



Unemployment Insurance Advisory Council

Meeting Agenda

September 24, 2025, 9:00 a.m. – 12:00 p.m.

Department of Workforce Development
via teleconference only

The public may attend by teleconference.

Phone: 415-655-0003 or 855-282-6330 (toll free) or [WebEx](#)
Meeting number (access code): 2662 748 5222 Password: DWD1

Materials: <https://dwd.wisconsin.gov/uibola/uiac/meetings.htm>

1. Call to order and introductions
2. Approval of minutes of the September 18, 2025 UIAC meeting
3. LRB draft language for agreed-upon bills to amend the unemployment insurance law
4. Future meeting dates
5. Adjourn

Notice

- ❖ The Council may take up action items at a time other than that listed.
- ❖ The Council may not address all agenda items or follow the agenda order.
- ❖ The Council members may attend the meeting by teleconference or videoconference.
- ❖ The employee or employer representative members of the Council may convene in closed session at any time during the meeting to deliberate any matter for potential action or items listed in this agenda, under Wis. Stat. § 19.85(1)(ee). The Council may then reconvene again in open session after the closed session.
- ❖ This location is accessible to people with disabilities. If you need an accommodation, including an interpreter or information in an alternate format, please contact the UI Division Bureau of Legal Affairs at 608-266-0399 or dial 7-1-1 for Wisconsin Relay Service.

UNEMPLOYMENT INSURANCE ADVISORY COUNCIL

Meeting Minutes

Offices of the State of Wisconsin Department of Workforce Development

201 E. Washington Avenue, GEF 1, Madison, WI

September 18, 2025

Held In-Person and Via Teleconference

The meeting was preceded by public notice as required under Wis. Stat. § 19.84.

Members: Janell Knutson (Chair), David Bohl, Sally Feistel, Corey Gall, Shane Griesbach, Scott Manley, Crystal Martzall, Kent Miller, Jeff Peterson, and Susan Quam.

Department Staff: Deputy Secretary Pamela McGillivray, Jim Chiolino (UI Division Administrator), Jason Schunk (UI Deputy Division Administrator), Andy Rubsam, Darren Magee, Mike Myszewski, Shashank Partha, Linda Hendrickson, Rob Usarek, Ashley Gruttke, and Joe Brockman.

Members of the Public: Ryan Horton (Legislative Fiscal Bureau), Victor Forberger (Attorney, Wisconsin UI Clinic), Erik Gunn (Wisconsin Examiner), and Jodi Jensen (Wisconsin Transportation Builders Association).

1. Call to Order and Introductions

Ms. Knutson called the Unemployment Insurance Advisory Council to order at 10:04 a.m. under the Wisconsin Open Meetings Law. Attendees introduced themselves in turn. Ms. Knutson acknowledged the department staff in attendance.

2. Approval of Minutes of the August 25, 2025, UIAC Meeting

Motion by Ms. Feistel, second by Mr. Manley, to approve the minutes of the August 25, 2025, meeting without correction. Vote was taken by voice vote and passed unanimously.

3. Department Update

Ms. Knutson advised there is no department update.

4. Quarterly Report on UI Information Technology Systems (4/1/25 – 6/30/25)

Ms. Knutson stated that the report for the second quarter of 2025 is in members' packets.

5. Trust Fund Update

Mr. Partha reported the Trust Fund highlights based on the July 31, 2025, Financial Statements. Benefit payments through July 2025 declined by \$20 million or 8.2% (when compared to last year).

Tax receipts through July 2025 declined by \$37.7 million or 8.0% (when compared to last year). The UI Trust Fund balance was over \$2.1 billion, which is an increase of 12.6% (when compared to last year). Interest earned on the UI Trust Fund is received quarterly.

6. Judicial Update

Mr. Rubsam provided an update on *Abby Windows, LLC v. LIRC*. This is a benefits case about whether door to door sales of certain types of construction materials, such as windows and siding, are services of employees or excluded employees (i.e. independent contractors). Mr. Rubsam explained that the case comes down to whether these types of products are consumer products under state statute and that there is not a lot of case law about this statute. LIRC ruled the claimant was an employee and these services were not excluded. The Circuit Court and Court of Appeals found that the services were excluded. DWD and LIRC have appealed to the Wisconsin Supreme Court. Mr. Rubsam indicated that he will advise the Council if the Wisconsin Supreme Court accepts the case.

7. Department Proposals to Amend the Unemployment Insurance Law

Ms. Knutson stated the department's 12 proposals are included in members' packets. She explained there is an amended proposal, D25-06 – Amend SSDI Disqualification, changes mirror the recent federal court decision regarding SSDI.

