



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB3489**

Introduced 2/22/2021, by Rep. Barbara Hernandez - Jonathan Carroll

#### SYNOPSIS AS INTRODUCED:

820 ILCS 405/901

from Ch. 48, par. 491

Amends the Unemployment Insurance Act to provide that, during the pendency of a disaster proclamation that is a result of a public health emergency or epidemic, provisions concerning ineligibility as a result of unemployment insurance fraud shall not apply to individuals residing in the counties affected by the gubernatorial disaster proclamation who are otherwise entitled to receive unemployment insurance benefits. Effective immediately.

LRB102 10884 JLS 16214 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Unemployment Insurance Act is amended by  
5 changing Section 901 as follows:

6 (820 ILCS 405/901) (from Ch. 48, par. 491)

7 Sec. 901. Fraud - Repayment - Ineligibility.

8 (1) An individual who, for the purpose of obtaining  
9 benefits, knowingly makes a false statement or knowingly fails  
10 to disclose a material fact, and thereby obtains any sum as  
11 benefits for which he is not eligible:

12 A. Shall be required to repay such sum in cash, or the  
13 amount thereof may be recovered or recouped pursuant to  
14 the provisions of Section 900.

15 B. Shall be ineligible, except to the extent that such  
16 benefits are subject to recoupment pursuant to this  
17 Section, for benefits for the week in which he or she has  
18 been notified of the determination of the claims  
19 adjudicator referred to in Section 702 that he or she has  
20 committed the offense described in the first paragraph  
21 and, thereafter, for 6 weeks (with respect to each of  
22 which he or she would be eligible for benefits but for the  
23 provisions of this paragraph, not including weeks for

1           which such benefits are subject to recoupment pursuant to  
2           this Section) for the first offense, and for 2 additional  
3           weeks (with respect to each of which he or she would be  
4           eligible for benefits but for the provisions of this  
5           paragraph, not including weeks for which such benefits are  
6           subject to recoupment pursuant to this Section) for each  
7           subsequent offense. For the purposes of this paragraph, a  
8           separate offense shall be deemed to have been committed in  
9           each week for which such an individual has received a sum  
10          as benefits for which he or she was not eligible. No  
11          ineligibility under the provisions of this paragraph shall  
12          accrue with respect to any week beginning after whichever  
13          of the following occurs first: (1) 26 weeks (with respect  
14          to each of which the individual would be eligible for  
15          benefits but for the provisions of this paragraph, not  
16          including weeks for which such benefits are subject to  
17          recoupment pursuant to this Section) have elapsed since  
18          the date that he or she is notified of the determination of  
19          the claims adjudicator referred to in Section 702 that he  
20          or she has committed the offense described in the first  
21          paragraph, or (2) 2 years have elapsed since the date that  
22          he or she is notified of the determination of the claims  
23          adjudicator referred to in Section 702 that he or she has  
24          committed the offense described in the first paragraph.

25          (2) Notwithstanding subsection (1), during the pendency of  
26          a disaster proclamation issued by the Governor pursuant to

1 Section 7 of the Illinois Emergency Management Agency Act that  
2 is a result of a public health emergency or epidemic, the  
3 penalties and requirements of paragraph B of subsection (1)  
4 shall not apply to individuals residing in the counties  
5 affected by the gubernatorial disaster proclamation who are  
6 otherwise entitled to receive benefits under this Act.

7 (Source: P.A. 91-342, eff. 1-1-00.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.