

CHAPTER 438

(House Bill 316)

AN ACT concerning

Unemployment Insurance - Penalties for Fraud

FOR the purpose of increasing the fine for a conviction of unemployment insurance fraud; providing that unemployment insurance fraud shall be considered a misdemeanor; repealing certain requirements that each false statement or representation or failure to disclose a material fact shall constitute a separate offense; providing for the assessment of interest on improperly paid benefits due to a false statement or representation or failure to disclose a material fact; and providing that certain criminal actions may be prosecuted in the jurisdiction where the individual filed for benefits to which the individual was not legally entitled.

BY repealing and reenacting, with amendments,

Article 95A - Unemployment Insurance Law
Section 17(a), (b), (c), and (e), and 18(b)
Annotated Code of Maryland
(1985 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 95A - Unemployment Insurance Law

17.

(a) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this article, or under an unemployment insurance law of any other state, or of the federal government, or of a foreign government, either for himself or for any other person, [shall be punished by a fine of not less than \$50.00 nor more than \$500.00 or by imprisonment for not longer than ninety days or by both such fine and imprisonment; and each false statement or representation or failure to disclose a material fact shall constitute a separate offense] SHALL BE GUILTY OF A MISDEMEANOR. UPON CONVICTION, THE PERSON SHALL MAKE FULL RESTITUTION OF THE BENEFITS UNLAWFULLY RECEIVED, INCLUDING INTEREST AT A RATE OF 1.5 PERCENT PER MONTH FROM THE DATE THE PERSON IS NOTIFIED BY THE SECRETARY OF THE AMOUNT TO BE RECOVERED AND THE PERSON SHALL BE FINED AN AMOUNT