8. Labor and Management Proposals to Amend the Unemployment Insurance Law

Ms. Knutson acknowledged the Council's hard work on progressing towards an agreed bill.

9. Research Requests

There were no outstanding or new research requests.

10. 2025-2026 UIAC Timeline

Ms. Knutson stated the goal of working towards an agreed bill draft to be finalized and to the Legislature in the fall.

11. Future Meeting Dates

Ms. Knutson stated that the scheduled future meeting dates are:

- October 16, 2025
- November 20, 2025
- December 18, 2025

12. Closed Caucus/Adjourn

Motion by Mr. Griesbach, second by Mr. Manley, to convene in closed caucus session to deliberate the items on the agenda pursuant to Wis. Stat. § 19.85(1)(ee) and to have the opportunity to reconvene or adjourn from closed caucus. Vote was taken by voice vote and passed unanimously.

The Council went into closed caucus at 10:13 a.m. and later adjourned from caucus.



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-4851/P1

MED:all

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 108.04 (12) (f) 3., 108.17 (2g), 108.17 (7) and 108.205 (1m); *to*
2 *renumber* 108.04 (12) (f) 4.; *to renumber and amend* 108.04 (11) (cm),
3 108.04 (12) (f) 1m. and 2m. and 108.14 (21); *to amend* 108.04 (2) (h), 108.04
4 (11) (d), 108.04 (11) (f), 108.05 (1) (r), 108.05 (9), 108.05 (10) (intro.), 108.095
5 (2), 108.14 (2e), 108.14 (19), 108.14 (20), 108.16 (3) (a), 108.17 (2), 108.17 (2b),
6 108.205 (2), 108.22 (1) (ac), 108.22 (1) (ad) 1., 108.22 (1) (af) and 108.225 (16)
7 (am) 1. c.; *to create* 108.022, 108.04 (1) (hg), 108.04 (2) (hL), 108.04 (8) (bm),
8 108.04 (11) (cm) 2., 108.05 (1) (s), 108.05 (7m) (title), (c) and (d), 108.14 (10m),
9 108.14 (21) (b), 108.14 (30) and 108.185 of the statutes; **relating to:** various
10 changes to the unemployment insurance law.

Analysis by the Legislative Reference Bureau

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:

BILL**BENEFIT CHANGES*****Benefit amounts***

Currently, a qualifying employee's weekly UI benefit rates for total unemployment are calculated based upon a percentage of the wages and certain other earnings that are earned during the employee's "base period," which generally is the period consisting of the first four of the five most recently completed calendar year quarters. The minimum weekly benefit rate is \$54, and if the employee does not qualify for at least this amount of benefits based on his or her past earnings, then the employee does not receive any benefits. The maximum weekly benefit rate is set at \$370.

This bill raises the maximum UI benefit rate to \$395. The bill does not affect the minimum benefit rate.

Suitable work; work search

Current law requires that, as a condition of being eligible for UI benefits for a given week, a claimant must 1) be able to work and available for work; 2) register for work in the manner prescribed by DWD; and 3) conduct a reasonable search for suitable work. Separately, current law also makes a claimant ineligible for UI benefits if a claimant fails, without good cause, to accept suitable work when offered.

This bill provides that an employer may report to DWD whenever an individual 1) declines a job interview offer; 2) declines a job offer; 3) fails to attend a scheduled job interview; or 4) fails to report for their first scheduled day of work. If DWD receives one or more verified reports that an individual who is subject to work search requirements has declined a job interview offer or failed to attend a scheduled job interview, the bill provides that the individual is not considered to have conducted a reasonable search for suitable work in that week and is therefore ineligible for benefits that week. If DWD receives one or more verified reports that an individual declined a job offer or failed to report for their first scheduled day of work, the bill provides that the individual is ineligible for benefits that week, subject to any greater disqualification that may otherwise apply regarding failure to accept suitable work. For any report submitted, the bill requires DWD to disregard the report if the claimant has good cause for the circumstances in the report. The bill requires DWD to maintain a website that allows employers to file the reports and to periodically inform employers about the availability of the website.

Concurrent receipt of UI and SSDI

Under current law, in any week in any month that a claimant is issued a benefit under the federal Social Security Disability Insurance program (SSDI payment), that claimant is ineligible for UI benefits. This bill repeals that prohibition and instead requires DWD to reduce a claimant's UI benefit payments by one-half of the amount of SSDI payments. The bill requires DWD to allocate a

BILL

monthly SSDI payment by allocating to each week the fraction of the payment attributable to that week.

Penalties for obtaining benefits in the name of another person

Under current law, if any person makes a false statement or representation in order to obtain UI benefits in the name of another person, the person may be required to repay the amount of the benefits obtained and to pay an additional amount equal to the amount of benefits obtained. Current law does not specify a penalty for when such a person makes a false statement or representation in order to obtain benefits in the name of another person but fails to obtain any benefits.

