

STATE OF NEW YORK

8275

IN SENATE

May 1, 2020

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to suspending the forfeiture of unemployment benefits during the COVID-19 state of emergency

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 594 of the labor law is amended by adding a new
2 subdivision 1-a to read as follows:

3 (1-a) The commissioner shall temporarily suspend the reduction of
4 benefits through forfeiture under this section during the period of the
5 COVID-19 emergency declaration. A claimant who has filed a previous
6 claim which the department determined contained a willful false state-
7 ment or representation resulting in the imposition of forfeit days
8 against them shall be eligible to receive benefits under this title
9 during the COVID-19 emergency, if otherwise entitled to such benefits;
10 provided however that such claimant shall be required to pay the refund
11 and penalties required under this section at the end of the emergency
12 period and any forfeiture shall be reinstated. The two year period
13 provided in subdivision three of this section shall be tolled during the
14 time that the forfeiture of benefits is suspended under this subdivi-
15 sion. For the purposes of this subdivision, the term "COVID-19 emergency
16 declaration" shall mean the state disaster emergency declared for the
17 entire state by executive order number two hundred two and any further
18 amendments or modifications, and as may be further extended pursuant to
19 section twenty-eight of the executive law.

20 § 2. This act shall take effect immediately, provided, however, that
21 this act shall be subject to the expiration of the state disaster emer-
22 gency declared for the entire state by executive order number 202 and
23 any further amendments or modifications, and as may be further extended
24 pursuant to section 28 of the executive law, and shall be deemed to
25 expire and be repealed therewith; provided, further, that the commis-
26 sioner of labor shall notify the legislative bill drafting commission
27 upon the occurrence of the expiration of the state disaster emergency
28 declared by executive order number 202 and any further amendments or

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD16222-01-0

1 modifications, and as may be further extended pursuant to section 28 of
2 the executive law, in order that the commission may maintain an accurate
3 and timely effective data base of the official text of the laws of the
4 state of New York in furtherance of effectuating the provisions of
5 section 44 of the legislative law and section 70-b of the public offi-
6 cers law.