

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 162

AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 22-4-2-41, AS ADDED BY P.L.200-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 41. (a) Except as provided in subsection (b), as used in this article, "suitable work" means the following **with respect to extended benefit claims**:

(1) For an individual classified as having good job prospects under IC 22-4-14-6.1, any work which would be considered suitable work for the individual under IC 22-4-15-2(e).

(2) For an individual classified as having not good job prospects under IC 22-4-14-6.1, any work which the individual has the physical and mental capacity to perform.

(b) The term does not include any work that meets the following conditions:

(1) If the gross average weekly remuneration payable to the individual for the position would not exceed the sum of:

(A) the individual's average weekly benefit amount for the individual's benefit year; plus

(B) the amount (if any) of supplemental unemployment compensation benefits (as defined in Section 501(c)(17)(D) of the Internal Revenue Code) payable to the individual for the week.

(2) If the position was not offered to the individual in writing or

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was not listed with the department.

(3) If failure to accept the new work would not result in a denial of compensation under the provisions of this article, to the extent that the provisions are not inconsistent with the applicable federal law.

(4) If the position pays less than the higher of:

(A) the minimum wage provided by 29 U.S.C. 206(a)(1) (the Fair Labor Standards Act of 1938), without regard to any exception; or

(B) the state minimum wage (IC 22-2-2).

SECTION 2. IC 22-4-4-3, AS AMENDED BY P.L.122-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) For calendar quarters beginning on and after July 1, 1997, and before July 1, 1998, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed five thousand four hundred dollars (\$5,400) and may not include payments specified in section 2 of this chapter.

(b) For calendar quarters beginning on and after July 1, 1998, and before July 1, 1999, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed five thousand six hundred dollars (\$5,600) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(c) For calendar quarters beginning on and after July 1, 1999, and before July 1, 2000, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed five thousand eight hundred dollars (\$5,800) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(d) For calendar quarters beginning on and after July 1, 2000, and before July 1, 2001, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed six thousand seven hundred dollars (\$6,700) and may not include payments that are excluded from the definition of wages under



section 2 of this chapter:

(e) For calendar quarters beginning on and after July 1, 2001, and before July 1, 2002, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed seven thousand three hundred dollars (\$7,300) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(f) For calendar quarters beginning on and after July 1, 2002, and before July 1, 2003, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed seven thousand nine hundred dollars (\$7,900) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(g) For calendar quarters beginning on and after July 1, 2003, and before July 1, 2004, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed eight thousand two hundred sixteen dollars (\$8,216) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(h) For calendar quarters beginning on and after July 1, 2004, and before July 1, 2005, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed eight thousand seven hundred thirty-three dollars (\$8,733) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(i) For calendar quarters beginning on and after July 1, 2005, and before July 1, 2012, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed nine thousand two hundred fifty dollars (\$9,250) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(j) For calendar quarters beginning on and after July 1, 2012, "Wage



credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not include payments that are excluded from the definition of wages under section 2 of this chapter.

SECTION 3. IC 22-4-5-1, AS AMENDED BY P.L.85-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) "Deductible income" wherever used in this article, means income deductible from the weekly benefit amount of an individual in any week, and shall include, but shall not be limited to, any of the following:

- (1) Remuneration for services from employing units, whether or not such remuneration is subject to contribution under this article, except as provided in subsection (c).
- (2) Dismissal pay or severance pay, including:
 - (A) money that an employer pays to a dismissed employee to compensate the employee for income lost due to unemployment; and
 - (B) remuneration paid to a dismissed employee under a separation agreement.
- ~~(3) Vacation pay.~~
- ~~(4) (3) Pay for idle time.~~
- ~~(5) Sick pay.~~
- ~~(6) (4) Traveling expenses granted to an individual by an employing unit and not fully accounted for by such individual.~~
- ~~(7) (5) Net earnings from self-employment.~~
- ~~(8) (6) Payments in lieu of compensation for services.~~
- ~~(9) (7) Awards by the National Labor Relations Board of additional pay, back pay, or for loss of employment, or any such payments made under an agreement entered into by an employer, a union, and the National Labor Relations Board.~~
- ~~(10) (8) Payments made to an individual by an employing unit pursuant to the terms of the Fair Labor Standards Act (Federal Wage and Hour Law, 29 U.S.C. 201 et seq.).~~

(b) Deductible income shall not include one hundred dollars (\$100) of remuneration paid or payable to an individual with respect to any week.

(c) For the purpose of deductible income only, remuneration for services from employing units does not include holiday pay, **sick pay**, **vacation pay**, bonuses, gifts, or prizes awarded to an employee by an employing unit.

(d) Deductible income does not include a supplemental



unemployment insurance benefit made under a valid negotiated contract or agreement.

(e) Deductible income does not include any payments made to an individual by a court system under a summons for jury service.

SECTION 4. IC 22-4-5-2, AS AMENDED BY P.L.9-2024, SECTION 439, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. ~~(a) Payments in lieu of a vacation awarded to an employee by an employing unit shall be considered as deductible income in and with respect to the week in which the vacation occurs:~~

~~(b) (a)~~ The payment of ~~accrued vacation pay~~; dismissal pay or severance pay to an individual separated from employment by an employing unit shall be allocated to the period of time for which such payment is made immediately following the date of separation, and an individual receiving such payments shall not be deemed unemployed with respect to a week during which such allocated deductible income equals or exceeds the weekly benefit amount of the individual's claim.

