

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 11

Introduced by Executive Board: Wightman, 36, Chairperson.

Read first time January 06, 2011

Committee: General File

A BILL

- 1 FOR AN ACT relating to the Employment Security Law; to amend section
- 2 48-631, Reissue Revised Statutes of Nebraska; to correct
- 3 a recodification internal reference error from 1943; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-631, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 48-631 The deputy may reconsider a determination whenever
4 he or she finds that an error in computation or identity has occurred
5 in connection therewith, or that wages of the claimant pertinent to
6 such determination, but not considered in connection therewith, have
7 been newly discovered, or that benefits have been allowed or denied
8 or the amount of benefits fixed on the basis of misrepresentations of
9 fact, but no such redetermination shall be made after two years from
10 the date of the original determination. Notice of any such
11 redetermination shall be promptly given to the parties entitled to
12 notice of the original determination, in the manner prescribed in
13 section 48-630 with respect to notice of an original determination.
14 If the amount of benefits is increased or decreased upon such
15 redetermination, an appeal therefrom solely with respect to the
16 matters involved in such increase or decrease may be filed in the
17 manner and subject to the limitations provided in section ~~48-633-~~
18 48-634. Subject to the same limitations and for the same reasons, the
19 Commissioner of Labor may reconsider the determination, in any case
20 in which the final decision has been rendered by an appeal tribunal
21 or a court, and may apply to the tribunal or court which rendered
22 such final decision to issue a revised decision. In the event that an
23 appeal involving an original determination is pending as of the date
24 a redetermination thereof is issued, such appeal, unless withdrawn,
25 shall be treated as an appeal from such redetermination.

1 Sec. 2. Original section 48-631, Reissue Revised Statutes
2 of Nebraska, is repealed.