

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 139

Representatives Sobecki, Crossman

**Cosponsors: Representatives Boggs, Miller, A., Lightbody, Brown, Boyd, Kelly,
Russo, O'Brien, Sykes, Galonski, Lepore-Hagan, Miller, J., Smith, M., Liston,
Jarrells, Weinstein**

A BILL

To allow the Director of Job and Family Services to 1
waive the collection of certain unemployment 2
benefit overpayments and to declare an 3
emergency. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) As used in this section, "benefits" has the 5
same meaning as in section 4141.01 of the Revised Code. 6

(B) If the Director of Job and Family Services determines 7
that an individual has been paid benefits to which the 8
individual was not entitled for reasons other than fraudulent 9
misrepresentation, the Director shall recover the overpayment in 10
accordance with division (B) of section 4141.35 of the Revised 11
Code, except that the Director shall waive collection of the 12
overpayment if the Director determines that all of the following 13
apply: 14

(1) The benefit was intended to compensate the individual 15
for a week of unemployment occurring during the period beginning 16

March 15, 2020, and ending April 30, 2021. 17

(2) The individual who received the benefit was not at 18
fault for the overpayment. 19

(3) Repayment would cause an undue hardship on the 20
individual who received the benefit. 21

(C) If an individual has received a payment of Pandemic 22
Unemployment Assistance under the "Coronavirus Aid, Relief, and 23
Economic Security Act," 15 U.S.C. 9021, to which the individual 24
was not entitled, the Director shall recover the overpayment in 25
accordance with division (B) (2) of section 4141.35 of the 26
Revised Code, except that the Director shall waive collection of 27
the overpayment if the Director determines that all of the 28
following apply: 29

(1) The payment was intended to compensate the individual 30
for any week of unemployment or inability to work during the 31
period beginning January 27, 2020, and ending April 5, 2021. 32

(2) The individual who received the payment was not at 33
fault for the overpayment. 34

(3) Repayment would cause an undue hardship on the 35
individual who received the payment. 36

Section 2. This act is hereby declared to be an emergency 37
measure necessary for the immediate preservation of the public 38
peace, health, and safety. The reason for such necessity is to 39
minimize the impact to Ohio workers from the COVID-19 outbreak. 40
Therefore, this act shall go into immediate effect. 41