~~(c) (b)~~ Pay for:

(1) idle time;

~~(2) sick pay;~~

~~(3) (2)~~ traveling expenses granted to an individual by an employing unit and not fully accounted for by such individual;

~~(4) (3)~~ earnings from self-employment;

~~(5) (4)~~ awards by the National Labor Relations Board of additional pay, back pay, or for loss of employment;

~~(6) (5)~~ payments made under an agreement entered into by an employer, a union, and the National Labor Relations Board; or

~~(7) (6)~~ payments to an employee by an employing unit made pursuant to the terms and provisions of the Fair Labor Standards Act;

shall be deemed to constitute deductible income with respect to the week or weeks for which such payments are made. However, if payments made under subdivision ~~(5) (4)~~ or ~~(6) (5)~~ are not, by the terms of the order or agreement under which the payments are made, allocated to any designated week or weeks, then, and in such cases, such payments shall be considered as deductible income in and with respect to the week in which the same is actually paid.

~~(d) Payment of vacation pay shall be deemed deductible income with respect to the week or weeks falling within such vacation period for which vacation payment is made.~~

SECTION 5. IC 22-4-5-3, AS AMENDED BY P.L.122-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]: Sec. 3. (a) This section applies for purposes of deductible income only.

(b) If:

(1) an employee and an employing unit have agreed in a labor contract ~~that is negotiated on or before May 10, 1987, and any renewals of the contract~~, to establish a work week that is a different term of seven (7) days than the calendar week;

(2) the employing unit has filed a written notice with the department in the form and manner prescribed by the department stating that a work week other than the calendar week has been established under the labor contract between the employing unit and its employees; and

(3) the notice has been filed with the department before an employee working on the contractual work week files a claim for unemployment compensation benefits;

the work week specified in the contract may be used for purposes of this chapter.

SECTION 6. IC 22-4-7-1, AS AMENDED BY P.L.171-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) ~~Before January 1, 2015, "employer" means:~~

~~(1) any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty (20) different weeks, whether or not such weeks are or were consecutive within either the current or the preceding year, has or had in employment, and/or has incurred liability for wages payable to; one (1) or more individuals (irrespective of whether the same individual or individuals are or were employed in each such day); or~~

~~(2) any employing unit which in any calendar quarter in either the current or preceding calendar year paid for service in employment wages of one thousand five hundred dollars (\$1,500) or more, except as provided in section 2(e), 2(h), and 2(i) of this chapter.~~

~~(b)~~ (a) After December 31, 2014, "Employer" means either of the following:

(1) An employing unit that has incurred liability for wages payable to one (1) or more individuals.

(2) An employing unit that in any calendar quarter during the current or preceding calendar year paid for service in employment wages of one dollar (\$1) or more, except as provided in section 2(e), 2(h), and 2(i) of this chapter.

~~(c)~~ (b) For the purpose of this definition, if any week includes both December 31, and January 1, the days up to January 1 shall be deemed

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one (1) calendar week and the days beginning January 1 another such week.

(d) (c) For purposes of this section, "employment" shall include services which would constitute employment but for the fact that such services are deemed to be performed entirely within another state pursuant to an election under an arrangement entered into by the department (pursuant to IC 22-4-22) and an agency charged with the administration of any other state or federal unemployment compensation law.

SECTION 7. IC 22-4-8-2, AS AMENDED BY P.L.200-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The term "employment" shall include:

(a) An individual's entire service performed within or both within and without Indiana if the service is localized in Indiana.

(b) An individual's entire service performed within or both within and without Indiana if the service is not localized in any state, but some of the service is performed in Indiana and:

(1) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled is in Indiana;

(2) the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in Indiana; or

(3) such service is not covered under the unemployment compensation law of any other state or Canada, and the place from which the service is directed or controlled is in Indiana.

(c) Services not covered under subsections (a) and (b) and performed entirely without Indiana, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other state or of the United States, shall be deemed to be employment subject to this article if the department approves the election of the individual performing such services and the employing unit for which such services are performed, that the entire services of such individual shall be deemed to be employment subject to this article.

(d) Services covered by an election duly approved by the department, in accordance with an agreement pursuant to IC 22-4-22-1 through IC 22-4-22-5, shall be deemed to be employment during the effective period of such election.

(e) Service shall be deemed to be localized within a state if:

(1) the service is performed entirely within such state; or

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(2) the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state, such as is temporary or transitory in nature or consists of isolated transactions.

(f) Periods of vacation with pay or leave with pay, other than military leave granted or given to an individual by an employer.

(g) Notwithstanding any other provisions of this article, the term employment shall also include all services performed by an officer or member of the crew of an American vessel or American aircraft, on or in connection with such vessel or such aircraft, provided that the operating office, from which the operations of such vessel operating on navigable waters within or the operations of such aircraft within, or the operation of such vessel or aircraft within and without the United States are ordinarily and regularly supervised, managed, directed, and controlled, is within this state.

(h) Services performed for an employer which is subject to contribution solely by reason of liability for any federal tax against which credit may be taken for contributions paid into a state unemployment compensation fund.

