SENATE BILL 136

K2 3lr1645 CF HB 140

By: Senator Klausmeier

Introduced and read first time: January 13, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 2023

CHAPTER

1 AN ACT concerning

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Unemployment Insurance - Recovery of Benefits - Limitation and Methods

- FOR the purpose of limiting the percentage of the weekly benefits amount that the Secretary of Labor may deduct from weekly benefits payable to a claimant to recover certain overpayments of unemployment insurance benefits; clarifying the circumstances under which the Secretary may use certain methods to recover overpayments of unemployment insurance benefits; and generally relating to the recovery of unemployment insurance benefits.
- 9 BY repealing and reenacting, without amendments,
- 10 Article Labor and Employment
- 11 Section 8–809(a), (b), and (e)
- 12 Annotated Code of Maryland
- 13 (2016 Replacement Volume and 2022 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Labor and Employment
- 16 Section 8–809(d)
- 17 Annotated Code of Maryland
- 18 (2016 Replacement Volume and 2022 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

Article - Labor and Employment

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

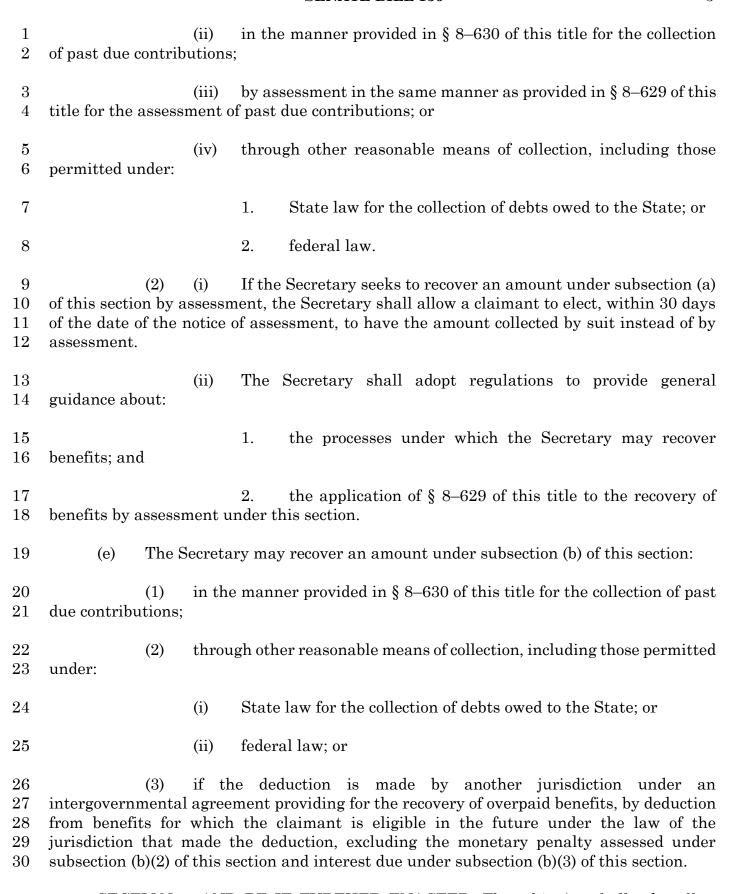
[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1	8–809.
2 3	(a) The Secretary may recover benefits paid to a claimant if the Secretary finds that the claimant was not entitled to the benefits because:
4	(1) the claimant was not unemployed;
5	(2) the claimant received or retroactively was awarded wages; or
6 7	(3) due to a redetermination of an original claim by the Secretary, the claimant is disqualified or otherwise ineligible for benefits.
8 9 10 11	(b) If the Secretary finds that a claimant knowingly made a false statement or representation or knowingly failed to disclose a material fact to obtain or increase a benefit or other payment under this title, in addition to disqualification of the claimant, the Secretary may recover from the claimant:
12 13 14	(1) all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact;
15 16 17	(2) a monetary penalty of 15% of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact; and
18 19 20 21 22	(3) interest of 1.5% per month on the amount of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact plus the amount of the monetary penalty accruing from the date that the claimant is notified by the Secretary that the claimant was not entitled to benefits received.
23 24 25 26	(d) (1) [The] If the Secretary is recovering benefits from a Claimant under circumstances other than those described in Subsection (a) of this section:
27	(i) by deduction OF:
28 29	1. UP TO 50% OF THE WEEKLY BENEFIT AMOUNT from THE WEEKLY benefits payable to the claimant in the future; OR
30 31 32	2. IF THE WEEKLY BENEFIT AMOUNT IS LESS THAN OR EQUAL TO \$100, UP TO 25% OF THE WEEKLY BENEFIT FROM THE WEEKLY BENEFITS PAYABLE TO THE CLAIMANT IN THE FUTURE;



SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023 April 1, 2024.