. At a minimum,~~
 93 ~~the division shall verify the Social Security number and date of birth when an~~
 94 ~~individual claimant initially files for unemployment insurance benefits. If~~
 95 ~~verification information does not match what is on file in division databases to~~
 96 ~~what the individual is stating, the division shall require the claimant to submit a~~
 97 ~~division-approved form requesting an affidavit of eligibility prior to the payment~~
 98 ~~of additional future benefits. The division of employment security shall~~
 99 ~~cross-check unemployment compensation applicants and recipients with Social~~
 100 ~~Security Administration data maintained by the federal government at least~~
 101 ~~weekly. The division of employment security shall cross-check at least monthly~~
 102 ~~unemployment compensation applicants and recipients with department of~~
 103 ~~revenue drivers license databases.]~~

104

288.060. 1. All benefits shall be paid through employment offices in accordance with
 2 such regulations as the division may prescribe.

3 2. Each eligible insured worker who is totally unemployed in any week shall be paid for
 4 such week a sum equal to his or her weekly benefit amount.

5 3. Each eligible insured worker who is partially unemployed in any week shall be paid
6 for such week a partial benefit. Such partial benefit shall be an amount equal to the difference
7 between his or her weekly benefit amount and that part of his or her wages for such week in
8 excess of twenty dollars, and, if such partial benefit amount is not a multiple of one dollar, such
9 amount shall be reduced to the nearest lower full dollar amount. For calendar year 2007 and
10 each year thereafter, such partial benefit shall be an amount equal to the difference between his
11 or her weekly benefit amount and that part of his or her wages for such week in excess of twenty
12 dollars or twenty percent of his or her weekly benefit amount, whichever is greater, and, if such
13 partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest
14 lower full dollar amount. ~~Termination pay, severance pay, or~~ Pay received by an eligible
15 insured worker who is a member of the organized militia for training or duty authorized by
16 Section 502(a)(1) of Title 32, United States Code, shall not be considered wages for the purpose
17 of this subsection.

18 4. The division shall compute the wage credits for each individual by crediting him or
19 her with the wages paid to him or her for insured work during each quarter of his or her base
20 period or twenty-six times his or her weekly benefit amount, whichever is the lesser. In addition,
21 if a claimant receives wages in the form of **vacation pay, holiday pay, termination pay, or**
22 **severance pay** and such payment appears in a base period established by the filing of an initial
23 claim, the claimant may, at his or her option, choose to have such payment included in the
24 calendar quarter in which it was paid or choose to have it prorated equally among the quarters
25 comprising the base period of the claim. The maximum total amount of benefits payable to any
26 insured worker during any benefit year shall not exceed twenty times his or her weekly benefit
27 amount, or thirty-three and one-third percent of his or her wage credits, whichever is the lesser.
28 For the purpose of this section, wages shall be counted as wage credits for any benefit year, only
29 if such benefit year begins subsequent to the date on which the employing unit by whom such
30 wages were paid has become an employer. The wage credits of an individual earned during the
31 period commencing with the end of a prior base period and ending on the date on which he or
32 she filed an allowed initial claim shall not be available for benefit purposes in a subsequent
33 benefit year unless, in addition thereto, such individual has subsequently earned either wages for
34 insured work in an amount equal to at least five times his or her current weekly benefit amount
35 or wages in an amount equal to at least ten times his or her current weekly benefit amount.

36 5. In the event that benefits are due a deceased person and no petition has been filed for
37 the probate of the will or for the administration of the estate of such person within thirty days
38 after his or her death, the division may by regulation provide for the payment of such benefits
39 to such person or persons as the division finds entitled thereto and every such payment shall be
40 a valid payment to the same extent as if made to the legal representatives of the deceased.

41 6. The division is authorized to cancel any benefit warrant remaining outstanding and
42 unpaid one year after the date of its issuance and there shall be no liability for the payment of any
43 such benefit warrant thereafter.

44 7. The division may establish an electronic funds transfer system to transfer directly to
45 claimants' accounts in financial institutions benefits payable to them pursuant to this chapter.
46 To receive benefits by electronic funds transfer, a claimant shall satisfactorily complete a direct
47 deposit application form authorizing the division to deposit benefit payments into a designated
48 checking or savings account. Any electronic funds transfer system created pursuant to this
49 subsection shall be administered in accordance with regulations prescribed by the division.

50 8. The division may issue a benefit warrant covering more than one week of benefits.

51 9. Prior to January 1, 2005, the division shall institute procedures including, but not
52 limited to, name, date of birth, and Social Security verification matches for remote claims filing
53 via the use of telephone or the internet in accordance with such regulations as the division shall
54 prescribe. At a minimum, the division shall verify the Social Security number and date of birth
55 when an individual claimant initially files for unemployment insurance benefits. If verification
56 information does not match what is on file in division databases to what the individual is stating,
57 the division shall require the claimant to submit a division-approved form requesting an affidavit
58 of eligibility prior to the payment of additional future benefits. The division of employment
59 security shall cross-check unemployment compensation applicants and recipients with Social
60 Security Administration data maintained by the federal government at least weekly. The division
61 of employment security shall cross-check at least monthly unemployment compensation
62 applicants and recipients with department of revenue drivers license databases.

✓