(i) The following:

(1) Service performed after December 31, 1971, by an individual in the employ of this state or any of its instrumentalities (or in the employ of this state and one (1) or more other states or their instrumentalities) for a hospital or eligible postsecondary educational institution located in Indiana.

(2) Service performed after December 31, 1977, by an individual in the employ of this state or a political subdivision of the state or any instrumentality of the state or a political subdivision, or any instrumentality which is wholly owned by the state and one (1) or more other states or political subdivisions, if the service is excluded from "employment" as defined in Section 3306(c)(7) of the Federal Unemployment Tax Act (26 U.S.C. 3306(c)(7)). However, service performed after December 31, 1977, as the following is excluded:

(A) An elected official.

(B) A member of a legislative body or of the judiciary of a state or political subdivision.

(C) A member of the state national guard or air national guard.

(D) An employee serving on a temporary basis in the case of fire, snow, storm, earthquake, flood, or similar emergency.

(E) An individual in a position which, under the laws of the state, is designated as:



- (i) a major nontenured policymaking or advisory position; or
- (ii) a policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight (8) hours per week.

(3) Service performed after March 31, 1981, by an individual whose service is part of an unemployment work relief or work training program assisted or financed in whole by any federal agency or an agency of this state or a political subdivision of this state, by an individual receiving such work relief or work training is excluded.

(j) Service performed after December 31, 1971, by an individual in the employ of a religious, charitable, educational, or other organization, but only if the following conditions are met:

(1) The service is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of Section 3306(c)(8) of that act (26 U.S.C. 3306(c)(8)).

(2) The organization had four (4) or more individuals in employment ~~within the state of Indiana~~, for some portion of a day in each of twenty (20) different weeks, whether or not such weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time.

(3) For the purposes of subdivisions (1) and (2), the term "employment" does not apply to service performed as follows:

(A) In the employ of:

- (i) a church or convention or association of churches; or
- (ii) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches.

(B) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order.

(C) Before January 1, 1978, in the employ of a school which is not an eligible postsecondary educational institution.

(D) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work.



(E) As part of an unemployment work relief or work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training.

(k) The service of an individual who is a citizen of the United States, performed outside the United States (except in Canada), after December 31, 1971, in the employ of an American employer (other than service which is deemed "employment" under the provisions of subsection (a), (b), or (e) or the parallel provisions of another state's law), if the following apply:

(1) The employer's principal place of business in the United States is located in this state.

(2) The employer has no place of business in the United States, but the employer is:

(A) an individual who is a resident of this state;

(B) a corporation which is organized under the laws of this state;

(C) a partnership, limited liability partnership, or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one

(1) other state; or

(D) an association, a joint venture, an estate, a limited liability company, a joint stock company, or an insurance company (referred to as an "entity" in this clause), and either:

(i) the entity is organized under the laws of this state; or

(ii) the number of owners, members, or beneficiaries who are residents of this state is greater than the number who are residents of any one (1) other state.

(3) None of the criteria of subdivisions (1) and (2) is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state.

(4) An "American employer," for purposes of this subsection, means:

(A) an individual who is a resident of the United States;

(B) a partnership or limited liability partnership, if two-thirds (2/3) or more of the partners are residents of the United States;

(C) a trust, if all of the trustees are residents of the United States; or

(D) a corporation, an association, a joint venture, an estate, a limited liability company, a joint stock company, or an



insurance company organized or established under the laws of the United States or of any state.

- (l) The term "employment" also includes the following:
- (1) Service performed after December 31, 1977, by an individual in agricultural labor (as defined in section 3(c) of this chapter) when the service is performed for an employing unit which:
 - (A) during any calendar quarter in either the current or preceding calendar year paid cash remuneration of twenty thousand dollars (\$20,000) or more to individuals employed in agricultural labor; or
 - (B) for some portion of a day in each of twenty (20) different calendar weeks, whether or not the weeks were consecutive, in either the current or the preceding calendar year, employed in agricultural labor ten (10) or more individuals, regardless of whether they were employed at the same time.
 - (2) For the purposes of this subsection, any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of the crew leader:
 - (A) if the crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963, or substantially all the members of the crew operate or maintain tractors, mechanized harvesting or crop dusting equipment, or any other mechanized equipment, which is provided by the crew leader; and
 - (B) if the individual is not an employee of another person within the meaning of section 1 of this chapter.
 - (3) For the purposes of subdivision (1), in the case of an individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of the crew leader under subdivision (2):
 - (A) the other person and not the crew leader shall be treated as the employer of the individual; and
 - (B) the other person shall be treated as having paid cash remuneration to the individual in an amount equal to the amount of cash remuneration paid to the individual by the crew leader (either on the individual's own behalf or on behalf of the other person) for the service in agricultural labor performed for the other person.
 - (4) For the purposes of this subsection, the term "crew leader" means an individual who:
 - (A) furnishes individuals to perform service in agricultural



labor for any other person;

(B) pays (either on the individual's own behalf or on behalf of the other person) the agricultural laborers furnished by the individual for the service in agricultural labor performed by them; and

(C) has not entered into a written agreement with the other person under which the individual is designated as an employee of the other person.

(m) The term "employment" includes domestic service after December 31, 1977, in a private home, local college club, or local chapter of a college fraternity or sorority performed for a person who paid cash remuneration of one thousand dollars (\$1,000) or more after December 31, 1977, in the current calendar year or the preceding calendar year to individuals employed in the domestic service in any calendar quarter.

