

106TH CONGRESS
1ST SESSION

H. R. 2370

To amend the Internal Revenue Code of 1986 to provide that no individual shall be denied unemployment compensation solely on the basis of leaving employment due to a reasonable fear of domestic violence.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1999

Mr. DOGGETT (for himself, Mr. SANDERS, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MINK of Hawaii, Ms. RIVERS, Ms. SLAUGHTER, Ms. HOOLEY of Oregon, Ms. MCCARTHY of Missouri, Ms. VELÁZQUEZ, Mrs. THURMAN, Mr. BONIOR, Mrs. MEEK of Florida, Ms. CARSON, and Mrs. MCCARTHY of New York) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide that no individual shall be denied unemployment compensation solely on the basis of leaving employment due to a reasonable fear of domestic violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Domestic Violence Em-
5 ployment Security Act of 1999”.

1 **SEC. 2. REASONABLE FEAR OF DOMESTIC VIOLENCE AS**
2 **GOOD CAUSE FOR LEAVING EMPLOYMENT.**

3 (a) IN GENERAL.—Subsection (a) of section 3304 of
4 the Internal Revenue Code of 1986 (relating to approval
5 of State unemployment compensation laws) is amended by
6 striking “and” at the end of paragraph (18), by redesignig-
7 nating paragraph (19) as paragraph (20), and by insert-
8 ing after paragraph (18) the following new paragraph:

9 “(19)(A) no individual shall be denied com-
10 pensation under such State law solely on the basis
11 of leaving employment due to reasonable fear of do-
12 mestic violence, and

13 “(B) in making a determination under subpara-
14 graph (A) as to the reasonableness of an individual’s
15 fear, the State shall consider such factors as it con-
16 siders appropriate, such as—

17 “(i) whether there were any alternatives
18 available to the individual besides leaving such
19 individual’s employment, and

20 “(ii) whether such individual was advised
21 by a law enforcement officer or health care pro-
22 fessional to leave such individual’s employment;
23 and”.

24 (b) DEFINITIONS.—Section 3306 of the Internal Rev-
25 enue Code of 1986 is amended by adding at the end the
26 following new subsection:

1 “(u) LAW ENFORCEMENT OFFICER AND HEALTH-
2 CARE PROFESSIONAL.—For purposes of section
3 3304(a)(19)—

4 “(1) LAW ENFORCEMENT OFFICER.—The term
5 ‘law enforcement officer’ means an officer of the
6 United States, a State, or a political subdivision of
7 a State, who is empowered by law to conduct inves-
8 tigations of, or make arrests because of, offenses
9 against the United States, a State, or a political
10 subdivision of a State.

11 “(2) HEALTH-CARE PROFESSIONAL.—The term
12 ‘health-care professional’ means a physician, a clin-
13 ical psychologist, and any other person providing di-
14 rect patient care, as determined by the Secretary of
15 Labor.”.

16 (c) RULE OF CONSTRUCTION.—Nothing in this Act
17 shall be considered to affect any requirements relating to
18 availability for work, active search for work, or refusal to
19 accept work.

20 (d) EFFECTIVE DATE.—The amendments made by
21 this section shall apply in the case of unemployment com-
22 pensation paid for weeks beginning after the end of the
23 2-year period beginning on the date of the enactment of
24 this Act.

○