

1 SB373
2 212063-2
3 By Senators Orr, Scofield, Reed, Elliott, Allen, Livingston,
4 Stutts, McClendon, Butler, Sessions, Chambliss, Williams,
5 Jones, Albritton and Waggoner
6 RFD: Fiscal Responsibility and Economic Development
7 First Read: 01-APR-21

1 SB373

2
3
4 ENROLLED, An Act,

5 Relating to the Alabama Department of Labor; to
6 require the adoption of policies to recover improper
7 overpayments of unemployment benefits.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) This act shall be known and may be
10 cited as the Unemployment Insurance Program Integrity Act of
11 2021.

12 (b) The purpose of this act is to enhance program
13 integrity for the state's unemployment records against
14 unemployment insurance rolls on a weekly basis, and check
15 federal, state, county, and local prison and jail records.

16 (c) As used in this section the following terms
17 shall have the following meanings:

18 (1) DEPARTMENT OF LABOR. The Alabama Department of
19 Labor.

20 (2) NEW HIRE RECORDS. The directory of newly hired
21 and re-hired employees reported under state and federal law
22 and managed by the Department of Labor.

23 (3) UNEMPLOYMENT INSURANCE ROLLS. Jobless workers
24 receiving unemployment insurance in the state.

1 (d) The Department of Labor shall engage with and
2 utilize the Integrity Data Hub of the National Association of
3 State Workforce Agencies to verify the integrity of the
4 state's unemployment insurance rolls.

5 (e) The Department of Labor, on a weekly basis,
6 shall check the unemployment insurance rolls against the
7 Alabama Department of Corrections list of incarcerated
8 individuals to verify eligibility and ensure program
9 integrity.

10 (f) The Department of Labor shall enter into a
11 cooperative agreement with the U.S. Department of Labor's
12 Office of Inspector General to proactively detect and
13 investigate cases of unemployment fraud.

14 (g) The Department of Labor shall adopt and
15 implement internal administrative policies to recover improper
16 overpayments of unemployment benefits to the fullest extent
17 possible by state and federal law. The department, without
18 exception, shall recover improper unemployment benefit
19 overpayments, unless doing so would violate state or federal
20 law. The department shall maintain records of any and all
21 applications of overpayment recovery exceptions.

22 (h) The Department of Labor, on a weekly basis,
23 shall check new hire records against the National Directorate
24 of New Hires to verify eligibility.

1 (i) The Department of Labor may execute a memorandum
2 of understanding with any department or agency for information
3 required to be shared between agencies as described in this
4 section.

5 (j) If the Department of Labor receives information
6 concerning an individual enrolled in unemployment compensation
7 benefits which indicates a change in circumstances that may
8 affect eligibility, the Department of Labor shall review the
9 individual's case.

10 (k) The Department of Labor shall annually issue a
11 report to the Legislature which includes all of the following:

12 (1) The efficacy of unemployment fraud detection and
13 prevention measures by the department.

14 (2) The amount of any improper unemployment benefit
15 payments issued and recovered, and the reasoning for and
16 extent to which any improper unemployment benefit payments are
17 not corrected or recovered.

18 (1) The Department of Labor shall adopt any rules
19 necessary for the purposes of implementing and administering
20 this section.

21 Section 2. This act shall become effective January
22 1, 2022, following its passage and approval by the Governor,
23 or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB373

Senate 13-APR-21

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 29-APR-21

By: Senator Orr