SECTION 8. IC 22-4-10-3, AS AMENDED BY P.L.2-2011, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) ~~This subsection applies before January 1, 2011. Except as provided in section 1(b) through 1(e) of this chapter, each employer shall pay contributions equal to five and six-tenths percent (5.6%) of wages, except as otherwise provided in IC 22-4-11-2, IC 22-4-11-3, IC 22-4-11.5, and IC 22-4-37-3.~~

(b) ~~This subsection applies after December 31, 2010.~~ Except as provided in section 1(b) through 1(e) of this chapter and IC 22-4-37-3, each employer shall pay contributions equal to the amount determined or estimated by the department under section 6 of this chapter, IC 22-4-11-2, IC 22-4-11-3.5, and IC 22-4-11.5.

SECTION 9. IC 22-4-11-0.1, AS ADDED BY P.L.220-2011, SECTION 364, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.1. The amendments made to section 1 of this chapter by P.L.172-1991 apply to individuals who file a disaster unemployment **assistance** claim or a state unemployment insurance claim after June 1, 1990, and before June 2, 1991, or during a period to be determined by the general assembly.

SECTION 10. IC 22-4-11-2, AS AMENDED BY P.L.200-2025, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in IC 22-4-10-6 and IC 22-4-11.5, the department shall for each year determine the contribution rate applicable to each employer.

(b) The balance shall include contributions with respect to the period ending on the computation date and actually paid on or before July 31 immediately following the computation date and benefits



actually paid on or before the computation date and shall also include any voluntary payments made in accordance with IC 22-4-10-5 or IC 22-4-10-5.5 (repealed):

(1) for each calendar year, an employer's rate shall be determined in accordance with the rate schedules in section 3.3 or 3.5 of this chapter; and

(2) for each calendar year, an employer's rate shall be two and five-tenths percent (2.5%), except as otherwise provided in subsection (g) or IC 22-4-37-3, unless:

(A) the employer has been subject to this article throughout the thirty-six (36) consecutive calendar months immediately preceding the computation date; **and**

(B) there has been some annual payroll in each of the three (3) twelve (12) month periods immediately preceding the computation date. **and**

~~(C) the employer has properly filed all required contribution and wage reports, and all contributions, penalties, and interest due and owing by the employer or the employer's predecessors have been paid:~~

(c) In addition to the conditions and requirements set forth and provided in subsection (b)(2)(A) **and** (b)(2)(B), ~~and (b)(2)(C)~~; an employer's rate is equal to the sum of the employer's contribution rate determined or estimated by the department under this article plus two percent (2%) unless all required contributions and wage reports have been filed within thirty-one (31) days following the computation date and all contributions, penalties, and interest due and owing by the employer or the employer's predecessor for periods before and including the computation date have been paid:

(1) within thirty-one (31) days following the computation date; or

(2) within ten (10) days after the department has given the employer a written notice by mail of:

(A) the delinquency; or

(B) failure to file the reports;

whichever is the later date. The department or the department's designee may waive the imposition of rates under this subsection if the department finds the employer's failure to meet the deadlines was for excusable cause. The department shall give written notice to the employer before this additional condition or requirement shall apply. An employer's rate under this subsection may not exceed twelve percent (12%).

(d) However, if the employer is the state or a political subdivision of the state or any instrumentality of a state or a political subdivision,



or any instrumentality which is wholly owned by the state and one (1) or more other states or political subdivisions, the employer may contribute at a rate of one and six-tenths percent (1.6%) until it has been subject to this article throughout the thirty-six (36) consecutive calendar months immediately preceding the computation date.

(e) On the computation date every employer who had taxable wages in the previous calendar year shall have the employer's experience account charged with the amount determined under the following formula:

STEP ONE: Divide:

(A) the employer's taxable wages for the preceding calendar year; by

(B) the total taxable wages for the preceding calendar year.

STEP TWO: Subtract:

(A) the amount described in IC 22-4-10-4.5(e)(2), if any; from

(B) the total amount of benefits charged to the fund under section 1 of this chapter.

STEP THREE: Multiply the quotient determined under STEP ONE by the difference determined under STEP TWO.

(f) One (1) percentage point of the rate imposed under subsection (c), or the amount of the employer's payment that is attributable to the increase in the contribution rate, whichever is less, shall be imposed as a penalty that is due and shall be deposited upon collection into the special employment and training services fund established under IC 22-4-25-1. The remainder of the contributions paid by an employer pursuant to the maximum rate shall be:

(1) considered a contribution for the purposes of this article; and

(2) deposited in the unemployment insurance benefit fund established under IC 22-4-26.

(g) Except as otherwise provided in IC 22-4-37-3, this subsection, instead of subsection (b)(2), applies to an employer in the construction industry. As used in the subsection, "construction industry" means business establishments whose proper primary classification in the current edition of the North American Industry Classification System Manual - United States, published by the National Technical Information Service of the United States Department of Commerce is 23 (construction). For each calendar year beginning after December 31, 2013, an employer's rate shall be equal to the lesser of four percent (4%) or the average of the contribution rates paid by all employers in the construction industry subject to this article during the twelve (12) months preceding the computation date, unless:

(1) the employer has been subject to this article throughout the



thirty-six (36) consecutive calendar months immediately preceding the computation date;

(2) there has been some annual payroll in each of the three (3) twelve (12) month periods immediately preceding the computation date; and

(3) the employer has properly filed all required contribution and wage reports, and all contributions, penalties, and interest due and owing by the employer or the employer's predecessors have been paid.