The bill provides that if a person makes a false statement or representation on an initial claim in order to intentionally obtain benefits in the name of another person, but fails to obtain benefits, the person is subject to a penalty of \$5,000. The bill also makes a number of other minor changes to the existing penalty provision.

TAX CHANGES***Use of electronic methods for filing, payments, and reporting***

Currently, with certain exceptions, each employer that has employees who are engaged in employment covered by the UI law must file quarterly contribution (tax) and employment and wage reports and make quarterly contribution payments to DWD. An employer of 25 or more employees or an employer agent that files reports on behalf of any employer must file its reports electronically. Current law also requires each employer that makes contributions for any 12-month period ending on June 30 equal to a total of at least \$10,000 to make all contribution payments electronically in the following year. Finally, current law allows DWD to provide a secure means of electronic interchange between itself and employing units, claimants, and other persons that, upon request to and with prior approval by DWD, may be used for transmission or receipt of any document specified by DWD that is related to the administration of the UI law in lieu of any other means of submission or receipt.

The bill makes use of these electronic methods mandatory in all cases unless the employer or other person demonstrates “good cause” for being unable to use the electronic method. The bill specifies what constitutes good cause for purposes of these provisions. The bill also makes various corresponding changes to penalty provisions that apply in the case of nonuse of these required electronic methods. The bill further provides that DWD may permit the use of electronic records and electronic signatures for any document specified by DWD that is related to the administration of the UI law.

OTHER CHANGES***Work search audits***

Current law requires DWD to conduct random audits on claimants for UI benefits to assess compliance with the work search requirements under the UI law. DWD is required to prepare and furnish to the Council on Unemployment

BILL**SECTION 1**

Insurance a report summarizing DWD's activities related to detection and prosecution of UI fraud in the preceding year, which must include information about the audits described above, including the number and results of audits performed, in the previous year.

This bill requires DWD's random audits to include at least 50 percent of claimants who were paid benefits and required to search for work, as determined by DWD. The bill also instead requires DWD to include information about the number of audits performed and determinations issued for audits performed in the preceding year.

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 before 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.

Database comparisons

The bill requires DWD to perform a comparison of certain state and national databases that track death records, employment records, prison records, and citizenship and immigration against applicants for UI benefits for the purposes of detecting fraud or erroneous payments, subject to their availability to DWD. The bill also allows DWD to perform the comparison on each weekly claim. The bill provides that DWD may also make such comparisons with other databases.

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

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

SECTION 1. 108.022 of the statutes is created to read:

108.022 Electronic payments and filings; good cause. For purposes of requirements to use electronic filing, payment, or interchange methods specified under ss. 108.14 (2e), 108.17 (2b) and (7) (a), 108.185, and 108.205 (2), good cause for not using such method includes all of the following, as determined by the department:

(1) Having limited or no Internet access.

BILL**SECTION 1**

1 (2) Having digital literacy limitations.

2 (3) Having communication barriers, such as having a vision or other
3 disability that prevents the ease of using the electronic method or having limited or
4 no English proficiency.

5 (4) The presence of other circumstances that make use of the electronic
6 method unusually difficult for the person, as determined by the department.

7 **SECTION 2.** 108.04 (1) (hg) of the statutes is created to read:

8 108.04 (1) (hg) 1. An employing unit may report to the department whenever
9 any of the following occurs:

10 a. An individual declines a job interview offer with the employing unit.

11 b. An individual declines a job offer with the employing unit.

12 c. An individual fails to attend a scheduled job interview with the employing
13 unit.

14 d. An individual fails to report for their first scheduled day of work with the
15 employing unit.

16 2. The department shall investigate each report submitted under subd. 1. as
17 needed to determine whether the report affects a claimant's eligibility for benefits
18 under this chapter as provided in subs. (2) (hL) and (8) (bm). The department shall
19 disregard a report submitted under subd. 1. if the claimant has good cause for the
20 circumstances in the report.

21 **SECTION 3.** 108.04 (2) (h) of the statutes is amended to read:

22 108.04 (2) (h) A claimant shall, when the claimant first files a claim for
23 benefits under this chapter and during each subsequent week the claimant files for

BILL**SECTION 3**

benefits under this chapter, inform the department whether he or she is receiving social security disability insurance payments, as defined in ~~sub. (12) (f) 2m s. 108.05 (7m) (b).~~ If the claimant is receiving social security disability insurance payments, the claimant shall, in the manner prescribed by the department, report to the department the amount of the social security disability insurance payments.

