

Amendment No. 1 to HB1552

Eldridge
Signature of Sponsor

AMEND Senate Bill No. 2556

House Bill No. 1552*

by deleting SECTION 4 and substituting instead:

SECTION 4. Tennessee Code Annotated, Section 50-7-715(b)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

(A) For overpayments made prior to July 1, 2016, the commissioner shall further assess a penalty equal to seven and one-half percent (7.5%) of the overpaid benefits described in subsection (a).

(B) For overpayments made on or after July 1, 2016, the commissioner shall further assess a penalty equal to fifteen percent (15%) for the first instance of overpaid benefits described in subsection (a). "First instance" means all consecutive claim weeks of unemployment benefits paid within a benefit year to any person when such benefits were received by knowingly misrepresenting, misstating, or failing to disclose any material fact. The commissioner shall further assess a penalty equal to thirty-five percent (35%) for the second and each subsequent instance of overpaid benefits as described in subsection (a).

(C) Monies collected by penalties set out in this subdivision (b)(2) shall be used to defray the costs of deterring, detecting, or collecting overpayments. The penalty provided in this subdivision (b)(2) is in addition to the penalty provided in subdivision (b)(1).