

By the Committees on Ways and Means, Commerce and Economic Opportunities and Senator McKay

301-2020-98

1 A bill to be entitled
 2 An act relating to unemployment compensation;
 3 amending s. 1, ch. 97-29, Laws of Florida;
 4 extending for an additional year a temporary
 5 reduction in certain contribution rates for
 6 specified employers; amending 443.101, F.S.;
 7 clarifying provisions relating to
 8 disqualification for benefits; amending s.
 9 443.111, F.S.; extending for an additional year
 10 a temporary increase in the maximum weekly and
 11 yearly benefit amounts for unemployment
 12 compensation benefits; specifying benefit
 13 years; amending s. 443.036, F.S.; providing an
 14 alternative base period to be used in
 15 calculating benefits in specified
 16 circumstances; providing an effective date.

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

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 20 Section 1. Section 1 of chapter 97-29, Laws of
 21 Florida, is amended to read:

22 Section 1. Notwithstanding section 443.131(3), Florida
 23 Statutes, for the 1998 and 1999 calendar years ~~year~~ or any
 24 quarter thereof, the division shall subtract 0.5 percent from
 25 each employer's assigned tax rate, except for those employers
 26 who are assigned the initial rate or who have been assigned a
 27 contribution rate of 5.4 percent or higher for more than 36
 28 months. Notwithstanding section 443.131(2), Florida Statutes,
 29 for the 1998 and 1999 calendar years ~~year~~, each employer whose
 30 employment record has been chargeable with benefit payments

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1 for less than eight calendar quarters shall pay contributions
2 at the initial rate of 2 percent.

3 Section 2. Paragraph (a) of subsection (1) of section
4 443.101, Florida Statutes, is amended to read:

5 443.101 Disqualification for benefits.--An individual
6 shall be disqualified for benefits:

7 (1)(a) For the week in which he or she has voluntarily
8 left his or her work without good cause attributable to his or
9 her employing unit or in which the individual has been
10 discharged by his or her employing unit for misconduct
11 connected with his or her work, if so found by the division.
12 The term "work," as used in this paragraph, means any work,
13 whether full-time, part-time, or temporary.

14 1. Disqualification for voluntarily quitting shall
15 continue for the full period of unemployment next ensuing
16 after he or she has left his or her full-time, part-time, or
17 temporary work voluntarily without good cause and until such
18 individual has earned income equal to or in excess of 10 ~~17~~
19 times his or her weekly benefit amount; "good cause" as used
20 in this subsection shall include only such cause as is
21 attributable to the employing unit or which consists of
22 illness or disability of the individual requiring separation
23 from his or her work. No other disqualification may be
24 imposed. An individual shall not be disqualified under this
25 subsection for voluntarily leaving temporary work to return
26 immediately when called to work by the permanent employing
27 unit that temporarily terminated his or her work within the
28 previous 6 calendar months.

29 2. Disqualification for being discharged for
30 misconduct connected with his or her work shall continue for
31 the full period of unemployment next ensuing after having been

1 discharged and until such individual has become reemployed and
2 has earned income not less than 10 ~~17~~ times his or her weekly
3 benefit amount and for not more than 52 weeks which
4 immediately follow such week, as determined by the division in
5 each case according to the circumstances in each case or the
6 seriousness of the misconduct, pursuant to rules of the
7 division enacted for determinations of disqualification for
8 benefits for misconduct.

9 Section 3. Subsection (3) and paragraph (a) of
10 subsection (5) of section 443.111, Florida Statutes, are
11 amended to read:

12 443.111 Payment of benefits.--

13 (3) WEEKLY BENEFIT AMOUNT.--An individual's "weekly
14 benefit amount" shall be an amount equal to one twenty-sixth
15 of the total wages for insured work paid during that quarter
16 of the base period in which such total wages paid were the
17 highest, but not less than \$32 or more than \$275~~\$250~~. For
18 claims with benefit years beginning July 1, 1998 ~~1997~~, through
19 June 30, 1999 ~~December 31, 1997~~, an additional 5 percent of
20 the weekly benefit amount shall be added for the first 8
21 compensable weeks of benefits paid, not to exceed \$288~~\$262~~.
22 ~~For benefit years beginning January 1, 1998, an individual's~~
23 ~~"weekly benefit amount" shall be an amount equal to one~~
24 ~~twenty-sixth of the total wages for insured work paid during~~
25 ~~that quarter of the base period in which such total wages paid~~
26 ~~were the highest, but not less than \$32 or more than \$275. For~~
27 ~~claims with benefit years beginning January 1, 1998, through~~
28 ~~June 30, 1998, an additional 5 percent of the weekly benefit~~
29 ~~amount shall be added for the first 8 compensable weeks of~~
30 ~~benefits paid, not to exceed \$288.~~Such weekly benefit amount,
31 if not a multiple of \$1, shall be rounded downward to the

1 nearest full dollar amount. The maximum weekly benefit amount
2 in effect at the time the claimant establishes an individual
3 weekly benefit amount shall be the maximum benefit amount
4 applicable throughout the claimant's benefit year.

5 (5) DURATION OF BENEFITS.--

6 (a)1. Any otherwise eligible individual shall be
7 entitled during any benefit year to a total amount of benefits
8 equal to 25 percent of the total wages in the base period, not
9 to exceed \$7,150~~\$6,500~~. For claims with benefit years
10 beginning July 1, 1998~~1997~~, through June 30, 1999~~December~~
11 ~~31, 1997~~, an additional amount equal to 5 percent of the
12 weekly benefit amount multiplied by 8 shall be added to the
13 calculated total amount of benefits, the sum of which may not
14 exceed \$7,254~~\$6,596~~. ~~For benefit years beginning January 1,~~
15 ~~1998, any otherwise eligible individual shall be entitled~~
16 ~~during any benefit year to a total amount of benefits equal to~~
17 ~~25 percent of the total wages in the base period, not to~~
18 ~~exceed \$7,150. For claims with benefit years beginning January~~
19 ~~1, 1998, through June 30, 1998, an additional amount equal to~~
20 ~~5 percent of the weekly benefit amount multiplied by 8 shall~~
21 ~~be added to the calculated total amount of benefits, the sum~~
22 ~~of which may not exceed \$7,254. However, such total amount of~~
23 ~~benefits, if not a multiple of \$1, shall be rounded downward~~
24 ~~to the nearest full dollar amount. Such benefits shall be~~
25 ~~payable at a weekly rate no greater than the weekly benefit~~
26 ~~amount.~~

27 2. For the purposes of this subsection, wages shall be
28 counted as "wages for insured work" for benefit purposes with
29 respect to any benefit year only if such benefit year begins
30 subsequent to the date on which the employing unit by whom
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1 such wages were paid has satisfied the conditions of this
2 chapter with respect to becoming an employer.

3 Section 4. Subsection (5) of section 443.036, Florida
4 Statutes, is amended to read:

5 443.036 Definitions.--As used in this chapter, unless
6 the context clearly requires otherwise:

7 (5) BASE PERIOD.--

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

11 (b) With respect to a benefit year commencing no later
12 than January 1, 2000, if an individual is not monetarily
13 eligible in his or her base period to qualify for benefits,
14 the division must designate his or her base period to be the
15 alternative base period. As used in this paragraph, the term
16 "alternative base period" means the last four completed
17 calendar quarters immediately preceding the individual's
18 benefit year. Wages used in a base period to establish a
19 monetarily eligible benefit year cannot be applied to
20 establish monetary eligibility in any succeeding benefit year.
21 If information regarding wages for the calendar quarter or
22 quarters immediately preceding the benefit year is not
23 available to the division from the regular quarterly reports
24 of wage information and the division is not able to obtain the
25 information through other means pursuant to state or federal
26 law, the division may base the determination of monetary
27 eligibility for benefits on information that is provided by
28 the individual, on affidavit. Employers shall have 10 days in
29 which to respond to wage requests from the division.

30 Section 5. This act shall take effect July 1, 1998.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1760

Reduces the amount of money a claimant must earn to requalify for unemployment compensation benefits from 17 times the weekly benefit amount to 10 times the weekly benefit amount.

Provides for an alternative base period to be used when calculating unemployment benefits in circumstances in which the individual is not monetarily eligible in his or her base period to qualify for benefits.