

1.1 ..... moves to amend H.F. No. 2233, the delete everything amendment  
1.2 (A23-0107), as follows:

1.3 Page 40, after line 22, insert:

1.4 "Sec. .... Minnesota Statutes 2022, section 268.18, subdivision 2, is amended to read:

1.5 Subd. 2. **Overpayment because of misrepresentation.** (a) An applicant has committed  
1.6 misrepresentation if the applicant is overpaid unemployment benefits by making a false  
1.7 statement or representation without a good faith belief as to the correctness of the statement  
1.8 or representation.

1.9 After the discovery of facts indicating misrepresentation, the commissioner must issue  
1.10 a determination of overpayment penalty assessing a penalty equal to ~~40~~15 percent of the  
1.11 amount overpaid. This penalty is in addition to penalties under section 268.183.

1.12 (b) Unless the applicant files an appeal within 20 calendar days after the sending of a  
1.13 determination of overpayment penalty to the applicant by mail or electronic transmission,  
1.14 the determination is final. Proceedings on the appeal are conducted in accordance with  
1.15 section 268.105.

1.16 (c) A determination of overpayment penalty must state the methods of collection the  
1.17 commissioner may use to recover the overpayment, penalty, and interest assessed. Money  
1.18 received in repayment of overpaid unemployment benefits, penalties, and interest is first  
1.19 applied to the benefits overpaid, then to the penalty amount due, then to any interest due.  
1.20 62.5 percent of the payments made toward the penalty are credited to the contingent account  
1.21 and 37.5 percent credited to the trust fund.

1.22 (d) The department is authorized to issue a determination of overpayment penalty under  
1.23 this subdivision within 48 months of the establishment of the benefit account upon which  
1.24 the unemployment benefits were obtained through misrepresentation.

2.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

2.2 Sec. .... Minnesota Statutes 2022, section 268.18, subdivision 2b, is amended to read:

2.3 ~~Subd. 2b. **Interest.** On any unemployment benefits obtained by misrepresentation, and~~  
2.4 ~~any penalty amounts assessed under subdivision 2, the commissioner must assess interest~~  
2.5 ~~on any amount that remains unpaid beginning 30 calendar days after the date of a~~  
2.6 ~~determination of overpayment penalty. Interest is assessed at the rate of one percent per~~  
2.7 ~~month or any part of a month. A determination of overpayment penalty must state that~~  
2.8 ~~interest will be assessed. Interest is not assessed on unpaid interest. Interest collected under~~  
2.9 ~~this subdivision is credited to the trust fund.~~

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2024."

2.11 Renumber the sections in sequence and correct the internal references

2.12 Amend the title accordingly