SECTION 4. 108.04 (2) (hL) of the statutes is created to read:

108.04 (2) (hL) 1. Subject to subd. 2., if a claimant is subject to the requirement under par. (a) 3. to conduct a reasonable search for suitable work for a given week and the department receives one or more verified reports submitted by an employing unit concerning an employee under sub. (1) (hg) 1. a. or c. for a given week that are not disregarded under sub. (1) (hg) 2., the claimant shall not be considered to have conducted a reasonable search for suitable work in that week under par. (a) 3.

SECTION 5. 108.04 (8) (bm) of the statutes is created to read:

108.04 (8) (bm) Subject to pars. (d) to (em), if the department receives one or more verified reports submitted by an employing unit concerning an employee under sub. (1) (hg) 1. b. or d. for a given week that are not disregarded under sub. (1) (hg) 2., and the employee is not otherwise disqualified under this subsection, the employee is ineligible to receive benefits for that week.

SECTION 6. 108.04 (11) (cm) of the statutes is renumbered 108.04 (11) (cm) 1. and amended to read:

108.04 (11) (cm) 1. If any person makes a false statement or representation in order to obtain, for his or her own benefit, benefits in the name of another person and obtains such benefits, the benefits received by that person constitute a benefit

BILL**SECTION 6**

1 overpayment. Such person ~~may~~ shall, by a determination or decision issued under
2 s. 108.095, be required to repay the amount of the benefits obtained and shall
3 additionally be assessed ~~an administrative assessment in an additional~~ a penalty in
4 an amount equal to the amount of benefits obtained.

5 **SECTION 7.** 108.04 (11) (cm) 2. of the statutes is created to read:

6 108.04 (11) (cm) 2. If any person makes a false statement or representation on
7 an initial claim in order to obtain, for his or her own benefit, benefits in the name of
8 another person but fails to obtain benefits, that person shall, by a determination or
9 decision issued under s. 108.095, be assessed a penalty of \$5,000.

10 **SECTION 8.** 108.04 (11) (d) of the statutes is amended to read:

11 108.04 (11) (d) In addition to other remedies, the department may, by civil
12 action, recover any benefits obtained by means of any false statement or
13 representation or any ~~administrative assessment~~ penalty imposed under par. (cm).
14 Chapter 778 does not apply to collection of any benefits or ~~assessment~~ penalty
15 under this paragraph.

16 **SECTION 9.** 108.04 (11) (f) of the statutes is amended to read:

17 108.04 (11) (f) All amounts forfeited under par. (c) and all ~~collections from~~
18 ~~administrative assessments~~ penalties collected under par. (cm) shall be credited to
19 the administrative account.

20 **SECTION 10.** 108.04 (12) (f) 1m. and 2m. of the statutes are renumbered
21 108.05 (7m) (a) and (b) and amended to read:

22 108.05 (7m) (a) The intent of the legislature in enacting this ~~paragraph~~

BILL**SECTION 10**

1 subsection is to prevent the payment of duplicative government benefits for the
2 replacement of lost earnings or income, regardless of an individual's ability to work.

3 (b) In this ~~paragraph~~ subsection, "social security disability insurance
4 payment" means a payment of social security disability insurance benefits under 42
5 USC ch. 7 subch. II.

6 **SECTION 11.** 108.04 (12) (f) 3. of the statutes is repealed.

7 **SECTION 12.** 108.04 (12) (f) 4. of the statutes is renumbered 108.05 (7m) (e).

8 **SECTION 13.** 108.05 (1) (r) of the statutes is amended to read:

9 108.05 (1) (r) Except as provided in s. 108.062 (6) (a), each eligible employee
10 shall be paid benefits for each week of total unemployment that commences on or
11 after January 5, 2014, and before December 28, 2025, at the weekly benefit rate
12 specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate shall
13 equal 4 percent of the employee's base period wages that were paid during that
14 quarter of the employee's base period in which the employee was paid the highest
15 total wages, rounded down to the nearest whole dollar, except that, if that amount is
16 less than \$54, no benefits are payable to the employee and, if that amount is more
17 than \$370, the employee's weekly benefit rate shall be \$370 and except that, if the
18 employee's benefits are exhausted during any week under s. 108.06 (1), the
19 employee shall be paid the remaining amount of benefits payable to the employee
20 under s. 108.06 (1). The department shall publish on its ~~Internet site~~ website a
21 weekly benefit rate schedule of quarterly wages and the corresponding weekly
22 benefit rates as calculated in accordance with this paragraph.

