

2024 Regular Session

HOUSE BILL NO. 247

BY REPRESENTATIVE ECHOLS

1 AN ACT

2 To amend and reenact R.S. 23:1601(8) and to enact R.S. 23:1714(D), relative to
3 unemployment compensation benefits; to provide relative to the disqualification of
4 benefits; to provide for certain penalties for the acceptance of overpayments of
5 benefits; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1601(8) is hereby amended and reenacted and R.S. 23:1714(D)
8 is hereby enacted to read as follows:

9 §1601. Disqualification for benefits

10 An individual shall be disqualified for benefits:

11 * * *

12 (8)(a) For the week, or fraction thereof, with respect to which he makes a
13 false statement or representation knowing it to be false, or knowingly fails to
14 disclose a material fact in obtaining or increasing benefits, whether or not he is
15 successful in obtaining or increasing benefits, or otherwise due to his fraud receives
16 any amount as benefits under this Chapter to which he was not entitled, for the
17 remainder of the benefit year subsequent to the commission of the fraudulent act and
18 continuing ~~for the fifty-two weeks which immediately follow the week in which such~~

1 ~~determination was made~~ until the benefits so obtained plus any penalty imposed in
2 accordance with R.S. 23:1714 are repaid, or until ten years have elapsed from the
3 date of disqualification.

4 (b) All benefits paid with respect to such weeks shall be immediately due
5 and on demand paid in accordance with department regulations to the administrator
6 for the fund and such individual shall not be entitled to further benefits until
7 repayment has been made or the claim for repayment has prescribed. If information
8 indicating a claimant has earned any unreported wages for weeks claimed is obtained
9 by the administrator, prior to the administrator rendering a determination on the issue
10 the claimant shall be notified by mail or other delivery method. The claimant shall
11 have seven days from the date of mailing to respond, or if notice is not by mail, then
12 the claimant shall have seven days from the delivery date of such notice to respond.

13 ~~(b)~~ (c) A claim for repayment under this Section shall prescribe against the
14 state ten years from the date the administrator determines that repayment is due. This
15 prescription shall be interrupted for the period of time during which an appeal is
16 pending, by the filing of suit for collection by the administrator or by an
17 acknowledgment or partial payment of the indebtedness. Any disqualification
18 decision or determination pursuant to this Paragraph may be appealed in the same
19 manner as from any other disqualification imposed under this Chapter.

20 * * *

21 §1714. Penalties

22 * * *

23 D. In all overpayments involving one thousand dollars or more of benefits
24 obtained as a result of fraud, as defined in R.S. 23:1601(8), the administrator shall
25 refer all information relating to the overpayment and claimant to the office of the
26 district attorney in which the claimant resides. Acceptance of such overpayment
27 shall be considered a crime of theft under R.S. 14:67 upon proof beyond a reasonable
28 doubt that the over payment was obtained by fraud or false pretenses.
29 Notwithstanding this Subsection, neither a criminal referral or conviction is

1 necessary for the administrator to assess any civil penalty outlined in this Section or
2 R.S. 23:1601(8).
3 Section 2. The provisions of this Act shall become effective on December 31, 2024.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____