

By: Zaffirini

S.B. No. 2100

A BILL TO BE ENTITLED

AN ACT

relating to the repayment of unemployment benefits paid in error.

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

SECTION 1. Chapter 214, Labor Code, is amended by adding Section 214.0025 to read as follows:

Sec. 214.0025. REPAYMENT OF BENEFITS PAID IN ERROR. (a) This section applies only to benefits to which a person was not entitled that were paid to the person solely due to commission error.

(b) The commission by rule shall establish a procedure under which a person to whom benefits described by Subsection (a) have been paid may, on request, repay the full or a partial amount of those benefits under a repayment plan regardless of whether the person is also requesting or receiving benefits under this chapter.

(c) The commission by rule shall:

(1) establish a procedure under which a person to whom benefits described by Subsection (a) have been paid may apply to the commission for a waiver of the requirement to repay the amount of the benefits, or a portion of that amount, due to financial hardship; and

(2) prescribe criteria to be used by the commission in granting or denying a full or partial waiver under this section.

SECTION 2. As soon as practicable after the effective date of this Act, the Texas Workforce Commission shall adopt all

1 necessary rules and prescribe all necessary forms to comply with  
2 Section 214.0025, Labor Code, as added by this Act.

3 SECTION 3. (a) Except as otherwise provided by Subsection  
4 (b) of this section, Section 214.0025, Labor Code, as added by this  
5 Act, applies only to unemployment benefits paid in error on or after  
6 the effective date of this Act.

7 (b) A person to whom unemployment benefits were paid in  
8 error before the effective date of this Act may request a repayment  
9 plan or apply for a waiver of the repayment requirement under  
10 Section 214.0025, Labor Code, as added by this Act, with respect to  
11 any outstanding amount of those benefits owed to the Texas  
12 Workforce Commission by the person on that date.

13 SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2021.