1	S.288
2	Introduced by Senators Brock, Clarkson, Collamore, Cummings and Weeks
3	Referred to Committee on
4	Date:
5	Subject: Labor; unemployment insurance; fraud; penalties
6	Statement of purpose of bill as introduced: This bill proposes to require an
7	individual who fraudulently obtains unemployment insurance benefits to repay
8	the amount of overpaid benefits and pay a penalty equal to 15 percent of the
9	amount of overpaid benefits plus an additional administrative penalty of up to
10	\$5,000.00 and to make the individual ineligible to receive unemployment
11	insurance benefits for period of five years.
10	
12	An act relating to unemployment insurance fraud
13	It is hereby enacted by the General Assembly of the State of Vermont:
14	Sec. 1. 21 V.S.A. § 1368 is amended to read:
15	§ 1368. FALSE STATEMENTS TO INCREASE PAYMENTS
16	(a) A person shall not willfully and who intentionally make makes a false
17	statement or representation to obtain or, increase, or initiate any benefit or
18	other payment under this chapter, either for himself, herself, whether for
19	themselves or any other person, shall, after notice and an opportunity for a
20	hearing, be:

1	(1) liable to repay the amount of overpaid benefits and any applicable
2	penalty imposed pursuant to section 1347 of this chapter;
3	(2) assessed a further administrative penalty of up to \$5,000.00; and
4	(3) ineligible to receive benefits pursuant to this chapter for a period of
5	five years from the date on which the false statement or representation was
6	discovered.
7	(b) Interested parties shall have the right to appeal from any determination
8	under this section and the same procedure shall be followed as provided for in
9	subsection 1348(a) and section 1349 of this chapter.
10	(c) The Commissioner may collect an unpaid administrative penalty by
11	filing a civil action in the Superior Court.
12	Sec. 2. 21 V.S.A. § 1347 is amended to read:
13	§ 1347. NONDISCLOSURE OR MISREPRESENTATION
14	* * *
15	(e) In addition to the foregoing, when it is found by the Commissioner
16	finds that a person intentionally misrepresented or failed to disclose a material
17	fact with respect to his or her the person's claim for benefits and in the event
18	the person is not prosecuted, the Commissioner shall prosecute the person
19	under section 1368 of this title and penalty provided in section 1373 of this
20	title is not imposed, the person shall be disqualified and shall not be entitled to
21	receive benefits to which he or she would otherwise be entitled after the

1	determination for such number of weeks not exceeding 26 as the
2	Commissioner shall deem just. The notice of determination shall also specify
3	the period of disqualification imposed hereunder.
4	* * *
5	Sec. 3. EFFECTIVE DATE

6 <u>This act shall take effect on July 1, 2024.</u>