A bill for an act
relating to unemployment insurance; removing Social Security and Social Security
disability offsets; amending Minnesota Statutes 2020, section 268.085, subdivisions
4, 4a.

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

Section 1. Minnesota Statutes 2020, section 268.085, subdivision 4, is amended to read:

Subd. 4. Social Security old age insurance benefits. (a) If all of the applicant's wage
credits were earned while the applicant was claiming Social Security old age benefits, there
is no deduction of the Social Security benefits from the applicant's weekly unemployment
benefit amount.

(b) Unless paragraph (a) applies, 50 percent does not apply, none of the weekly
equivalent of the primary Social Security old age benefit the applicant has received, has
filed for, or intends to file for, with respect to that week must may be deducted from an
applicant's weekly unemployment benefit amount.

(c) Any applicant aged 62 or over is required to state when filing an application for
unemployment benefits and when filing continued requests for unemployment benefits if
the applicant is receiving, has filed for, or intends to file for, primary Social Security old
age benefits.

(d) Information from the Social Security Administration is conclusive, absent specific
evidence showing that the information was erroneous.

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

EFFECTIVE DATE. This section is effective retroactively from January 1, 2021.
Sec. 2. Minnesota Statutes 2020, section 268.085, subdivision 4a, is amended to read:

Subd. 4a. Social Security disability benefits. (a) An applicant who is receiving, has received, or has filed for primary Social Security disability benefits for any week is ineligible for unemployment benefits for that week, unless:

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

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

(b) If an applicant meets the requirements of paragraph (a), clause (1), there is no deduction from the applicant's weekly benefit amount for any Social Security disability benefits.

(c) If an applicant meets the requirements of paragraph (a), clause (2), there must be deducted from the applicant's weekly unemployment benefit amount 50 percent of the weekly equivalent of the primary Social Security disability benefits the applicant is receiving, has received, or has filed for, with respect to that week.

If the Social Security Administration determines that the applicant is not entitled to receive primary Social Security disability benefits for any week the applicant has applied for those benefits, then this paragraph does not apply to that week.

(d) Information from the Social Security Administration is conclusive, absent specific evidence showing that the information was erroneous.

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

EFFECTIVE DATE. This section is effective retroactively from January 1, 2021.