

ELIGIBILITY

Table 409. – Disqualification for Fraudulent Misrepresentation to Obtain Benefits, 53 States		
State	Duration of disqualification <u>1/</u>	Benefits reduced or canceled
AL	*****	4 x wba to max. benefit amt payable in BY <u>2/</u>
AK	W + 6 - 52	<u>4/</u>
AZ	1 - 52 wks. <u>1/3/</u>	<u>4/</u>
AR	W + 13 wks., +3 wks. for each wk. of fraud <u>1/</u>	50% of remaining entitlement
CA	If convicted, 52 wks. <u>1/3/7/16/</u>	<u>4/</u>
CO	<u>8/</u>	<u>8/</u>
CT	2 - 39 wks. for which otherwise eligible <u>1/3/</u>	Mandatory equal reduction
DE	W + 51	X <u>9/</u>
DC	All or part of remainder of BY and for 1yr. commencing with the end of such BY <u>2/</u>	X <u>9/</u>
FL	1 - 52 wks. <u>1/</u>	<u>4/</u>
GA	Remainder of current qtr. and next 4 qtrs. <u>3/13/</u>	Mandatory equal reduction <u>3/</u>
HI	24 months <u>1/3/</u>	<u>9/</u>
ID	W + 52 <u>1/</u> ; amounts fraudulently received must be repaid or deducted from future benefits <u>3/</u>	X <u>9/</u>
IL	W + 6 wks. <u>1/5/</u>	<u>4/</u>
IN	Up to current BY + <u>6/</u>	All wage credits prior to act canceled
IA	Up to current BY <u>1/</u>	Mandatory equal reduction
KS	1 yr. after act committed or 1 st day following last wk. for which benefits were paid, whichever is later	X <u>9/</u>
KY	W + up to 52 wks.; if fraudulent benefits received, until such amounts are repaid or 10 yrs. <u>1/</u>	<u>4/</u>
LA	W + 52; if fraudulent benefits received, until such amounts are repaid <u>1/</u>	X <u>9/</u>
ME	6 months - 1 yr. <u>1/</u>	*****
MD	1 yr., and until benefits repaid <u>1/3/</u>	X <u>9/</u>
MA	1 - 10 wks. for which otherwise eligible <u>1/2/</u>	*****
MI	Current BY and until such amounts are repaid or withheld <u>1/3/</u>	All uncharged credit weeks canceled
MN	W + up to 52 wks. <u>1/17/</u>	<u>4/</u>
MS	W + up to 52 wks. <u>1/</u>	X
MO	Up to current BY + <u>6/</u>	All or part of wage credits prior to act canceled
MT	1 - 52 wks. and until benefits repaid <u>1/</u>	*****

(Table continued on next page)

Table 409. – Disqualification for Fraudulent Misrepresentation to Obtain Benefits, 53 States (Continued)

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State	Duration of disqualification <u>1/</u>	Benefits reduced or canceled
NE	Up to current BY + <u>6/</u>	All or part of wage credits prior to act canceled
NV	W + 1 - 52	X <u>9/</u>
NH	4 - 52 wks.; if convicted 1 yr. after conviction; and until benefits repaid or withheld <u>1/2/</u>	Mandatory equal reduction
NJ	1 year <u>1/</u>	<u>4/</u>
NM	Not more than 52 wks. <u>1/</u>	X <u>9/</u>
NY	4 - 80 days for which otherwise eligible <u>1/3/</u>	Mandatory equal reduction
NC	52 wks. <u>1/</u>	X <u>9/</u>
ND	W + 51	X <u>9/</u>
OH	Duration of unemployment + 6 wks. in covered work	X <u>12/</u>
OK	W + 51 <u>1/3/</u>	BP or BY may not be established during period
OR	Up to 26 wks.; if convicted, until benefits repaid or withheld <u>1/3/</u>	If convicted, all wage credits prior to conviction canceled <u>6/</u>
PA	2 wks. plus 1 wk. for each wk. of fraud or, if convicted of illegal receipt of benefits, 1 yr. after conviction <u>2/3/11/</u>	X <u>9/</u>
PR	W + 51 <u>1/3/</u>	*****
RI	If convicted 1 yr. after conviction	X <u>9/</u>
SC	W + 10 - 52 <u>1/</u>	<u>4/</u>
SD	1 - 52 wks. <u>1/</u>	<u>4/</u>
TN	W + 4 - 52 <u>1/</u>	<u>4/</u>
TX	Current BY	Benefits or remainder of BY canceled
UT	W + 13 - 49; and until benefits received fraudulently are repaid <u>15/</u>	X <u>9/</u>
VT	If not prosecuted, until amount of fraudulent benefits are repaid or withheld +1-26 wks. <u>1/3/</u>	<u>4/</u>
VA	W + 52 and until benefits repaid; if convicted, 1 yr. after conviction <u>1/3/</u>	<u>4/</u>
VI	W + 51 <u>1/3/</u>	X <u>4/</u>
WA	Wk. of fraudulent act + 26 wks. following filing of 1 st claim after determination of fraud <u>3/</u>	X <u>9/</u>
WV	W + 52 wks. <u>1/</u>	*****
WI	Each wk. of fraud	1 -4 x wba <u>2/14/</u>
WY	W + 52 wks	<u>4/</u>

