

Approved April 26, 1993.

CHAPTER 129

(House Bill 153)

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Interest

FOR the purpose of providing that interest due on benefits fraudulently received by a claimant may not be recovered by deduction from benefits payable to the claimant in the future; and generally relating to the recovery of benefits.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8-809

Annotated Code of Maryland

(1991 Volume and 1992 Supplement)

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

Article – Labor and Employment

8-809.

(a) The Secretary may recover benefits paid to a claimant if the Secretary finds that the claimant was not entitled to the benefits because:

- (1) the claimant was not unemployed;
- (2) the claimant received or retroactively was awarded wages; or
- (3) due to a redetermination of an original claim by the Secretary, the claimant is disqualified or otherwise ineligible for benefits.

(b) If the Secretary finds that a claimant knowingly made a false statement or representation or knowingly failed to disclose a material fact to obtain or increase a benefit or other payment under this title, in addition to disqualification of the claimant, the Secretary may recover from the claimant:

- (1) all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact; and
- (2) interest of 1.5% per month on the amount accruing from the date that the claimant is notified by the Secretary that the claimant was not entitled to benefits received.