23 **SECTION 14.** 108.05 (1) (s) of the statutes is created to read:

BILL**SECTION 14**

1 108.05 (1) (s) Except as provided in s. 108.062 (6) (a), each eligible employee
2 shall be paid benefits for each week of total unemployment that commences on or
3 after December 28, 2025, at the weekly benefit rate specified in this paragraph.
4 Unless sub. (1m) applies, the weekly benefit rate shall equal 4 percent of the
5 employee's base period wages that were paid during that quarter of the employee's
6 base period in which the employee was paid the highest total wages, rounded down
7 to the nearest whole dollar, except that, if that amount is less than \$54, no benefits
8 are payable to the employee and, if that amount is more than \$395, the employee's
9 weekly benefit rate shall be \$395 and except that, if the employee's benefits are
10 exhausted during any week under s. 108.06 (1), the employee shall be paid the
11 remaining amount of benefits payable to the employee under s. 108.06 (1). The
12 department shall publish on its website a weekly benefit rate schedule of quarterly
13 wages and the corresponding weekly benefit rates as calculated in accordance with
14 this paragraph.

15 **SECTION 15.** 108.05 (7m) (title), (c) and (d) of the statutes are created to read:

16 108.05 (**7m**) (title) SOCIAL SECURITY DISABILITY INSURANCE PAYMENTS.

17 (c) If a monthly social security disability insurance payment is issued to a
18 claimant, the department shall reduce benefits otherwise payable to the claimant
19 for a given week by one-half of the amount a of security disability insurance
20 payment that is allocated for that week under par. (d). This subsection does not
21 apply to a lump sum social security disability insurance payment in the nature of a
22 retroactive payment or back pay.

23 (d) The department shall allocate a monthly social security disability

BILL**SECTION 15**

1 insurance payment by allocating to each week the fraction of the payment
2 attributable to that week.

3 **SECTION 16.** 108.05 (9) of the statutes is amended to read:

4 108.05 (9) ROUNDING OF BENEFIT AMOUNTS. Notwithstanding sub. (1),
5 benefits payable for a week of unemployment as a result of applying sub. (1m), (3)
6 ~~or~~, (7), or (7m) or s. 108.04 (11) or (12), 108.06 (1), 108.13 (4) or (5) or 108.135 shall
7 be rounded down to the next lowest dollar.

8 **SECTION 17.** 108.05 (10) (intro.) of the statutes is amended to read:

9 108.05 (10) DEDUCTIONS FROM BENEFIT PAYMENTS. (intro.) After calculating
10 the benefit payment due to be paid for a week under subs. (1) to ~~(7)~~ (7m), the
11 department shall make deductions from that payment to the extent that the
12 payment is sufficient to make the following payments in the following order:

13 **SECTION 18.** 108.095 (2) of the statutes is amended to read:

14 108.095 (2) The department shall investigate whether any person has
15 obtained or attempted to obtain benefits that were payable to another person by
16 means of any false statement or representation, and may issue an initial
17 determination concerning its findings. The department shall electronically deliver
18 a copy of the determination to, or mail a copy of the determination to the last-known
19 address of, each party affected thereby. Unless designated by a determination
20 under this section, an employing unit is not a party to the determination. The
21 department may set aside or amend the determination at any time prior to a
22 hearing concerning the determination under sub. (5) on the basis of subsequent
23 information or to correct a mistake, including an error of law.

BILL**SECTION 19**

1 **SECTION 19.** 108.14 (2e) of the statutes is amended to read:

2 108.14 **(2e)** The department ~~may~~ shall provide a secure means of electronic
3 interchange between itself and employing units, claimants, and other persons that;
4 ~~upon request to and with prior approval by the department, may~~ shall be used for
5 departmental transmission or receipt of any document specified by the department
6 that is related to the administration of this chapter and related federal programs in
7 lieu of any other means of submission or receipt specified in this chapter. The
8 secure means of electronic interchange shall be used by employing units, claimants,
9 and other persons unless the person demonstrates good cause, as specified in s.
10 108.022, for being unable to use the secure means of electronic interchange. Subject
11 to s. 137.25 (2) and any rules promulgated thereunder, the department may permit
12 the use of electronic records and electronic signatures for any document specified by
13 the department that is related to the administration of this chapter. If a due date is
14 established by statute for the receipt of any document that is submitted
15 electronically to the department under this subsection, then that submission is
16 timely only if the document is submitted by midnight of the statutory due date.

17 **SECTION 20.** 108.14 (10m) of the statutes is created to read:

18 108.14 **(10m)** (a) The department shall, subject to par. (b), implement
19 identity-proofing measures for claimants who are engaging in benefit-related
20 transactions with the department.

21 (b) 1. The department shall ensure that the measures under par. (a) require a
22 claimant to verify his or her identity before filing an initial claim for benefits and

BILL**SECTION 20**

1 when engaging in other transactions with the department, as determined by the
2 department.

