



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 276
[2013 Assembly Bill 684]

Unemployment Insurance

2013 Wisconsin Act 276 makes changes to the state's unemployment insurance (UI) law to correct or clarify changes made to the UI law by 2013 Wisconsin Act 36. Act 36 made various changes to the UI law, including changes relating to UI administration; claimant eligibility and benefits; and delinquent or erroneous payments.

License Revocation

Act 36 created a process by which a license or credential issued by a state licensing department (or the Wisconsin Supreme Court, if it agrees) is denied or revoked based on delinquent UI contributions.

2013 Wisconsin Act 20, the Biennial Budget Act, transferred the administration of registrations to operate as a charitable organization, fund-raising counsel, professional fundraiser, or professional employer organization from the Department of Safety and Professional Services (DSPS) to the Department of Financial Institutions; transferred the administration of certifications or registrations of persons who work with tanks that contain hazardous substances and persons who perform assessments of sites where such tanks are located from DSPS to the Department of Agriculture, Trade, and Consumer Protection; and created authority for the Office of Commissioner of Insurance to issue navigator licenses and navigator entity registrations.

Act 276 makes changes to the license revocation program created by Act 36 to reflect the changes made by Act 20 relating to the transfer of administration of certain credentials from one state department to another state department. Act 276 also makes changes to apply the license revocation program to the navigator licenses and registrations created by Act 20.

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>.

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Good Cause

Act 36 provided that if a claimant fails to initially comply with a request from DWD to provide information but later complies with the request within the two years following a DWD determination about a claimant's eligibility for benefits, the claimant is eligible to receive benefits beginning with the week in which the failure occurred. Prior to Act 36, if a claimant later complied with a request by DWD **or satisfied DWD that he or she had good cause for failure to comply with the request**, the claimant was eligible to receive benefits beginning with the week in which the failure occurred.

Act 276 deletes another reference to the "good cause" provision that existed prior to Act 36, thus further clarifying that a claimant who fails to comply with a request from DWD to provide information is ineligible to receive benefits regardless of whether the claimant has good cause for failing to comply with the request.

Tardy Filing Fees

Act 36 increased the tardy filing fee for a delinquent quarterly report from \$50 to \$100 or \$20 per employee, whichever is greater. However, if the report is filed within 30 days **of its due date**, the tardy filing fee remains \$50.

Act 276 changes the date from which the 30 days is measured for the \$50 tardy filing fee. Specifically, the Act provides that if the report is filed within 30 days **after the date that DWD assesses a tardy filing fee**, the tardy filing fee is \$50.

Effective date: April 20, 2014. The Act's provisions relating to license revocation first applied to contributions that were delinquent on April 20, 2014. The Act's provision relating to "good cause" first applied with respect to DWD determinations issued on April 20, 2014. The Act's provision relating to tardy filing fees first applied with respect to quarterly wage reports required to be filed for wages earned on April 20, 2014.

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