

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

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

101ST GENERAL ASSEMBLY

2313H.04P

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.**

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.

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

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.

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