



2025 ASSEMBLY BILL 168

April 8, 2025 - Introduced by Representatives KREIBICH, O'CONNOR, NEDWESKI, GREEN, DUCHOW, MURPHY, KNODL, B. JACOBSON, GUNDRUM and DITTRICH, cosponsored by Senator FEYEN. Referred to Committee on Workforce Development, Labor, and Integrated Employment.

1 **AN ACT to create** 108.14 (10m), 108.14 (23m), 108.14 (28), 108.14 (29), 108.14
2 (30) and 939.74 (2) (d) of the statutes; **relating to:** various changes to the
3 unemployment insurance law.

Analysis by the Legislative Reference Bureau

UNEMPLOYMENT INSURANCE

This bill makes various changes in the unemployment insurance (UI) law, which is administered by the Department of Workforce Development. Significant changes include all of the following:

Identity proofing

The bill requires DWD to implement identity-proofing measures for UI claimants who are engaging in benefit-related transactions with DWD that 1) require a claimant to verify his or her identity prior to filing an initial claim for benefits and when engaging in other transactions with DWD, and 2) achieve the IAL2 and AAL2 standards adopted in the National Institute of Standards and Technology's Digital Identity Guidelines.

Statute of limitations

Under current law, a prosecution for a felony must be commenced within six years after it was committed. Current law provides several exceptions for certain felonies, and the bill adds another exception. Under the bill, a prosecution for a

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felony must be commenced within eight years after it was committed if the felony involves fraud in obtaining UI benefits and benefits under the special unemployment benefit programs under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020.

Education and informational materials

Current law requires DWD to compile and provide to employers certain information about how the UI system works, including a handbook on the UI system for employers and information concerning the financing of the UI system that is published on DWD's website. The bill requires DWD to also provide certain training materials for employers and claimants on the UI system. The bill requires DWD to publish training videos on its website and also to provide live training seminars for employing units that are free of charge and provided on a quarterly basis.

Assistance call center

The bill requires DWD to operate a call center to assist claimants for UI benefits or similar federal payments. Furthermore, the bill requires DWD to do the following:

1. If the volume of calls has increased by 100 percent or more over the same week during the previous year or if there is a declared state of emergency for the state that causes or relates to an increase in UI claims, operate the call center with hours of at least 9 a.m. to 5 p.m. on weekdays.
2. If the volume of calls has increased by 300 percent or more over the same week during the previous year or if there is a declared state of emergency for the state that causes or relates to an increase in UI claims, operate the call center with evening hours after 5 p.m. and weekend hours.

Database comparisons

The bill requires DWD to perform a comparison of state and national databases that track death records, employment records, prison records, citizenship and immigration, and immigrations and customs against recipients of UI benefits for the purposes of detecting fraud or erroneous payments. The bill requires DWD to perform the comparison on at least a weekly basis. The bill provides that DWD may also make such comparisons with other databases.

Fraud detection

The bill requires DWD, if it suspends or reduces any method used by the department to detect fraud committed against the unemployment insurance program, to submit a notification detailing the suspension or reduction and the reasons therefor to the Council on Unemployment Insurance, the Governor, and the appropriate standing committees of the legislature.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

ASSEMBLY BILL 168**SECTION 1**

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 108.14 (10m) of the statutes is created to read:

2 108.14 (**10m**) The department shall implement identity-proofing measures
3 for claimants who are engaging in benefit-related transactions with the department
4 that satisfy all of the following:

5 (a) The measures require a claimant to verify his or her identity prior to filing
6 an initial claim for benefits and when engaging in other transactions with the
7 department.

8 (b) The measures achieve the IAL2 and AAL2 standards adopted in the
9 National Institute of Standards and Technology's Digital Identity Guidelines.

10 **SECTION 2.** 108.14 (23m) of the statutes is created to read:

11 108.14 (**23m**) The department shall provide training materials on the
12 unemployment insurance system, including all of the following:

13 (a) Training videos for claimants and employing units published on the
14 department's website.

