

FIRST EXTRAORDINARY SESSION OF THE  
FIRST REGULAR SESSION

# House Concurrent Resolution No. 1

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

2851H.011

DANA RADEMAN MILLER, Chief Clerk

2       **WHEREAS**, Missouri residents have faced and continue to face significant economic  
3 hardships as a result of the ongoing COVID-19 pandemic; and

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4       **WHEREAS**, as the result of a possible administrative error made by the Missouri  
5 Department of Labor and Industrial Relations, many of these Missouri residents may have  
6 received employment security payments to which they were not entitled; and

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8       **WHEREAS**, it would likely impose a severe financial burden on many Missouri families  
9 for the state government to force these Missouri residents to return their payments, especially  
10 given that many of these residents have likely already expended the funds that were inadvertently  
11 provided by such payments; and

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13       **WHEREAS**, the members of the General Assembly believe that the Governor of  
14 Missouri can help Missouri families avoid such an impending financial burden by taking  
15 executive action on this matter to forgive any employment security overpayments that were  
16 inadvertently but nonfraudulently distributed to Missouri residents during the COVID-19  
17 pandemic; and

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19       **WHEREAS**, the federal government has informed the states, pursuant to both federal  
20 statute and guidance, that the amounts of such inadvertent but nonfraudulent employment  
21 security overpayments can be forgiven if collecting the overpayments would be contrary to equity  
22 and good conscience; and

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24           **WHEREAS**, the Governor of Missouri already has the authority under federal law to  
25 forgive the portions of any employment security overpayments that were fully funded by moneys  
26 received directly from the federal government and that have been inadvertently but  
27 nonfraudulently distributed to Missouri residents during the COVID-19 pandemic; and

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29           **WHEREAS**, in House Bill No. 7 of the One Hundred First General Assembly, First  
30 Regular Session, the General Assembly provided the Governor of Missouri with the authority  
31 to cover the costs of the state portions of any employment security overpayments that were  
32 inadvertently but nonfraudulently distributed to Missouri residents during the COVID-19  
33 pandemic:

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35           **NOW THEREFORE BE IT RESOLVED** that the members of the House of  
36 Representatives of the One Hundred First General Assembly, First Extraordinary Session of the  
37 First Regular Session, the Senate concurring therein, hereby reiterate their intention that:

38           (1) The Governor of Missouri cease collections on all inadvertent but nonfraudulent  
39 employment security overpayments made during the most recently declared state of emergency;

40           (2) The Missouri Department of Labor and Industrial Relations repay those individuals  
41 whose overpayments were already captured or intercepted;

42           (3) The Missouri Department of Labor and Industrial Relations release any outstanding  
43 liens or garnishments relating to inadvertent but nonfraudulent employment security  
44 overpayments; and

45           (4) The Missouri Department of Labor and Industrial Relations repay any inadvertent  
46 but nonfraudulent overpayments to the Unemployment Insurance (UI) Trust Fund on behalf of  
47 the recipients of alleged overpayments, utilizing the appropriation authority granted by the  
48 General Assembly in the Fiscal Year 2022 budget; and

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50           **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
51 Representatives be instructed to prepare a properly inscribed copy of this resolution for the  
52 Governor of Missouri.

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