

RÉSUMÉ DIGEST

ACT 553 (HB 247)

2024 Regular Session

Echols

Existing law provides for instances when a claimant can be disqualified for unemployment benefits.

Existing law provides that an individual shall be disqualified for benefits for the week, or a fraction thereof, if he does any of the following:

- (1) Knowingly makes a false statement or representation or knowingly fails to disclose a material fact in obtaining or increasing benefits, regardless if he is successful.
- (2) Receives unemployment benefits, which he is not entitled to, due to his fraud.

Prior law provided that an individual shall be barred from receiving unemployment benefits for the remainder of the benefit year subsequent to the commission of the fraudulent act and continuing for the 52 weeks which immediately follow the week in which such determination was made.

New law removes the 52-week disqualification period and, instead, provides that the individual shall be disqualified until the benefits obtained plus any penalty imposed in accordance with existing law (R.S. 23:1714) are repaid, or until 10 years have elapsed from the date of disqualification.

New law provides that in all overpayments involving \$1,000 or more of benefits obtained as a result of fraud, as defined in existing law (R.S. 23:1601(8)), the secretary of the La. Workforce Commission (LWC) shall refer all information regarding the overpayment and claimant to the office of the district attorney in which the claimant resides.

New law provides that if there is proof beyond a reasonable doubt that the overpayment was obtained by fraud or false pretenses, acceptance of the overpayment shall be considered a crime of theft under existing law (R.S. 14:67).

New law provides that neither a criminal referral nor conviction is necessary for the secretary of LWC to assess any civil penalty.

Effective Dec. 31, 2024.

(Amends R.S. 23:1601(8); Adds R.S. 23:1714(D))