15 (b) Live training seminars for employing units that are free of charge and
16 provided on a quarterly basis. The seminars may be in-person, online, or both.

17 **SECTION 3.** 108.14 (28) of the statutes is created to read:

18 108.14 (**28**) If the department suspends or reduces any method used by the
19 department to detect fraud committed against the unemployment insurance
20 program under this chapter, the department shall submit a notification detailing
21 the suspension or reduction and the reasons therefor to the council on

ASSEMBLY BILL 168**SECTION 3**

1 unemployment insurance, the governor, and the appropriate standing committees
2 of the legislature under s. 13.172 (3).

3 **SECTION 4.** 108.14 (29) of the statutes is created to read:

4 108.14 **(29)** (a) The department shall maintain a call center to provide
5 assistance and support by telephone to claimants for benefits under this chapter or
6 payments under federal assistance programs for unemployment.

7 (b) 1. The department shall, during each of the following periods, operate the
8 call center with hours of at least 9 a.m. to 5 p.m. on weekdays:

9 a. During a declared state of emergency for the state that causes or relates to
10 an increase in unemployment claims.

11 b. For 90 days after any week in which the call center experiences an increase
12 of at least 100 percent in calls compared to the same week during the previous year,
13 and for 90 days after each subsequent week in which such an increase occurs.

14 2. The department shall, during each of the following periods, operate the call
15 center with hours after 5 p.m. on weekdays and at least 16 hours on weekends:

16 a. During a declared state of emergency for the state that causes or relates to
17 an increase in unemployment claims.

18 b. For 90 days after any week in which the call center experiences an increase
19 of at least 300 percent in calls compared to the same week during the previous year,
20 and for 90 days after each subsequent week in which such an increase occurs.

21 **SECTION 5.** 108.14 (30) of the statutes is created to read:

22 108.14 **(30)** (a) The department shall, on at least a weekly basis, perform a

ASSEMBLY BILL 168**SECTION 5**

1 comparison of recipients of benefits under this chapter against all of the following
2 for the purpose of detecting fraud or erroneous payments:

3 1. Nationally recognized databases that contain information on death records,
4 including the federal social security administration's death master file.

5 2. The National Association of State Workforce Agencies' integrity data hub.

6 3. The national directory of new hires maintained by the office of child
7 support enforcement in the U.S. department of health and human services.

8 4. Prisoner databases maintained by the department of justice, the
9 department of corrections, and the U.S. department of justice.

10 5. The U.S. Citizenship and Immigration Services Secure Automated
11 Verification of Eligibility database.

12 6. Databases maintained by the U.S. Immigration and Customs Enforcement.

13 (b) The department may perform comparisons of recipients of benefits under
14 this chapter against public or private databases in addition to those specified in par.

15 (a) 1. to 6.

16 **SECTION 6.** 939.74 (2) (d) of the statutes is created to read:

17 939.74 (2) (d) A prosecution for a felony violation under s. 108.24 (1) or (2) or
18 under any other statute under which a person is prosecuted for fraud in obtaining
19 unemployment insurance benefits, benefits under the pandemic unemployment
20 assistance program under 15 USC 9021, benefits under the federal pandemic
21 unemployment compensation and mixed earner unemployment compensation
22 programs under 15 USC 9023, or benefits under the pandemic emergency
23 unemployment compensation program under 15 USC 9025 must be commenced

ASSEMBLY BILL 168**SECTION 6**

1 within 8 years after the commission of the violation if the violation is related to
2 benefits that were paid or payable on or before September 4, 2021.

3 **SECTION 7. Initial applicability.**

4 (1) Notwithstanding s. 990.06, the treatment of s. 939.74 (2) (d) first applies to
5 an act for which the time limit under s. 939.74 (1) for prosecution has not expired as
6 of the effective date of this subsection.

7 **SECTION 8. Effective date.**

8 (1) This act takes effect on the Sunday after publication.

9 **(END)**