

SECOND REGULAR SESSION

HOUSE BILL NO. 2041

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FISHER.

Read 1st time February 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4500L.01I

AN ACT

To repeal section 288.250, RSMo, and to enact in lieu thereof one new section relating to the disclosure of confidential unemployment information, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 288.250, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 288.250, to read as follows:

288.250. **1.** Information obtained from any employing unit or individual pursuant to the administration of this law, shall be held confidential and shall not be published, **further disclosed**, or be open to public inspection [(other than to public employees in the performance of their public duties, including, but not limited to, the division of child support enforcement, other child support agencies of the federal government or other states as provided for under chapter 454, RSMo, or federal statutes)] in any manner revealing the individual's or employing unit's identity, but any claimant or employing unit or their authorized representative shall be supplied with information from the division's records to the extent necessary for the proper preparation and presentation of any claim for unemployment compensation benefits or protest of employer liability. Further, upon receipt of a written request from a claimant or his or her authorized representative, the division shall supply information previously submitted to the division by the claimant, the claimant's wage history and the claimant's benefit payment history. In addition, upon receipt of a written request from an authorized representative of an employing unit, the division shall supply information previously submitted to the division by the employing unit, and information concerning the payment of benefits from the employer's account and the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 unemployment compensation fund, including amounts paid to specific claimants. **A state or**
17 **federal official or agency may receive disclosures to the extent required by federal law. In**
18 **the division's discretion, any other party may receive disclosures to the extent authorized**
19 **by state and federal law.** Any information obtained by the division in the administration of this
20 law shall be privileged and no individual or type of organization shall be held liable for slander
21 or libel on account of any such information.

22 **2. The division shall promulgate rules governing the confidentiality and disclosure**
23 **of information under this section. Any rule or portion of a rule, as that term is defined in**
24 **section 536.010, RSMo, that is created under the authority delegated in this section shall**
25 **become effective only if it complies with and is subject to all of the provisions of chapter**
26 **536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,**
27 **RSMo, are nonseverable and if any of the powers vested with the general assembly under**
28 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule**
29 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**
30 **rule proposed or adopted after August 28, 2008, shall be invalid and void.**

31 **3. Any person who intentionally discloses or otherwise fails to protect confidential**
32 **information in violation of this section shall be guilty of a class D felony.**

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