

Amendment No. 1 to HB0049

**McDonald
Signature of Sponsor**

FILED
Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 947

House Bill No. 49*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, 50-7-303(a)(1), is amended by deleting the language in such subdivision its entirety and substituting instead the following new language:

(1) If the administrator finds that the claimant has left such claimant's most recent work voluntarily without good cause connected with such claimant's work, such disqualification shall be for the duration of the ensuing period of unemployment and until such claimant has secured subsequent employment covered by an unemployment compensation law of this state, or another state, or of the United States, and was paid wages thereby ten (10) times such claimant's weekly benefit amount. No disqualification shall be made hereunder, however, if:

(A) Such claimant presents evidence supported by competent medical proof that such claimant was forced to leave such claimant's most recent work because such claimant was sick or disabled and notified such claimant's employer of that fact as soon as it was reasonably practical to do so, and returned to that employer and offered to work as soon as such claimant was again able to work, and to perform such claimant's former duties. Pregnancy shall be considered in the same way as any other illness or disability within the meaning of this subsection. At the expiration of such period, if the claimant is not reemployed, such claimant shall be entitled to unemployment benefits hereunder, if otherwise eligible under the provisions of this chapter;

(B) Such claimant presents evidence supported by competent proof that such claimant was forced to leave such claimant's most recent work because such claimant was the victim of a domestic violence offense that meets the elements of Section 40-14-109(a)(2) and (3) and notified such claimant's

employer of that fact as soon as it was reasonably practical to do so, and returned to that employer and offered to work as soon as such claimant was again able to work and to perform such claimant's former duties. At the expiration of such period, if the claimant is not reemployed, such claimant shall be entitled to unemployment benefits hereunder, if otherwise eligible under the provisions of this chapter. For the purpose of this subdivision (B), competent proof sufficient to support a claimant's evidence of a domestic violence offense may include:

(i) A current restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;

(ii) An active police record documenting the domestic violence;

(iii) Documentation that the perpetrator of the domestic violence has been convicted of one (1) or more offenses that meet the elements of Sections 40-24-109(a)(2) and (3);

(iv) Medical documentation of the domestic violence;

(v) Certification from the director of a family violence shelter, established pursuant to Title 71, Chapter 6, Part 2, that the individual is a victim of domestic violence; or

(vi) Other documentation or certification of the domestic violence provided by a social worker, member of the clergy, shelter worker or other professional who has assisted the individual in dealing with the domestic violence; or

(C) Such claimant left such claimant's work in good faith to join the armed forces of the United States;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to claims filed on or after July 6, 2003.