(h) The department shall satisfy the notice requirement in subsection (c) by sending:

(1) physical mail to the employer's last known address; or

(2) electronic mail to an electronic mail address provided to the department by the employer or a representative of the employer.

However, if electronic mail is used and the department does not receive a receipt or electronic confirmation within five (5) days of transmission, the notice is insufficient and notice must be sent by physical mail as soon as practicable.

SECTION 11. IC 22-4-12-0.1, AS ADDED BY P.L.220-2011, SECTION 365, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.1. The amendments made to section 4 of this chapter by P.L.172-1991 apply to individuals who file a disaster unemployment **assistance** claim or a state unemployment insurance claim after June 1, 1990, and before June 2, 1991, or during a period to be determined by the general assembly.

SECTION 12. IC 22-4-12-1, AS AMENDED BY P.L.108-2006, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Benefits designated as unemployment insurance benefits shall become payable from the fund to any ~~individual~~ **claimant** who is or becomes unemployed and eligible for benefits under the terms of this article.

(b) All benefits shall be paid through the department or such other agencies as the department by rule may designate at such times and in such manner as the department may prescribe.

(c) **Except as provided in subsection (d), the department may make direct deposit disbursements with respect to the payment of benefits to a financial institution account designated by an individual only if the financial institution:**

(1) **has a physical branch location in Indiana; or**

(2) **is designated as an approved depository by the treasurer of state.**

(d) **The department may approve a financial institution that**



does not qualify under subsection (c)(1) or (c)(2) if the financial institution is in compliance with IC 22-4-17-7, IC 22-4-17-8, and IC 22-4-19.

(e) The department may adopt rules to provide for the payment of benefits due and payable on executed vouchers to persons since deceased; benefits so due and payable may be paid to the legal representative, dependents, or next of kin of the deceased as are found to be entitled thereto, which rules need not conform with the laws of the state governing decedent estates, and every such payment shall be deemed a valid payment to the same extent as if made to the legal representative of the deceased.

(f) If there is an executor or administrator of the estate of the decedent, payments must be made to the executor or administrator. If it is shown to the satisfaction of the department that there is no executor, and no administrator has been appointed, and in all probability no administrator will be appointed, payment may be made to the next of kin, with due regard being given to the following order of preference:

- (1) The surviving spouse.**
- (2) Children.**
- (3) Parents.**
- (4) Brothers and sisters.**
- (5) Other relatives.**

However, the department is not bound to follow this order of preference.

(g) Whenever there is more than one (1) legal heir in any of the classes established in subsection (f), payment may be made to any one (1) of that group as agent for the others upon submission of proper evidence of authority and identification.

(h) Application for payment of benefits must be made in writing and on the prescribed form within six (6) months after the death of the deceased, provided that the department, upon good cause, may extend the time for filing.

(i) In cases where the claimant's benefit eligibility, or disqualification, is disputed, the department shall promptly notify the claimant and the employer, or employers, directly involved with the issue or issues raised, and the determination will set forth the right to appeal of the party receiving the adverse determination. In the event of the death of the claimant between the:

- (1) filing of a valid claim for benefits; and**
- (2) issuance of an eligibility determination by the department;**



all notices filed or issued under this section shall be served upon the authorized representative of the deceased claimant, as determined under subsection (f).

(j) In the event a hearing is scheduled in an appeal involving a deceased claimant, the claimant's authorized representative of the estate shall be allowed to participate in the hearing in place of the claimant, and the appeal shall proceed as set forth under this section.

SECTION 13. IC 22-4-12-2, AS AMENDED BY P.L.2-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) ~~With respect to initial claims filed for any week beginning on and after July 1, 1997, and before July 1, 2012, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, benefits at the rate of:~~

~~(1) five percent (5%) of the first two thousand dollars (\$2,000) of the individual's wage credits in the calendar quarter during the individual's base period in which the wage credits were highest; and~~

~~(2) four percent (4%) of the individual's remaining wage credits in the calendar quarter during the individual's base period in which the wage credits were highest.~~

~~(b) (a) With respect to initial claims filed for any week beginning on and after July 1, 2012, Each eligible individual **claimant** who is totally unemployed (as defined in IC 22-4-3-1) in any week in the **individual's claimant's** benefit period shall be paid for the week, if properly claimed, an amount equal to forty-seven percent (47%) of the **individual's claimant's** prior average weekly wage, rounded (if not already a multiple of one dollar (\$1)) to the next lower dollar. However, the maximum weekly benefit amount may not exceed three hundred ninety dollars (\$390).~~

~~(c) (b) For purposes of this section, "prior average weekly wage" means the result of:~~

~~(1) the **individual's claimant's** total wage credits during the **individual's claimant's** base period; divided by~~

~~(2) fifty-two (52).~~

~~(c) In cases where a claimant is paid the statutory minimum weekly benefit amount established under this section, although the claimant's actual weekly benefit amount computes to less than the statutory minimum, the additional benefits paid shall not increase the claimant's maximum benefit amount.~~

~~(d) If the claimant is partially unemployed, the amount of~~



benefits computed and paid to the claimant will be the difference between the statutory minimum and the claimant's deductible income for a particular week.

