

Amendment to SB 161-FN

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Unemployment Compensation; Overpayments; Penalties. Amend RSA 282-A:165, IV to read
4 as follows:

5 IV. The commissioner shall collect any overpayment created under this chapter by civil
6 action in any manner provided for the collection of contributions in RSA 282-A:141-156, **except as**
7 **provided in paragraph V**, and shall withhold, in whole or in part as determined by the
8 commissioner, any future benefits payable to the individual and shall credit such amount withheld
9 against the overpayment until it is repaid in full.

10 2 New Paragraph; Unemployment Compensation; Overpayments. Amend RSA 282-A:165 by
11 inserting after paragraph IV the following new paragraph:

12 V. The commissioner shall not charge interest on overpayments unless the person willfully
13 made a false statement or representation or knowingly failed to disclose a material fact to obtain or
14 increase any benefit or other payment under this chapter, either for oneself or any other person
15 pursuant to RSA 282-A:161 or RSA 282-A:164.

16 3 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill prohibits the commissioner of the department of employment security from charging interest in the settlement of overpaid unemployment compensation unless there is evidence of fraud.