(Footnotes for Table 409 on the next page)

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1/W means wk. in which act occurs plus the indicated number of consec. wks. following: Period of disqualification is measured from date of determination of fraud, HI, ID, IL, IA, LA, MD, MN, MT, NH, NM, OK, PR, SC, VA, and WV; mailing date of determination, ME and NC; date of

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redetermination of fraud, VT; date of claim or registration for work, AZ; wk. determination is mailed or served, or any subsequent wk. for which individual is first otherwise eligible for benefits; or if convicted, wk. in which criminal complaint is filed, CA; waiting or compensable wk. after its discovery, CT, FL, MA, NY, SD, and TN; as determined by agency, MI, and OR; date of discovery of fraud, KY, MI, and NJ; waiting or compensable wk. after determination mailed or delivered, AR; wk. determination mailed or delivered, VI.

2/Provision applicable at discretion of agency.

3/Provision applicable only if claim filed 2 yrs. after offense, AZ, HI, NY, OK, PR, and VI; within 2 yrs. following determination of fraud, Pa. and Wash.; if claim filed within 3 yrs. following date determination was mailed or served, CA; if determination of fraud is made within 3 yrs. after offense, MD, and VA; 3 yrs. after date of decision, OR, and VT; if determination of fraud is made within 4 yrs. after offense, GA; if claim is filed within 6 yrs. after BY during which offense occurred, CT and MI; within 8 years from final determination establishing liability to repay, ID. However, in OR, overpayments shall not be canceled within 3 yrs. if the debt is being recovered by payments or deductions which were received within the last 3 months nor if repayment of the overpayment is required because of a fraud conviction.

4/Before disqualification period ends, wage credits may have expired in whole or in part depending on disqualification imposed and/or end of BY.

5/Plus 2 additional wks. of disqualification for each subsequent offense.

6/Cancellation of all wage credits means that period of disqualification will extend into 2d BY, depending on amount of wage credits for such a yr. accumulated before fraudulent claim.

7/Disqualification may be served concurrently with a disqualification imposed for any of the 3 major causes if individual registers for work for such wk. as required under latter disqualifications.

8/See sec. 455.03 for explanation of period of disqualification.

9/Before disqualification period ends, wage credits will have expired in whole or in part, depending on end of BY.

11/And until benefits withheld or repaid if finding of fault on the part of the claimant has been made, PA.

12/And earnings of 3 x the aww or \$360, whichever is less. In addition, claims shall be rejected within 4 yrs. and benefits denied for 2 wks. for each weekly claim canceled.

13/If a false representation or failure to disclose a material fact is made more than once in a BY, or if benefits received exceed \$4,000 the individual shall upon conviction be guilty of a felony and upon conviction shall be punished by imprisonment of 1 to 5 yrs. These penalties also apply to fictitious employers who receive benefits to which not entitled, GA.

14/Compensable wks. within 6-yr. period following date of determination of fraud for concealing earnings or refusal of job offer.

15/13 wks. for first wk. of fraud +6 wks. for each additional wk. No benefits shall be paid until overpayment repaid and as a civil penalty an amount equal to the benefits fraudulently received.

16/2-15 wks. if not paid benefits or 5-15 wks. if benefits received, CA.

17/ Disqualification will not apply if a penalty is assessed of 25 percent of the amount fraudulently obtained, MN.