

1 H.871

2 Introduced by Representatives Harvey of Castleton, Bosch of Clarendon,

3 Coffin of Cavendish, Goslant of Northfield, Labor of Morgan,

4 Malay of Pittsford, Morgan, M. of Milton, Nielsen of Brandon,

5 North of Ferrisburgh, Pinsonault of Dorset, Powers of

6 Waterford, and Winter of Ludlow

7 Referred to Committee on

8 Date:

9 Subject: Labor; unemployment insurance; work search; overpayment of

10 benefits; false statements; data cross-checks

11 Statement of purpose of bill as introduced: This bill proposes to require

12 individuals to repay any unemployment insurance benefit received during a

13 week in which the individual failed to conduct an interview for suitable work

14 or provided a prospective employer with false or inaccurate information that

15 prevented the employer from scheduling an interview with the individual. This

16 bill also proposes to strengthen the penalties for false statements made to

17 increase unemployment insurance payments. This bill also proposes to require

18 quarterly unemployment data cross-checks by the Department of Labor.

19 An act relating to unemployment insurance fraud

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 21 V.S.A. § 1347 is amended to read:

3 § 1347. NONDISCLOSURE OR MISREPRESENTATION;

4 OVERPAYMENTS; WAIVER

5 (a)(1) Any person who fails, without good cause, to make reasonable
6 efforts to secure suitable work when directed to do so by the employment
7 office or the Commissioner and has received any amount as benefits under this
8 chapter with respect to weeks for which the person is determined to be
9 ineligible because of the failure, and any person who by nondisclosure or
10 misrepresentation by the person, or by another, of a material fact (irrespective
11 of whether the nondisclosure or misrepresentation was known or fraudulent)
12 has received any amount as benefits under this chapter while any conditions
13 for the receipt of benefits imposed by this chapter were not fulfilled in the
14 person's case or while the person was disqualified from receiving benefits,
15 shall be liable for the amount.

16 (2) A person shall be deemed to have failed to make reasonable efforts
17 to secure suitable work if the person:

18 (A) fails, without good cause, to conduct an interview for suitable
19 work after an employer has contacted the person to arrange such an interview;
20 or

1 (B) provides false or inaccurate information to an employer that
2 prevents the employer from contacting the person to arrange an interview for
3 suitable work.

4 (3) Notice of determination in such cases shall specify that the person is
5 liable to repay to the Fund the amount of overpaid benefits, the basis of the
6 overpayment, and the week or weeks for which the benefits were paid. The
7 determination shall be made within three years after the date of the
8 overpayment.

9 * * *

10 Sec. 2. 21 V.S.A. § 1368 is amended to read:

11 § 1368. FALSE STATEMENTS TO INCREASE PAYMENTS

12 (a) A person ~~shall not~~ who intentionally ~~make~~ makes a false statement or
13 representation to obtain ~~or~~ increase, or initiate any benefit or other payment
14 under this chapter, either for the employee whether for themselves or any other
15 person, shall, after notice and an opportunity for a hearing, be:

16 (1) liable to repay the amount of the overpaid benefits and any
17 applicable penalty imposed pursuant to section 1347 of this chapter;

18 (2) assessed a further administrative penalty of up to \$5,000.00; and

19 (3) ineligible to receive benefits pursuant to this chapter for a period of
20 up to five years from the date on which the false statement or representation
21 was discovered.

1 (b) Interested parties shall have the right to appeal from any determination
2 under this section and the same procedure shall be followed as provided for in
3 subsection 1348(a) and section 1349 of this chapter.

4 (c) The Commissioner may collect an unpaid administrative penalty by
5 filng a civil action in the Superior Court.

6 Sec. 3. 21 V.S.A. § 1314b is added to read:

7 § 1314b. DATA CROSS-CHECKS

8 To aid in the reduction and prevention of unemployment insurance fraud,
9 the Commissioner shall conduct data cross-checks at least quarterly using the
10 following resources:

11 (1) the National Association of State Workforce Agencies' Integrity
12 Data Hub;

13 (2) the National Directory of New Hires and the State Directory of New
14 Hires;

15 (3) the Vermont Department of Corrections' incarceration records; and
16 (4) the Vermont Department of Health's vital statistics system.

17 Sec. 4. EFFECTIVE DATE

18 This act shall take effect on July 1, 2026.