

By Representative Starks

1 A bill to be entitled
2 An act relating to unemployment compensation;
3 amending s. 443.036, F.S.; revising a
4 definition for purposes of determining base
5 period; amending s. 1, ch. 97-29, Laws of
6 Florida; including an additional calendar year
7 for purposes of reducing certain tax rates;
8 amending s. 443.111, F.S.; revising
9 determinations of weekly benefit amount and
10 duration of benefits; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsection (5) of section 443.036, Florida
16 Statutes, is amended to read:

17 443.036 Definitions.--As used in this chapter, unless
18 the context clearly requires otherwise:

19 (5) BASE PERIOD.--

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

23 (b) With respect to a benefit year commencing on or
24 after July 1, 1998, if an individual does not have qualifying
25 wages in his or her base period to qualify for benefits, the
26 division shall designate his or her base period to be the
27 "alternative base period," which means the last 4 completed
28 calendar quarters immediately preceding the individual's
29 benefit year. If information regarding wages for the calendar
30 quarter or quarters immediately preceding the benefit year is
31 not available to the division from the regular quarterly

1 reports of wage information and the division is not able to
2 obtain the information using other means pursuant to state or
3 federal law, the division may base the determination of
4 eligibility for benefits on the affidavit of the individual
5 with respect to wages for such calendar quarters. The
6 individual shall furnish payroll documentation, if available,
7 in support of the affidavit. A determination of benefits based
8 on an alternative base period shall be adjusted when the
9 quarterly report of wage information from the employer is
10 received if that information causes a change in the
11 determination.

12 Section 2. Section 1 of chapter 97-29, Laws of
13 Florida, is amended to read:

14 Section 1. Notwithstanding section 443.131(3), Florida
15 Statutes, for the 1998 and 1999 calendar years ~~year~~ or any
16 quarter thereof, the division shall subtract 0.5 percent from
17 each employer's assigned tax rate, except for those employers
18 who are assigned the initial rate or who have been assigned a
19 contribution rate of 5.4 percent or higher for more than 36
20 months. Notwithstanding section 443.131(2), Florida Statutes,
21 for the 1998 and 1999 calendar years ~~year~~, each employer whose
22 employment record has been chargeable with benefit payments
23 for less than eight calendar quarters shall pay contributions
24 at the initial rate of 2 percent.

25 Section 3. Subsection (3) and paragraph (a) of
26 subsection (5) of section 443.111, Florida Statutes, are
27 amended to read:

28 443.111 Payment of benefits.--

29 (3) WEEKLY BENEFIT AMOUNT.--An individual's "weekly
30 benefit amount" shall be an amount equal to one twenty-sixth
31 of the total wages for insured work paid during that quarter

1 of the base period in which such total wages paid were the
2 highest, but not less than \$32 or more than ~~\$275~~\$250. For
3 claims with benefit years beginning July 1, 1998 ~~1997~~, through
4 ~~December 31, 1997~~, an additional ~~5~~ percent of the weekly
5 benefit amount shall be added for the first ~~8~~ compensable
6 weeks of benefits paid, not to exceed \$262. For benefit years
7 beginning January 1, 1998, an individual's "weekly benefit
8 amount" shall be an amount equal to one twenty-sixth of the
9 total wages for insured work paid during that quarter of the
10 base period in which such total wages paid were the highest,
11 but not less than \$32 or more than \$275. For claims with
12 benefit years beginning January 1, 1998, through June 30, 1999
13 ~~1998~~, an additional 5 percent of the weekly benefit amount
14 shall be added for the first 8 compensable weeks of benefits
15 paid, not to exceed \$288. Such weekly benefit amount, if not a
16 multiple of \$1, shall be rounded downward to the nearest full
17 dollar amount. The maximum weekly benefit amount in effect at
18 the time the claimant establishes an individual weekly benefit
19 amount shall be the maximum benefit amount applicable
20 throughout the claimant's benefit year.

21 (5) DURATION OF BENEFITS.--

22 (a)1. Any otherwise eligible individual shall be
23 entitled during any benefit year to a total amount of benefits
24 equal to 25 percent of the total wages in the base period, not
25 to exceed ~~\$6,500~~. For claims with benefit years beginning July
26 1, 1997, through December 31, 1997, an additional amount equal
27 to ~~5~~ percent of the weekly benefit amount multiplied by ~~8~~
28 shall be added to the calculated total amount of benefits, the
29 sum of which may not exceed \$6,596. For benefit years
30 beginning January 1, 1998, any otherwise eligible individual
31 shall be entitled during any benefit year to a total amount of

