

FIRST REGULAR SESSION

HOUSE BILL NO. 371

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TRENT.

0960H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 288.130, RSMo, and to enact in lieu thereof one new section relating to employment security.

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

Section A. Section 288.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 288.130, to read as follows:

288.130. 1. Each employing unit shall keep true and accurate payroll and other related records, containing such information as the division may by regulation prescribe for a period of at least three calendar years after the record was made. Such records shall be open to inspection and be subject to being copied by authorized representatives of the division at any reasonable time and as often as may be necessary. Any authorized person engaged in administering this law may require from any employing unit any sworn or unsworn reports, with respect to individuals performing services for it, which are deemed necessary for the effective administration of this law.

2. All employers ~~[required to report W-2 copy A information on magnetic media tape to the Social Security Administration pursuant to 26 CFR Section 301.6011-2, or successor regulations,]~~ **with fifty or more workers** are ~~[likewise]~~ required to report quarterly wage information due ~~[pursuant to]~~ **under** section 288.090 to the division ~~[on magnetic tape or diskette in a format prescribed by the division]~~ **in an electronic format prescribed by the division. However, for good cause shown, the director may permit an employer with fifty or more workers to report quarterly wage information on a paper form approved by the division.**

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.

17 3. Each employer shall post and maintain in places readily accessible to the employer's
18 workers printed statements concerning benefit rights, claims for benefits and such other matters
19 related to the administration of this law as the division may by regulation prescribe. Each
20 employer shall supply to workers copies of any printed statements relating to claims for benefits
21 when and as the division may by regulation prescribe. Such printed statements and other
22 materials shall be supplied by the division without cost.

23 4. A deputy shall make an ex parte determination after investigation but without hearing
24 with respect to any matter pertaining to the liability of an employing unit which does not involve
25 a claimant. The deputy shall promptly notify any interested employing units of each such
26 determination and the reason for it. The division shall grant a hearing before an appeals tribunal
27 to any employing unit appealing from any such ex parte determination provided an appeal is filed
28 in writing within thirty days following the date of notification or the mailing of such
29 determination to the party's last known address. In the absence of an appeal any such
30 determination shall become final at the expiration of a thirty-day period. The deputy may,
31 however, at any time within a year from the date of the deputy's determination, for good cause,
32 reconsider the determination and shall promptly notify all interested employing units of his
33 amended determination and the reason for it.

34 5. The thirty-day period provided in subsection 4 of this section may, for good cause, be
35 extended.

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