



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 147
[2017 Assembly Bill 710]

**Unemployment Insurance Fraud
Penalties**

2017 Wisconsin Act 147 relates to criminal penalties for fraud in obtaining unemployment insurance benefits.

State law specifies certain consequences, including a criminal penalty, for knowingly making a false statement or representation to obtain unemployment insurance benefits. Under prior law, the criminal penalty was an unclassified misdemeanor with a fine of \$100 to \$500, imprisonment up to 90 days, or both. The Act revises the criminal penalty to a structured scale that increases with the dollar amount of the benefits that were fraudulently obtained.

Under the Act, the criminal penalty structure for knowingly making a false statement or representation to obtain unemployment insurance benefits is as follows:

- For benefits up to \$2,500: An unclassified misdemeanor with a fine up to \$10,000, imprisonment up to nine months, or both.
- For benefits up to \$5,000: A Class I felony, for which the penalty is a fine up to \$10,000, imprisonment up to three years and six months, or both.
- For benefits up to \$10,000: A Class H felony, for which the penalty is a fine up to \$10,000, imprisonment up to six years, or both.
- For benefits over \$10,000: A Class G felony, for which the penalty is a fine up to \$25,000, imprisonment up to 10 years, or both.

The Act specifies that an unemployment insurance benefits case involving more than one violation may be prosecuted as a single crime, which allows multiple occurrences to be aggregated together for the dollar amount of benefits that were fraudulently obtained.

Effective date: April 1, 2018. The Act applies to a violation that is committed on or after that date.

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April 9, 2018

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.