(e) In cases where a claimant's actual computed weekly benefit amount is less than the statutory minimum, and a penalty suspension has been imposed under IC 22-4-15-1 or IC 22-4-15-2, the statutory weekly benefit amount, relating to the lifting of the suspension, refers to the claimant's actual computed weekly benefit amount, not to the statutory minimum.

SECTION 14. IC 22-4-12-4, AS AMENDED BY P.L.200-2025, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Benefits shall be computed upon the basis of wage credits of an individual in the individual's base period. Wage credits shall be reported by the employer and credited to the individual in the manner prescribed by the department. With respect to initial claims filed for any week beginning on and after July 7, 1991, the maximum total amount of benefits payable to any eligible individual during any benefit period shall not exceed twenty-six (26) times the individual's weekly benefit, or twenty-eight percent (28%) of the individual's wage credits with respect to the individual's base period, whichever is less. If such maximum total amount of benefits is not a multiple of one dollar (\$1), it shall be computed to the next lower multiple of one dollar (\$1).

(b) Except as provided in subsection (d), the total extended benefit amount payable to any eligible individual with respect to the individual's applicable benefit period shall be fifty percent (50%) of the total amount of regular benefits (~~including dependents' allowances~~) which were payable to the individual under this article in the applicable benefit year, or thirteen (13) times the weekly benefit amount (~~including dependents' allowances~~) which was payable to the individual under this article for a week of total unemployment in the applicable benefit year, whichever is the lesser amount.

(c) This subsection applies to individuals who file a disaster unemployment **assistance** claim. ~~or a state unemployment insurance claim after June 1, 1990, and before June 2, 1991, or during another time specified in another state statute.~~ An individual is **entitled to may be eligible for** thirteen (13) weeks of additional benefits ~~as originally determined~~; if:

- (1) the individual has established:
 - (A) a disaster unemployment **assistance** claim under the Stafford Disaster Relief and Emergency Assistance Act; or
 - (B) a state unemployment insurance claim as a direct result of



a major disaster;

(2) all regular benefits and all disaster unemployment assistance benefits:

(A) have been exhausted by the individual; or

(B) are no longer payable to the individual due to the expiration of the disaster assistance period; and

(3) the individual remains unemployed as a direct result of the disaster.

(d) For purposes of this subsection, "high unemployment period" means a period during which an extended benefit period would be in effect if IC 22-4-14-6.9(d)(1) were applied by substituting "eight percent (8%)" for "six and five-tenths percent (6.5%)". Effective with respect to weeks beginning in a high unemployment period, the total extended benefit amount payable to an eligible individual with respect to the applicable benefit year is equal to the least of the following amounts:

(1) Eighty percent (80%) of the total amount of regular benefits that were payable to the eligible individual under this article in the applicable benefit year.

(2) Twenty (20) times the weekly benefit amount that was payable to the eligible individual under this article for a week of total unemployment in the applicable benefit year.

(3) Forty-six (46) times the weekly benefit amount that was payable to the eligible individual under this article for a week of total unemployment in the applicable benefit year, reduced by the regular unemployment compensation benefits paid (or deemed paid) during the benefit year.

This subsection expires on the later of December 5, 2009, or the week ending four (4) weeks before the last week for which federal sharing is authorized by Section 2005(a) of Division B, Title II (the federal Assistance to Unemployed Workers and Struggling Families Act) of the federal American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

(e) For purposes of this subsection, "high unemployment period" means a period during which an extended benefit period would be in effect if IC 22-4-14-6.9(h)(1) were applied by substituting "eight percent (8%)" for "six and one-half percent (6.5%)". Effective with respect to weeks of unemployment beginning after March 1, 2011, and ending on the later of December 10, 2011, or the week ending four (4) weeks before the last week for which federal sharing is authorized by Section 2005(a) of Division B, Title II (the federal Assistance to Unemployed and Struggling Families Act) of the federal American



Recovery and Reinvestment Act of 2009 (P.L. 111-5), in a high unemployment period, the total extended benefit amount payable to an eligible individual with respect to the applicable benefit year is equal to the lesser of the following amounts:

- (1) Eighty percent (80%) of the total amount of regular benefits that were payable to the eligible individual under this article in the applicable benefit year.
- (2) Twenty (20) times the weekly benefit amount that was payable to the eligible individual under this article for a week of total unemployment in the applicable benefit year.

SECTION 15. IC 22-4-14-1, AS AMENDED BY P.L.2-2011, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in IC 22-4-5-1 or subsection (b), ~~or (c)~~; an unemployed individual shall be eligible to receive benefits with respect to any week only if the individual has made a claim for benefits in accordance with IC 22-4-17.

(b) A person who:

- (1) accepts a layoff under an inverse seniority clause of a validly negotiated contract; and
- (2) otherwise meets the eligibility requirements established by this article;

is entitled to receive benefits in the same amounts, under the same terms, and subject to the same conditions as any other unemployed person.

