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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **2310**

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The bill was read for the first time and referred to the Higher Education and Work Force Development Policy and Finance  
Division

1.1 A bill for an act  
1.2 relating to unemployment insurance; modifying Social Security offset provisions;  
1.3 amending Minnesota Statutes 2006, section 268.085, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 268.085, subdivision 4, is amended to read:

1.6 Subd. 4. **Social Security benefits.** ~~(a) Any applicant aged 62 or over shall be~~  
1.7 ~~required to state when filing an application for unemployment benefits and when filing~~  
1.8 ~~continued biweekly requests for unemployment benefits whether the applicant is receiving,~~  
1.9 ~~has filed for, or intends to file for, primary Social Security old age benefits for any week~~  
1.10 ~~during the benefit year.~~

1.11 ~~There shall be deducted from an applicant's weekly unemployment benefit amount~~  
1.12 ~~50 percent of the weekly equivalent of the primary Social Security old age benefit the~~  
1.13 ~~applicant has received, has filed for, or intends to file for, with respect to that week.~~

1.14 ~~(b)~~ (a) An applicant who is receiving, has received, or has filed for primary Social  
1.15 Security disability benefits for any week during the benefit year ~~shall~~ must be determined  
1.16 unable to work and unavailable for suitable employment for that week, unless:

1.17 (1) the Social Security Administration approved the collecting of primary Social  
1.18 Security disability benefits each month the applicant was employed during the base  
1.19 period; or

1.20 (2) the applicant provides a statement from an appropriate health care professional  
1.21 who is aware of the applicant's Social Security disability claim and the basis for that claim,  
1.22 certifying that the applicant is able to work and available for suitable employment.

1.23 (b) If an applicant meets the requirements of clause (1) or (2) of paragraph (a),  
1.24 then there ~~shall be deducted~~ is no deduction from the applicant's weekly unemployment

2.1 benefit amount ~~50 percent of the weekly equivalent of~~ for the primary Social Security  
 2.2 disability benefits the applicant is receiving, has received, or has filed for, with respect  
 2.3 to that week; ~~provided, however, that if the Social Security Administration determines~~  
 2.4 ~~that an individual is not entitled to receive primary Social Security disability benefits for~~  
 2.5 ~~any week the applicant has applied for those benefits, the 50 percent deduction shall not~~  
 2.6 ~~apply to that week.~~

2.7 (c) Information from the Social Security Administration ~~shall be~~ is considered  
 2.8 conclusive, absent specific evidence showing that the information was erroneous.

2.9 (d) ~~If the computation of the reduced unemployment benefits is not a whole dollar,~~  
 2.10 ~~it shall be rounded down to the next lower whole dollar~~ If an applicant is receiving, has  
 2.11 received, or has filed for Social Security old age benefits with respect to any week during  
 2.12 the benefit year, that has no effect on the payment of unemployment benefits for that week.

2.13 (e) ~~This subdivision does not apply to Social Security survivor benefits.~~

2.14 **EFFECTIVE DATE.** This section is effective September 30, 2007, and applies to  
 2.15 any unemployment benefits paid after that date.