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**HOUSE BILL NO. 1172**

Offered January 14, 2016

A *BILL to amend and reenact § 60.2-637 of the Code of Virginia, relating to unemployment compensation; notice of penalties for false or misleading statements.*

Patron—Morris

Referred to Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That § 60.2-637 of the Code of Virginia is amended and reenacted as follows:**

**§ 60.2-637. Notice of penalties for false or misleading statements.**

A. The Commission shall provide to each claimant notices of the sanctions to which the claimant is subject as a consequence of providing false or misleading statements to obtain unemployment benefits. The notices shall, at a minimum, (i) identify the penalties and sanctions to which any person is liable as a result of providing false or misleading statements to obtain benefits; (ii) inform the claimant that making a false statement or representation knowing it to be false or knowingly failing to disclose a material fact, with intent to obtain or increase any benefit or other payment under this title, is punishable as a Class 1 misdemeanor; and (iii) provide a summary of all remedies available to the Commission to collect overpayments made to a claimant as a result of his making false or misleading statements to obtain benefits.

B. The notices required by subsection A shall be included with the written statement advising claimants of their benefit rights and responsibilities that is provided by the Commission to claimants following the filing of the initial claim. In addition, the notices shall be provided to claimants at the time of the filing of initial and weekly claims by the same medium, including telephone or the Internet, that is used by the claimant to file his claim, *which the claimant shall affirmatively acknowledge.*

C. The failure of the claimant to receive any of the notices set out in subsection A shall not constitute a defense to any criminal prosecution for unemployment insurance fraud under § 60.2-632, to an administrative fraud disqualification under subdivision 4 of § 60.2-618, or to any overpayment of benefits under § 60.2-633 that the claimant would be required to repay as a result of the fraudulent act or acts.

INTRODUCED

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