

NOTICE OF PROPOSED RULE ADOPTION
STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

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Specific Legal Authority authorizing the promulgation of
Rule: {Insert citation to state or federal statute, or
rule _____}

Reference to Rules repealed, amended or suspended by the
Proposed Rule : 309.00, 309.01, 309.03, 308.00, 402, 403.00, 404, 318.02, 318.04, 319.00, 320.00, 321.00,
322.00, 302.00, 603.06, 603.07, 603.10, 603.17, 603.2, 603.21, 605

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: {Insert
here}

MDES hereby submits the following regulation changes to the Office of the Secretary of State for review and feedback:

Regulation 309.00 defines good cause.
Regulation 309.01 provides a domestic violence exception
Regulation 309.03 provides a military exception. These 3 regulations are used for purposes of determining unemployment insurance benefit eligibility.

Regulation 308.00 sets forth the definition of misconduct which is used by the agency to determine unemployment insurance benefit eligibility.
Regulation 402 sets forth the disqualification period for fraudulent overpayments.
Regulation 403.00 makes a typographical correction.
Regulation 404 sets forth the criteria for determining an overpayment of unemployment insurance benefits. (This criteria pertains to both fraudulent and non-fraudulent overpayments.)

There are minor typographical corrections in the following: 318.02, 318.04, 319.00, 320.00, 321.00 and 322.00.

Section 302.00 has been reworded for clarity.

There are changes in sections 603.06, 603.07, 603.10, 603.17, 603.2, 603.21, 605, in the references to Mississippi Code Annotated 1972 as amended; currently reads as "I" and should be "J".

All of the aforementioned regulation additions/changes are needed to further the agency's mandate of administering the "Mississippi Employment Security Law" for the State of Mississippi.

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)
Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}

Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at

the above address at least ____ day(s) prior to the proceeding to be placed on the agenda. The request should

include your name, address, telephone number as well as other contact information; and if you are an agent or

attorney, the name, address and telephone number of the party or parties you represent.

XXAn oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding

will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10)

persons. The written request should be submitted to the agency contact person at the above address within twenty

(20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone

number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone

number of the party or parties you represent.

Economic Impact Statement: Check one box below:

XX Thee agency has determined that an economic impact statement is not required for this rule, or

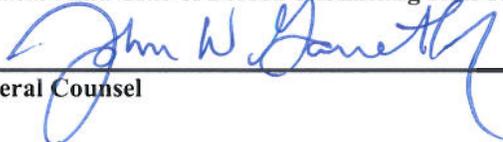
The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed:9/15/09

Proposed Effective Date of Rule: {10/15/09}

Signature and Title of Person Submitting Rule for Filing



General Counsel