

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 771**

**Representative Cutrona**

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**A BILL**

To prohibit the collection of certain unemployment 1  
benefit overpayments during the COVID-19 state 2  
of emergency and to declare an emergency. 3

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

**Section 1.** (A) As used in this section, "benefits" has the 4  
same meaning as in section 4141.01 of the Revised Code. 5

(B) Notwithstanding division (B)(1) of section 4141.35 of 6  
the Revised Code, during the period of the emergency declared by 7  
Executive Order 2020-01D, issued on March 9, 2020, the Director 8  
of Job and Family Services shall not take any action to recover 9  
benefits to which an individual was not entitled unless either 10  
of the following apply: 11

(1) The benefits were paid to the individual because the 12  
individual engaged in fraudulent misrepresentation with the 13  
object of obtaining benefits to which the individual was not 14  
entitled; 15

(2) The individual received an overpayment from an 16  
unemployment benefit program of the United States or another 17  
state and the overpayment has not previously been recovered. 18

(C) The Director shall recover benefits obtained through 19  
fraudulent misrepresentation in accordance with division (A) of 20  
section 4141.35 of the Revised Code. 21

The Director shall recover an overpayment described in 22  
division (B) (2) of this section in accordance with division (B) 23  
(2) of section 4141.35 of the Revised Code. 24

(D) The time period described in division (B) (1) of 25  
section 4141.35 of the Revised Code for collecting a benefit 26  
that the Director is prohibited from collecting under this 27  
section is tolled during the period of the emergency declared by 28  
Executive Order 2020-01D, issued on March 9, 2020. 29

**Section 2.** This act is hereby declared to be an emergency 30  
measure necessary for the immediate preservation of the public 31  
peace, health, and safety. The reason for such necessity is to 32  
minimize the impact to Ohio workers from the COVID-19 outbreak. 33  
Therefore, this act shall go into immediate effect. 34