

Sen. Whitley, Dist 15  
Sen. Carson, Dist 14  
May 31, 2023  
2023-2081s  
05/08

Floor Amendment to HB 358

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the filing and adoption of proposed administrative rules and relative to  
4 overpayment of unemployment compensation.  
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6 Amend the bill by replacing all after section 18 with the following:

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8 19 Unemployment Compensation; Overpayment Penalties. Amend RSA 282-A:165, IV to read  
9 as follows:

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

15 20 New Paragraph; Unemployment Compensation; Overpayment. Amend RSA 282-A:165 by  
16 inserting after paragraph IV the following new paragraph:

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

21 21 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill makes various changes to the procedures for the filing and adoption of proposed administrative rules.

The bill also provides that the state shall not charge interest on the collection of an overpayment of unemployment compensation unless the person knowingly or willfully made a false statement in their application for benefits.