~~(c) This subsection applies to initial claims for unemployment filed for a week that begins after March 14, 2008, and before October 1, 2011. This subsection does not apply to a person who elects to retire in connection with a layoff or plant closure and receive pension, retirement, or annuity payments. Except as provided in IC 22-4-5-1, a person who:~~

- ~~(1) accepts an offer of payment or other compensation offered by an employer to avert or lessen the effect of a layoff or plant closure; and~~
- ~~(2) otherwise meets the eligibility requirements established by this article;~~

~~is entitled to receive benefits in the same amounts, under the same terms, and subject to the same conditions as any other unemployed person.~~

SECTION 16. IC 22-4-14-5, AS AMENDED BY P.L.183-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. ~~(a) As further conditions precedent to the payment of benefits to an individual with respect to benefit periods~~

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established on and after July 1, 1995; but before January 1, 2010:

(1) the individual must have established, after the last day of the individual's last base period, if any, wage credits (as defined in IC 22-4-4-3 and within the meaning of IC 22-4-22-3) equal to at least one and one-quarter (1.25) times the wages paid to the individual in the calendar quarter in which the individual's wages were highest; and

(2) the individual must have established wage credits in the last two (2) calendar quarters of the individual's base period in a total amount of not less than one thousand six hundred fifty dollars (\$1,650) and an aggregate in the four (4) calendar quarters of the individual's base period of not less than two thousand seven hundred fifty dollars (\$2,750).

(b) As a further condition precedent to the payment of benefits to an individual with respect to a benefit year established on and after July 1, 1995; An insured worker may not receive benefits in a benefit year unless:

(1) after the beginning of the immediately preceding benefit year during which the individual received benefits, the individual:

(1) (A) performed insured work;

(2) (B) earned remuneration in employment in at least each of eight (8) weeks; and

(3) (C) earned remuneration equal to or exceeding the product of the individual's weekly benefit amount multiplied by eight (8);

(c) As further conditions precedent to the payment of benefits to an individual with respect to benefit periods established on and after January 1, 2010:

(1) (2) the individual ~~must have~~ **has** established, after the last day of the individual's last base period, if any, wage credits (as defined in IC 22-4-4-3 and within the meaning of wages under IC 22-4-22-3) equal to at least one and five-tenths (1.5) times the wages paid to the individual in the calendar quarter in which the individual's wages were highest; and

(2) (3) the individual ~~must have~~ **has** established wage credits in the last two (2) calendar quarters of the individual's base period in a total amount of not less than two thousand five hundred dollars (\$2,500) and a total amount in the four (4) calendar quarters of the individual's base period of not less than four thousand two hundred dollars (\$4,200).

SECTION 17. IC 22-4-17-2, AS AMENDED BY P.L.200-2025, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2026]: Sec. 2. (a) When ~~an individual~~ **a claimant** files an initial claim, the department shall promptly make a determination of the ~~individual's~~ **claimant's** status as an insured worker. A notice of the determination of insured status shall be furnished to the ~~individual~~ **claimant** promptly. Each determination shall be based on and include a statement showing the amount of wages paid to the ~~individual~~ **claimant** for insured work by each employer during the ~~individual's~~ **claimant's** base period and shall include a finding as to whether the wages meet the requirements for the ~~individual~~ **claimant** to be an insured worker, and, if so, the week ending date of the first week of the ~~individual's~~ **claimant's** benefit period, the ~~individual's~~ **claimant's** weekly benefit amount, and the maximum amount of benefits that may be paid to the ~~individual~~ **claimant** for weeks of unemployment in the ~~individual's~~ **claimant's** benefit period. For the ~~individual~~ **claimant** who is not insured, the notice shall include the reason for the determination. The following apply in regard to the determination:

- (1) Unless the ~~individual,~~ **claimant**, within fifteen (15) days after the determination was sent by the department to the ~~individual,~~ **claimant**, asks for a hearing before an administrative law judge, the determination shall be final and benefits shall be paid or denied in accordance with the determination. ~~The date listed under date sent on the determination of eligibility is prima facie evidence that the determination was sent to the party on that date.~~
- (2) If ~~an individual~~ **a claimant** asks for a wage investigation, the unemployment insurance tax division shall promptly perform an investigation to determine whether wages from insured work should be added or subtracted from the claim. A determination of the wage investigation shall be furnished to the ~~individual~~ **claimant** promptly upon completion. Unless the ~~individual,~~ **claimant**, within fifteen (15) days after the determination was sent by the unemployment insurance tax division, requests an appeal to a liability administrative law judge under IC 22-4-32-1, the determination shall be final.

(b) The department shall promptly furnish **the claimant's last employer prior to filing of a claim and** each employer in the base period whose experience or reimbursable account is potentially chargeable with benefits to be paid to the ~~individual~~ **claimant** with a notice of the employer's benefit liability. The notice shall contain the date, the name and Social Security account number of the ~~individual,~~ **claimant**, the ending date of the ~~individual's~~ **claimant's** base period, and the week ending date of the first week of the ~~individual's~~ **claimant's** benefit period. The notice shall further contain information



as to the proportion of benefits chargeable to the employer's experience or reimbursable account in ratio to the earnings of the ~~individual~~ **claimant** from the employer. Unless the employer within fifteen (15) days after the notice of benefit liability was sent by the department to the employer, asks for a hearing before a liability administrative law judge, the determination shall be final and benefits paid shall be charged in accordance with the determination.

