

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1860, Page 6, The Second Instance of Section 288.060, Line 100, by
2 inserting after all of said section and line the following:

3
4 "288.552. 1. Notwithstanding any provision of law to the contrary, the department of labor
5 and industrial relations, and any division thereof, shall waive the repayment of:

6 (1) Any employment security benefits that were incorrectly but nonfraudulently distributed
7 to claimants if such employment security benefits were directly funded by moneys from the state's
8 unemployment compensation fund and if the original claim for such benefits was filed during a state
9 of emergency declared by the governor due to COVID-19; and

10 (2) Any employment security benefits that were incorrectly but nonfraudulently distributed
11 to claimants if such employment security benefits were directly funded by moneys received by the
12 state of Missouri from the United States government under:

13 (a) The federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L.
14 116-136;

15 (b) The Continued Assistance for Unemployed Workers Act of 2020, as found in the federal
16 Consolidated Appropriations Act, 2021, Pub. L. 116-260; or

17 (c) Any subsequent federal coronavirus-related legislation or program designed, in whole or
18 in part, to provide employment security relief

19
20 to the extent that federal law grants the state of Missouri the authority to waive the repayment of
21 such incorrectly but nonfraudulently distributed benefits.

22 2. A waiver of repayment granted to a claimant under subsection 1 of this section shall meet
23 the following criteria:

24 (1) The waiver relates to an incorrectly but nonfraudulently distributed payment of
25 employment security benefits in which there was no fault on the part of the claimant;

26 (2) The repayment of such benefits by the claimant would be contrary to equity and good
27 conscience; and

28 (3) The decision to grant the waiver to a claimant is made on an individualized basis.

29 Section B. Because immediate action is necessary to protect the financial welfare of the

Action Taken _____ Date _____

1 residents of this state, the enactment of section 288.552 of this act is deemed necessary for the
2 immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be
3 an emergency act within the meaning of the constitution, and the enactment of section 288.552 of
4 this act shall be in full force and effect upon its passage and approval."; and
5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.