3 2. The department shall ensure that the measures under par. (a) achieve, at a
4 minimum, the IAL2 and AAL2 standards adopted in the National Institute of
5 Standards and Technology's Digital Identity Guidelines.

6 **SECTION 21.** 108.14 (19) of the statutes is amended to read:

7 108.14 (19) No later than March 15 annually, the department shall prepare
8 and furnish to the council on unemployment insurance a report summarizing the
9 department's activities related to detection and prosecution of unemployment
10 insurance fraud in the preceding year. The department shall include in the report
11 information about audits conducted by the department under sub. (20), including
12 information about the number and results of audits performed, and determinations
13 issued for audits performed in the previous preceding year.

14 **SECTION 22.** 108.14 (20) of the statutes is amended to read:

15 108.14 (20) The department shall conduct random audits on claimants for
16 benefits under this chapter to assess compliance with the work search
17 requirements under s. 108.04 (2) (a) 3. The random audits shall include at least 50
18 percent of claimants who were paid benefits and required to search for work, as
19 determined by the department.

20 **SECTION 23.** 108.14 (21) of the statutes is renumbered 108.14 (21) (a) and
21 amended to read:

22 108.14 (21) (a) The department shall maintain a ~~portal on the Internet~~
23 website that allows employers to ~~log in and~~ file with the department complaints
24 related to the administration of this chapter.

BILL**SECTION 24**

1 **SECTION 24.** 108.14 (21) (b) of the statutes is created to read:

2 108.14 **(21)** (b) The department shall maintain a website that allows
3 employers to file with the department reports under s. 108.04 (1) (hg). The
4 department shall periodically inform employers about the availability of the
5 website.

6 **SECTION 25.** 108.14 (30) of the statutes is created to read:

7 108.14 **(30)** (a) The department shall, on each initial claim, compare
8 applicants for benefits under this chapter and any federal unemployment insurance
9 benefit program that it administers against all of the following, for the purpose of
10 detecting fraud or erroneous payments:

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

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

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

16 4. Prisoner databases maintained by the department of justice, the
17 department of corrections, and the U.S. department of justice.

18 5. The U.S. Citizenship and Immigration Services Secure Automated
19 Verification of Eligibility database.

20 (b) In addition to the comparisons specified in par. (a) 1. to 5., the department
21 may perform comparisons against other public or private databases.

22 (c) The department may perform the comparisons specified in par. (a) 1. to 5.
23 on each weekly claim.

24 (d) Notwithstanding par. (a), the department is not required to make the

BILL**SECTION 25**

1 comparisons using the databases specified in par. (a) 1. to 5. if the databases are
2 unavailable to the department.

3 **SECTION 26.** 108.16 (3) (a) of the statutes is amended to read:

4 108.16 (3) (a) Any overpayment for which the claimant's liability to reimburse
5 the fund is established under s. 108.22 (8) or any ~~assessment~~ penalty under s.
6 108.04 (11) (cm) for which a final determination has been issued under s. 108.09 or
7 108.095 upon receipt of certification by the department that reasonable efforts have
8 been made to recover the overpayment or the amount of the ~~assessment~~ penalty and
9 that the amount due is uncollectible.

10 **SECTION 27.** 108.17 (2) of the statutes is amended to read:

11 108.17 (2) (a) Except as provided in par. (b) and subject to sub. (2b) and s.
12 108.185, every employer that is subject to a contribution requirement shall file
13 quarterly reports of contributions required under this chapter with the
14 department, and pay contributions to the department, in such manner as the
15 department prescribes. Each contribution report and payment is due at the close of
16 the month next following the end of the applicable calendar quarter, except as
17 authorized in sub. (2c) or as the department may assign a later due date pursuant
18 to sub. (1m) or general department rules.

19 (b) The department may electronically provide a means whereby an employer
20 that files its employment and wage reports electronically may determine the
21 amount of contributions due for payment by the employer under s. 108.18 for each
22 quarter. If an employer that is subject to a contribution requirement files its
23 employment and wage reports under s. 108.205 (1) electronically, in the manner

BILL**SECTION 27**

1 prescribed by the department ~~for purposes of this paragraph~~ under s. 108.205 (2),
2 the department may require the employer to determine electronically the amount of
3 contributions due for payment by the employer under s. 108.18 for each quarter. In
4 such case, the employer is excused from filing contribution reports under par. (a).
5 The employer shall pay the amount due for each quarter by the due date specified in
6 par. (a).