(c) An employing unit, including an employer, having knowledge of any facts which may affect ~~an individual's~~ **a claimant's** eligibility or right to waiting period credits or benefits, shall notify the department in the form and manner prescribed by the department of those facts within ten (10) days after the claim for benefits was sent by the department.

(d) If the claimant has been separated for any of the following reasons, the employer shall notify the department of the separation circumstances in the form and manner prescribed by the department:

- (1) Voluntarily left the employment without good cause in connection with the work.**
- (2) Was discharged for just cause.**
- (3) Was discharged for gross misconduct in connection with the claimant's work.**
- (4) Left due to the claimant's physical condition.**
- (5) Left to accept other employment.**
- (6) Left to enter self-employment.**

(e) An employer shall notify the department when the following circumstances exist with regard to a separated claimant in the form and manner prescribed by the department:

- (1) The claimant is entitled to:**
 - (A) vacation pay;**
 - (B) payment in lieu of vacation;**
 - (C) standby pay; or**
 - (D) wages in lieu of notice.**
- (2) The claimant is receiving, or will receive, retirement pay.**
- (3) There are other circumstances, of which the employer is aware, that are potentially disqualifying for claimant benefits.**

~~(d)~~ **(f)** In addition to the foregoing determination of insured status by the department, the deputy shall, throughout the benefit period, determine the claimant's eligibility with respect to each week for which the claimant claims waiting period credit or benefit rights, the validity of the claimant's claim, and the cause for which the claimant left the claimant's work, or may refer the claim to an administrative law judge



who shall make the initial determination in accordance with the procedure in section 3 of this chapter.

(~~e~~) (g) In cases where the claimant's benefit eligibility or disqualification is disputed, the department shall promptly notify the claimant and the employer or employers directly involved or connected with the issue raised as to the validity of the claim, the eligibility of the claimant for waiting period credit or benefits, or the imposition of a disqualification period or penalty, or the denial of the claim, and of the cause for which the claimant left the claimant's work, of the determination and the reasons for the determination.

(~~f~~) (h) Except as otherwise provided in this section regarding parties located in Alaska, Hawaii, and Puerto Rico, unless the claimant or the employer, within fifteen (15) days after the notification required by subsection (~~e~~) (g), was sent by the department to the claimant or the employer, asks for a hearing before an administrative law judge, the decision shall be final and benefits shall be paid or denied in accordance with the decision.

(~~g~~) (i) For a notice of disputed administrative determination or decision sent by the department to the claimant or employer either of whom is located in Alaska, Hawaii, or Puerto Rico, unless the claimant or employer, within fifteen (15) days after the notification required by subsection (~~e~~) (g) was sent to the claimant or employer, asks for a hearing before an administrative law judge, the decision shall be final and benefits shall be paid or denied in accordance with the decision.

(~~h~~) (j) If a claimant or an employer requests a hearing under subsection (~~f~~) or (~~g~~), (h) or (i), the request shall be filed with the department within the prescribed periods provided in this section and shall be in the form and manner prescribed by the department. **The party requesting the hearing shall include with its request a copy of the determination being appealed or the identification number of the determination being appealed.** In the event a hearing is requested by an employer or the department after it has been administratively determined that benefits should be allowed to a claimant, entitled benefits shall continue to be paid to the claimant unless the administrative determination has been reversed by a due process hearing. Benefits with respect to any week not in dispute shall be paid promptly regardless of any appeal.

(~~i~~) (k) A person may not participate on behalf of the department in any case in which the person is an interested party.

(~~j~~) (l) Solely on the ground of obvious administrative error appearing on the face of an original determination, and within the benefit year of the affected claims, the commissioner, or a



representative authorized by the commissioner to act in the commissioner's behalf, may reconsider and direct the deputy to revise the original determination so as to correct the obvious error. Time for filing an appeal and requesting a hearing before an administrative law judge regarding the determinations handed down pursuant to this subsection shall begin on the date following the date of revision of the original determination and shall be filed with the commissioner in the form and manner prescribed by the department within the prescribed periods provided in subsection (c).

~~(k)~~ **(m)** Notice to the employer and the claimant that the determination of the department is final if a hearing is not requested shall be prominently displayed on the notice of the determination which is sent to the employer and the claimant.

~~(l)~~ **(n)** If an allegation of the applicability of IC 22-4-15-1(c)(8) is made by the **individual claimant** at the time of the claim for benefits, the department shall not notify the employer of the claimant's current address or physical location.

~~(m)~~ **(o)** All **individuals claimants** who have not previously verified their identity with the department shall, prior to filing a new claim for unemployment benefits, verify their identity in the form and manner prescribed by the department.

(p) No claimant will be eligible for a monetary determination of benefits without first providing the department with the claimant's Social Security number.

~~(n)~~ **(q)** **An individual A claimant** is ineligible for unemployment benefits or extended benefits unless the **individual claimant** has verified the **individual's claimant's** identity in the form and manner prescribed by the department.

(r) Once a valid claim has been filed by a claimant, during the benefit period established the claimant cannot cancel, withdraw, or change the time of filing of:

- (1) the initial claim;**
- (2) a reopened claim; or**
- (3) an additional claim;**

for any purpose, other than administrative error on the part of department staff or to backdate a combined wage claim to the effective date of a combined wage claim originally filed in another state.

(s) The date listed under date sent on a determination of eligibility issued under this section is prima facie evidence that the determination was sent to the party on that date.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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