

AN INDIVIDUAL WHO IS EMPLOYED IN ANY OF THE SAME CAPACITIES DESCRIBED IN SUBSECTIONS (A) AND (B) OF THIS SECTION BY AN EDUCATIONAL SERVICE AGENCY, A GOVERNMENTAL ENTITY THAT IS ESTABLISHED AND OPERATED EXCLUSIVELY TO PROVIDE EDUCATIONAL SERVICE TO 1 OR MORE EDUCATIONAL INSTITUTIONS, SHALL BE DENIED BENEFITS IN THE SAME MANNER DESCRIBED IN SUBSECTIONS (A) AND (B) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 4(f)(3) through (6).

In the introductory language of subsections (a) and (b) of this section, the phrase "after December 31, 1977", is deleted as obsolete.

In subsection (b)(2) of this section, the defined term "Department" is substituted for the former reference to the "Employment Security Administration" in light of former Art. 95A, § 11(a), which provided that "[w]herever in this article ... the words ... 'Employment Security Administration' appear, they shall be construed to mean the Department of Economic and Employment Development ...".

Subsection (d) of this section is revised to incorporate the definition of the former term "educational service agency", since the term was used only once.

Former Art. 95A, § 4(f)(1), which provided that an individual who performs certain covered employment is eligible for the same benefits as an individual who performs other covered employment, is deleted as unnecessary, since there is no implication that the individual who performs the referenced services otherwise would not be eligible for benefits.

Former Art. 95A, § 4(f)(2), which related to weeks of unemployment that began before January 1, 1978, is deleted as obsolete.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that subsection (a)(1) and (2) of this section does not conform to section 3340(a)(6)(A)(i) through (v) of the Federal Unemployment Tax Act. The conformity problem would be resolved by adding the "reasonable assurance" requirement to those items. See subsections (a)(3) and (c) of this section.

Defined terms: "Covered employment" § 8-101

"Department" § 8-101

"Educational institution" § 8-101

"Governmental entity" § 8-101

"Wages" § 8-101 "Week" § 8-101

8-910. SUBSEQUENT BENEFIT YEAR.

EXCEPT AS PROVIDED IN SUBTITLE 11 OF THIS TITLE, AN INDIVIDUAL WHO HAS RECEIVED BENEFITS IN A BENEFIT YEAR IS NOT ELIGIBLE FOR BENEFITS IN A SUBSEQUENT BENEFIT YEAR UNLESS, AFTER THE