7 **SECTION 28.** 108.17 (2b) of the statutes is amended to read:

8 108.17 **(2b)** The department shall prescribe a form and methodology for filing
9 contribution reports under sub. (2) electronically. Each employer ~~of 25 or more~~
10 ~~employees, as determined under s. 108.22 (1) (ac), that does not use an~~ and
11 ~~employer agent to file its contribution reports under this section~~ shall file its
12 contribution reports electronically in the manner and form prescribed by the
13 department. ~~Each employer that becomes subject to an electronic reporting~~
14 ~~requirement under this subsection shall file its initial report under this subsection~~
15 ~~for the quarter during which the employer becomes subject to the reporting~~
16 ~~requirement. Once an employer becomes subject to a reporting requirement under~~
17 ~~this subsection, it shall continue to file its reports under this subsection unless that~~
18 ~~requirement is waived by the department~~ unless an employer demonstrates good
19 cause, as specified in s. 108.022, for being unable to file contribution reports
20 electronically.

21 **SECTION 29.** 108.17 (2g) of the statutes is repealed.

22 **SECTION 30.** 108.17 (7) of the statutes is repealed.

23 **SECTION 31.** 108.185 of the statutes is created to read:

BILL**SECTION 31****108.185 Payment of contributions and reimbursements; good cause.**

Each employer, employer agent, person liable under s. 108.22 (9), and private agency liable under s. 108.22 (10) shall pay all contributions, reimbursements, interest, penalties, assessments, and other amounts due under this chapter by means of electronic funds transfer or another electronic method as approved by the department unless the employer, employer agent, person, or private agency demonstrates good cause, as specified in s. 108.022, for being unable to pay such amounts electronically.

SECTION 32. 108.205 (1m) of the statutes is repealed.

SECTION 33. 108.205 (2) of the statutes is amended to read:

108.205 (2) Each employer ~~of 25 or more employees, as determined under s. 108.22 (1) (ac), that does not use an employer agent to file its reports under this section and employer agent~~ shall file the quarterly report under sub. (1) electronically in the manner and form prescribed by the department. ~~An employer that becomes subject to an electronic reporting requirement under this subsection shall file its initial report under this subsection for the quarter during which the employer becomes subject to the reporting requirement. Once an employer becomes subject to the reporting requirement under this subsection, the employer shall continue to file its quarterly reports under this subsection unless that requirement is waived by the department unless an employer demonstrates good cause, as specified in s. 108.022, for being unable to file reports electronically.~~

SECTION 34. 108.22 (1) (ac) of the statutes is amended to read:

108.22 (1) (ac) In addition to any fee assessed under par. (a), the department

BILL**SECTION 34**

1 may assess an employer or employer agent that is subject to the reporting
2 requirement under s. 108.205 (2) and that fails to file its report in the manner and
3 form prescribed under that subsection a penalty of \$20 for each employee whose
4 information is not reported in ~~the~~ that manner and form ~~prescribed under s.~~
5 ~~108.205 (1m) (b) or (2).~~

6 **SECTION 35.** 108.22 (1) (ad) 1. of the statutes is amended to read:

7 108.22 (1) (ad) 1. An employer agent that is subject to the reporting
8 requirements under s. 108.17 ~~(2g)~~ (2b) and that fails to file a contribution report in
9 accordance with s. 108.17 ~~(2g)~~ (2b) may be assessed a penalty by the department in
10 the amount of \$25 for each employer whose report is not filed electronically in the
11 manner and form prescribed by the department.

12 **SECTION 36.** 108.22 (1) (af) of the statutes is amended to read:

13 108.22 (1) (af) In addition to the fee assessed under par. (a), the department
14 may assess ~~an employer or employer agent~~ a person that is ~~subject to a requirement~~
15 required to make ~~contributions~~ a payment to the department by means of an
16 electronic ~~funds transfer~~ method under s. ~~108.17 (7)~~ 108.185 and that ~~pays~~
17 ~~contributions~~ makes the payment by any method inconsistent with s. ~~108.17 (7)~~
18 108.185 a penalty of the greater of \$50 or an amount equal to one-half of ~~one~~ 1
19 percent of the total ~~contributions~~ amount paid by the ~~employer or employer agent~~
20 person for the quarter in which the violation occurs.

21 **SECTION 37.** 108.225 (16) (am) 1. c. of the statutes is amended to read:

22 108.225 (16) (am) 1. c. The department may decrease or eliminate the
23 exemption from levy under this paragraph if a final determination has been issued

BILL**SECTION 37**

1 under s. 108.09 or 108.095 or a judgment has been entered under s. 108.24 (1) in
2 which the debtor has been found guilty of making a false statement or
3 representation to obtain benefits and the benefits and any ~~assessment~~ penalty
4 under s. 108.04 (11) (cm) have not been paid or reimbursed at the time that the levy
5 is issued, unless the fund's treasurer has written off the debt under s. 108.16 (3) (a).

SECTION 38. Nonstatutory provisions.

