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:

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

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

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and as may be further extended pursuant to section 28 of the executive law, and shall be deemed to expire and be repealed therewith; provided, further, that the commissioner of labor shall notify the legislative bill drafting commission upon the occurrence of the expiration of the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

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