

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NOS. 1083, 1085, 1050,  
1035, 1036, 873 & 1097**

**101ST GENERAL ASSEMBLY**

2313H.04C

DANA RADEMAN MILLER, Chief Clerk

---

**AN ACT**

To amend chapter 288, RSMo, by adding thereto one new section relating to employment security benefits, with an emergency clause.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 288, RSMo, is amended by adding thereto one new section, to be  
2 known as section 288.552, to read as follows:

**288.552. 1. Notwithstanding any provision of law to the contrary, the department  
2 of labor and industrial relations, and any division thereof, shall waive the repayment of  
3 any employment security benefits that were incorrectly but nonfraudulently distributed  
4 to claimants if such employment security benefits were directly funded by moneys received  
5 by the state of Missouri from the United States government under:**

6 **(1) The federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act),  
7 Pub. L. 116-136;**

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

10 **(3) Any subsequent federal Coronavirus-related legislation or program designed,  
11 in whole or in part, to provide employment security relief;**

12

13 **to the extent that federal law grants the state of Missouri the authority to waive the  
14 repayment of such incorrectly but nonfraudulently distributed benefits.**

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17           **(1) The waiver relates to an incorrectly but nonfraudulently distributed payment**  
18 **of employment security benefits in which there was no fault on the part of the claimant;**  
19           **(2) The repayment of such benefits by the claimant would be contrary to equity and**  
20 **good conscience; and**  
21           **(3) The decision to grant the waiver to a claimant is made on an individualized**  
22 **basis.**

          Section B. Because immediate action is necessary to protect the financial welfare of the  
2 residents of this state, this act is deemed necessary for the immediate preservation of the public  
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
4 meaning of the constitution, and the enactment of section 288.552 of section A of this act shall  
5 be in full force and effect upon its passage and approval.

✓