

FIRST REGULAR SESSION

HOUSE BILL NO. 373

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TRENT.

0890H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 288.245, RSMo, and to enact in lieu thereof two new sections relating to employment security.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 288.245, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 288.245 and 288.248, to read as follows:

288.245. The records of the division shall constitute prima facie evidence of the date of mailing **or the date of electronic transmission** of any notice, determination, or other paper mailed **or electronically transmitted** under this chapter.

288.248. 1. Except as otherwise required by law, any notice, determination, decision, or other paper required to be mailed by the division to an employing unit or claimant under this chapter may be transmitted solely by electronic means to any employing unit or claimant, unless an alternative method of transmittal is requested by the employing unit or claimant. The date the division transmits such notice, determination, decision, or other paper shall be the date of mailing or notification.

2. Any protest, notice of appeal, or other paper required to be filed with the division under this chapter may be filed by electronic means to the website specified by the division. The date and time of receipt shall be determined by the division's computer system.

3. Any function required to be performed by a representative of the division under this chapter may be performed by a computer or other automated means programmed and tested by a representative of the division, office of administration, or a vendor retained to perform such programming under the direction of the division or office of administration.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 **However, any issue raised by an employer in a timely protest and any issue of fraud under**
16 **section 288.380 shall be decided by a deputy of the division after investigation. Further,**
17 **any appeal to a determination issued by the division or deputy shall be decided by an order**
18 **or decision of an appeals referee after an opportunity for a fair hearing as provided under**
19 **section 288.190.**

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