

By: Swinford

H.B. No. 2866

A BILL TO BE ENTITLED

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AN ACT

relating to liability for obtaining improper unemployment compensation benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 214.002, Labor Code, is amended to read as follows:

Sec. 214.002. LIABILITY FOR ~~[IMPROPERLY]~~ OBTAINING IMPROPER BENEFITS.

SECTION 2. Section 214.002(b), Labor Code, is amended to read as follows:

(b) In this section, "improper benefit" means any ~~[the]~~ benefit or payment obtained under this subtitle by a person who was or is subsequently disqualified or otherwise determined to be ineligible to receive the benefit or payment for any reason under a final determination or decision made under this subtitle ~~[+]~~

~~[(1) because of the nondisclosure or misrepresentation by the person or by another of a material fact, without regard to whether the nondisclosure or misrepresentation was known or fraudulent, and~~

~~[(2) while:~~

~~[(A) any condition imposed by this subtitle for the person's qualifying for the benefit was not fulfilled in the person's case, or~~

~~[(B) the person was disqualified from receiving~~

1 ~~benefits~~].

2 SECTION 3. The change in law made by this Act applies only
3 to a claim for unemployment compensation benefits that is filed
4 with the Texas Workforce Commission on or after the effective date
5 of this Act. A claim filed before that date is governed by the law
6 in effect on the date that the claim was filed, and the former law is
7 continued in effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2007.