

HOUSE BILL No. 2196

By Committee on Commerce, Labor and Economic Development

2-1

Proposed Amendments for HB 2196
Committee on Commerce, Labor
and Economic Development
Highland #1
February 18, 2021
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Office of Revisor of Statutes

1 AN ACT concerning employment security; creating the unemployment
2 compensation modernization and improvement council; providing for
3 development of a new unemployment insurance information
4 technology system; claimant tax information; website publication of
5 trust fund data; maximum benefit period; charging of employer
6 accounts for benefits paid; employer contribution rate determination
7 and schedules; abolishing the employment security interest assessment
8 fund; crediting employer accounts for fraudulent or erroneous
9 payments; transferring moneys from the state general fund to the
10 unemployment insurance trust fund for improper benefit payments;
11 services performed by petroleum landmen; lessor employment unit
12 employee leasing restrictions; relating to other unemployment trust
13 fund provisions; shared work compensation program; amending K.S.A.
14 44-758 and K.S.A. 2020 Supp. 44-703, 44-704, 44-710, 44-710a, 44-
15 710b and 44-757 and repealing the existing sections.

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17 *Be it enacted by the Legislature of the State of Kansas:*

18 New Section 1. (a) (1) There is hereby created the unemployment
19 compensation modernization and improvement council. The council shall
20 consist of 11 members appointed as follows:

21 (A) Two members who, on account of their vocation, employment or
22 affiliations, may be classed as representative of employers, to be selected
23 by the workers compensation and employment security boards nominating
24 committee established under K.S.A. 44-551, and amendments thereto, and
25 appointed by the governor;

26 (B) two members who, on account of their vocation, employment or
27 affiliation, may be classed as representative of employees, to be selected
28 by the workers compensation and employment security boards nominating
29 committee and appointed by the governor;

30 (C) the chairpersons of the standing committees of the senate and the
31 house of representatives to which legislation pertaining to the employment
32 security law is customarily referred, appointed by the president of the
33 senate and the speaker of the house of representatives, respectively;

34 (D) two members of the senate appointed by the president of the
35 senate, one of whom is a member of the majority party and one of whom is
36 a member of the minority party;

1 validating social security numbers supplied by a claimant;
 2 (2) checking of new hire records against the national directorate of
 3 new hires to verify eligibility;
 4 (3) verification of immigration status or citizenship and confirmation
 5 of benefit applicant information through the systematic alien verification
 6 for entitlement program;
 7 (4) comparison of applicant information to local, state and federal
 8 prison databases through incarceration cross-matches;
 9 (5) detection of duplicate claims by applicants filed in other states or
 10 other unemployment insurance programs through utilization of the
 11 interstate connection network, interstate benefits cross-match, the state
 12 identification inquiry state claims and overpayment file and the interstate
 13 benefits 8606 application for overpayment recoveries for Kansas claims
 14 filed from a state other than Kansas;
 15 (6) identification of internet protocol addresses linked to multiple
 16 claims or to claims filed outside of the United States; and
 17 (7) use of data mining and data analytics to detect and prevent fraud
 18 when a claim is filed, and on an ongoing basis throughout the lifecycle of a
 19 claim, by using current and future functionalities to include suspicious
 20 actor repository, suspicious email domains, foreign internet protocol
 21 addresses, multi-state cross-match, identity verification, fraud alert
 22 systems and other assets provided by the unemployment insurance
 23 integrity center.
 24 (f) The secretary, on a scheduled basis, shall cross check new and
 25 active unemployment insurance claims against the cross-check programs
 26 described in subsection (e). If the secretary receives information
 27 concerning an individual approved for benefits that indicates a change in
 28 circumstances that may affect eligibility, the secretary shall review the
 29 individual's case and act in accordance with the law.
 30 (g) The department of labor shall have the authority to execute a
 31 memorandum of understanding with any department, agency or agency
 32 division for information required to be shared between agencies pursuant
 33 to the provisions of this act.
 34 (h) The secretary of labor shall adopt rules and regulations necessary
 35 for the purposes of carrying out this ~~act~~.
 36 (i) The secretary of labor shall provide an annual status update and
 37 progress report regarding the requirements of this section to the
 38 unemployment compensation modernization and improvement council and
 39 the legislative coordinating council.
 40 (j) This section shall be a part of and supplemental to the employment
 41 security law.
 42 New Sec. 3. (a) The secretary of labor shall include information on an
 43 unemployment insurance benefit claimant's initial notice of determination

section. Such rules and regulations shall be adopted within 12 months of the effective date of this act
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1 Sec. 13. This act shall take effect and be in force from and after its
2 publication in the ~~statute book~~.

Kansas register