

By Representative D. Prewitt

1 A bill to be entitled
2 An act relating to determination of
3 unemployment compensation base periods;
4 amending s. 443.036, F.S.; providing for
5 alternative base periods under certain
6 circumstances; providing criteria; providing a
7 limitation; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (5) of section 443.036, Florida
12 Statutes, 1996 Supplement, is amended to read:

13 443.036 Definitions.--As used in this chapter, unless
14 the context clearly requires otherwise:

15 (5) BASE PERIOD.--

16 (a) "Base period" means the first four of the last
17 five completed calendar quarters immediately preceding the
18 first day of an individual's benefit year.

19 (b) With respect to a benefit year commencing on or
20 after July 1, 1997, if an individual does not have qualifying
21 wages in his or her base period to qualify for benefits, the
22 division shall designate his or her base period to be the
23 "alternative base period," which means the last 4 completed
24 calendar quarters immediately preceding the individual's
25 benefit year, except, with respect to a benefit year
26 commencing on or after July 1, 1997, if the individual also
27 does not have sufficient qualifying wages in the last 4
28 completed calendar quarters immediately preceding his or her
29 benefit year to qualify for benefits, "alternative base
30 period" means the last 3 completed calendar quarters
31 immediately preceding his or her benefit year and, of the

1 calendar quarter in which the benefit year commences, the
2 portion of the quarter which occurs before the beginning of
3 the benefit year. If information regarding wages for the
4 calendar quarter or quarters immediately preceding the benefit
5 year is not available to the division from the regular
6 quarterly reports of wage information and the division is not
7 able to obtain the information using other means pursuant to
8 state or federal law, the division may base the determination
9 of eligibility for benefits on the affidavit of the individual
10 with respect to wages for that calendar quarter. The
11 individual shall furnish payroll documentation, if available,
12 in support of the affidavit. A determination of benefits
13 based on an alternative base period shall be adjusted when the
14 quarterly report of wage information from the employer is
15 received if that information causes a change in the
16 determination. If the division receives information from the
17 employer that causes a revised monetary determination under
18 this paragraph, benefits received prior to that revision may
19 not constitute an overpayment of benefits unless the claimant
20 knowingly misrepresented information requested by the
21 division.

22 Section 2. This act shall take effect July 1, 1997.

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24 HOUSE SUMMARY

25 Provides for determinations of alternate base periods for
26 persons who do not have qualifying wages in a base period
27 to qualify for benefits. See bill for details.
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