2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2201 – Minority Report **STATUS:** B - Engrossed
SUBJECT: Relating to the unemployment insurance administration
GOVERNMENT UNIT AFFECTED: Employment Department
PREPARED BY: Robin LaMonte/John Terpening
REVIEWED BY: Michelle Deister
DATE: April 13, 2009

REVENUES:
See Comments

EFFECTIVE DATE: January 1, 2010.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: HB 2201 extends the time that family-owned corporations can exclude corporate officers from unemployment insurance tax by one quarter. The measure defines the persons to be held personally liable for cases of default by an employer for unpaid unemployment insurance taxes. The persons liable include, officers, members, partners and employees of corporations, limited liability companies, or limited liability partnerships. The measure requires that the responsible party must have been convicted of a crime or theft in connection with the default in order for the Employment Department to collect the unpaid unemployment insurance taxes and interest owed.

The fiscal impact of this measure is indeterminate, but expected to be minimal. The measure does not define the crime or the theft related to the default. The number of cases, subsequent convictions and judgments are uncertain. The Employment Department does not have the information necessary to estimate the amount. The Department notes that they are not aware of any cases of conviction in connection to a default.