7 (1) The department of workforce development shall submit to the legislative
8 reference bureau for publication in the Wisconsin administrative register a notice
9 indicating the date upon which the department is able to implement the treatment
10 of s. 108.14 (2e).

11 (2) If the treatment of s. 108.05 (1) (s) by this act takes effect after December
12 28, 2025, the department shall, for claimants who, for weeks of unemployment that
13 commenced on or after December 28, 2025, received the maximum benefit rate
14 provided under s. 108.05 (1) (r) and would have been eligible for a higher benefit
15 rate under s. 108.05 (1) (s) if s. 108.05 (1) (s) had been in effect, adjust the benefits
16 previously paid to those claimants for those weeks by applying s. 108.05 (1) (s) to
17 those weeks.

SECTION 39. Initial applicability.

19 (1) The treatment s. 108.04 (1) (hg), (2) (hL), and (8) (bm) first applies to
20 weeks of unemployment beginning on the effective date of this subsection.

21 (2) The treatment of ss. 108.04 (11) (d) and (f), 108.16 (3) (a), and 108.225 (16)
22 (am) 1. c., the renumbering and amendment of s. 108.04 (11) (cm), and the creation
23 of s. 108.04 (11) (cm) 2. first apply to determinations issued under s. 108.095 on the
24 effective date of this subsection.

BILL

SECTION 39

(3) The treatment of ss. 108.04 (2) (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10) (intro.) first applies to determinations issued under s. 108.09 on the effective date of this subsection.

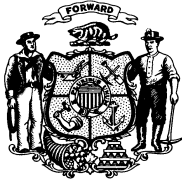
SECTION 40. Effective dates. This act takes effect on the first Sunday after publication, except as follows:

(1) The treatment of s. 108.14 (2e) takes effect on the date specified in the notice published in the Wisconsin administrative register under SECTION 38 (1) of this act.

(2) The treatment of ss. 108.17 (2), (2b), (2g), and (7), 108.185, 108.205 (1m) and (2), and 108.22 (1) (ac), (ad) 1., and (af) takes effect on February 2, 2027.

(3) The treatment of ss. 108.04 (2) (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10) (intro.) and SECTION 39 (3) of this act take effect on the first Sunday of the 7th month beginning after publication.

(END)



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-4813/P1

MED:cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 20.445 (1) (aL) of the statutes; **relating to:** funding for
2 identity verification under the unemployment insurance law and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

Current law appropriates funding to the Department of Workforce Development for various costs associated with drug testing under the unemployment insurance law, with the unspent funds being directed to the unemployment program integrity fund at the end of every fiscal year. This bill allows this funding to also be used for costs associated with identity proofing of claimants for which federal funding is unavailable.

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

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

4 **SECTION 1.** 20.445 (1) (aL) of the statutes is amended to read:
5 20.445 (1) (aL) *Unemployment insurance administration; controlled*
6 *substances testing and substance abuse treatment; identity proofing.* Biennially, the

BILL**SECTION 1**

1 amounts in the schedule for conducting screenings of applicants, testing applicants
2 for controlled substances, the provision of substance abuse treatment to applicants
3 and claimants, and related expenses under s. 108.133 and for costs related to
4 identity proofing under s. 108.14 (10m) for which federal funding is unavailable.
5 Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each
6 odd-numbered year shall be transferred to the unemployment program integrity
7 fund.

8 (END)

Unemployment Insurance Advisory Council Tentative Schedule for 2025-2026 Session

January 16, 2025	Scheduled UIAC Meeting Discuss Public Hearing Comments
March 20, 2025	Scheduled UIAC Meeting Discuss Department Law Change Proposals UI Fraud Report
April 17, 2025	Scheduled UIAC Meeting Discuss Department Law Change Proposals Exchange of Labor & Management Law Change Proposals
May 15, 2025	Scheduled UIAC Meeting Discuss Department Law Change Proposals Discuss Labor & Management Proposals
June 19, 2025	Scheduled UIAC Meeting Discuss Department Law Change Proposals Discuss Labor & Management Proposals
July 17, 2025	Scheduled UIAC Meeting Discussion and Agreement on Law Changes for Agreed Upon Bill
August 21, 2025	Scheduled UIAC Meeting Review and approval of draft of Agreed Upon Bill
September 18, 2025	Scheduled UIAC Meeting Final review and approval of LRB draft of Agreed Upon Bill
October 16, 2025	Scheduled UIAC Meeting Agreed Upon Bill Sent to the Legislature for Introduction UIAC Activities Report (due January 2026)
November 20, 2025	Scheduled UIAC Meeting
December 18, 2025	Tentative UIAC Meeting
January 15, 2026	Tentative UIAC Meeting