HB 611 -- Unemployment Compensation

Sponsor: Lant

This bill changes the laws regarding unemployment compensation. In its main provisions, the bill:

(1) Defines "newly hired employee" to include a former employee rehired after a separation of at least 60 consecutive days for purposes of reporting to the state's directory of new hires. Unemployment compensation recipients are crosschecked against state and federal new hire databases;

(2) Prohibits the removal of penalty charges from an employer's account when the Division of Employment Security within the Department of Labor and Industrial Relations determines that the employer's failure to timely or adequately respond to a request for information relating to a claim for unemployment benefits resulted in an overpayment of unemployment compensation benefits;

(3) Requires a division deputy to make a written determination that penalty charges must not be removed from an employer's account upon discovering facts indicating that the employer was at fault for an overpayment of benefits resulting from the employer's failure to timely or adequately respond to a request for information relating to a claim for unemployment benefits;

(4) Specifies that if an employer does not appeal a noncharge determination within 30 days' of receiving notice of the determination, it will be final. An appeal of a noncharge determination must be conducted according to unemployment compensation administrative appeals provisions;

(5) Specifies that the noncharge determinations apply to overpayments established on or after October 1, 2013; and

(6) Effective October 1, 2013, regarding payments made toward the penalty amount, an amount equal to 15% of the total amount of the unemployment compensation fraudulently obtained must be immediately deposited into the state's Unemployment Compensation Fund and the remaining penalty amount must be credited to the Special Employment Security Fund.