

By the Committee on Commerce and Economic Opportunities; and  
Senators Wasserman Schultz, Jones, Futch, Meek and Lawson

310-1858-02

1                                   A bill to be entitled  
2           An act relating to economic recovery; providing  
3           legislative intent; providing criteria,  
4           requirements, and limitations on certain  
5           training; amending s. 443.036, F.S.; providing  
6           a definition and an application of an  
7           alternative base period; providing requirements  
8           and limitations; requiring employers to respond  
9           to requests for information and providing a  
10          penalty for failure to respond; providing for  
11          adjustments in determinations of monetary  
12          eligibility; amending s. 443.111, F.S.;  
13          providing, for a limited time period, an  
14          increase in weekly benefit amounts and the  
15          total amount of benefits; providing effective  
16          dates.

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

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20           Section 1. The Legislature finds that businesses and  
21 individuals in this state are experiencing significant  
22 economic hardship and that revenues critical to the delivery  
23 of vital public services are jeopardized. Therefore, it is the  
24 intent of the Legislature to establish policies designed to  
25 stimulate economic activity in this state and promote the  
26 economic security of the residents of this state. The need to  
27 retain and create jobs in this state in the current economic  
28 environment is great. A significant investment of state funds  
29 in reemployment and retraining programs is essential to  
30 economic recovery in this state. The state should invest in  
31 economic-recovery training programs that deliver a high

1 expectation of continued employment after a reasonably short  
2 period of training is completed. Economic-recovery training  
3 funds should be expended on programs that enhance the skills  
4 of residents of this state who are employed by businesses  
5 based in this state.

6 Section 2. (1) As used in this section, the term  
7 "economic-recovery training" means training provided by, or  
8 under contract with, the Agency for Workforce Innovation,  
9 Workforce Florida, Inc., or a regional workforce board, to  
10 prepare for reemployment an individual defined as a dislocated  
11 worker under the federal Workforce Investment Act in 29 U.S.C.  
12 s. 2801. The term includes, but is not limited to, the program  
13 cited as Operation Paycheck.

14 (2) Economic-recovery training shall be awarded to  
15 providers of training services on a competitive-bid basis and  
16 shall receive continued support on a performance-based  
17 schedule not to exceed 12 months. Training agreements may not  
18 be continued with providers of training services who  
19 demonstrate a pattern of low training-completion rates or low  
20 job-placement rates for participants who complete the  
21 training.

22 (3) This section does not apply to a contract that is  
23 entered into before the effective date of this section, but  
24 does apply to a renewal of such contract.

25 Section 3. Subsection (7) of section 443.036, Florida  
26 Statutes, is amended to read:

27 443.036 Definitions.--As used in this chapter, unless  
28 the context clearly requires otherwise:

29 (7) BASE PERIOD.--  
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1           (a) "Base period" means the first four of the last  
2 five completed calendar quarters immediately preceding the  
3 first day of an individual's benefit year.

4           (b) With respect to a benefit year commencing on or  
5 after October 1, 2002, if an individual is not monetarily  
6 eligible in his or her base period to qualify for benefits,  
7 the division must designate his or her base period to be the  
8 alternative base period. As used in this paragraph, the term  
9 "alternative base period" means the last four completed  
10 calendar quarters immediately preceding the first day of an  
11 individual's benefit year. Wages used in a base period to  
12 establish a monetarily eligible benefit year may not be  
13 applied to establish monetary eligibility in any succeeding  
14 benefit year. If information regarding wages for the calendar  
15 quarter or quarters immediately preceding the benefit year has  
16 not been input into the division's mainframe database from the  
17 regular quarterly reports of wage information or is otherwise  
18 unavailable, the division shall request such information from  
19 the employer. An employer must provide the requested wage  
20 information within 10 days after receiving a request from the  
21 division. An employer who fails to provide the requested wage  
22 information within the required time is subject to the penalty  
23 for delinquent reports in s. 443.141(1)(b).

24           (c) For monetary determinations based upon the  
25 alternative base period under paragraph (b), if the division  
26 is unable to access the wage information through its mainframe  
27 database, the division may base the determination of  
28 eligibility for benefits on an affidavit submitted by the  
29 individual with respect to wages for those calendar quarters.  
30 The individual must furnish payroll information, if available,  
31 in support of the affidavit. A determination of benefits based

1 upon an alternative base period shall be adjusted when the  
2 quarterly report of wage information from the employer is  
3 received, if that information causes a change in the  
4 determination.

5 Section 4. Subsection (3) and paragraph (a) of  
6 subsection (5) of section 443.111, Florida Statutes, are  
7 amended to read:

8 443.111 Payment of benefits.--

9 (3) WEEKLY BENEFIT AMOUNT.--An individual's "weekly  
10 benefit amount" shall be an amount equal to one twenty-sixth  
11 of the total wages for insured work paid during that quarter  
12 of the base period in which such total wages paid were the  
13 highest, but not less than \$32 or more than \$275. For claims  
14 with benefit years beginning October 1, 2002, through June 30,  
15 2004 ~~January 1, 2000, through December 31, 2000~~, an additional  
16 amount equal to \$25 or 15 5 percent of the weekly benefit  
17 amount, whichever is greater, shall be added for each  
18 compensable week ~~the first 8 compensable weeks~~ of benefits  
19 paid, not to exceed ~~\$316~~ \$288. Such weekly benefit amount, if  
20 not a multiple of \$1, shall be rounded downward to the nearest  
21 full dollar amount. The maximum weekly benefit amount in  
22 effect at the time the claimant establishes an individual  
23 weekly benefit amount shall be the maximum benefit amount  
24 applicable throughout the claimant's benefit year.

25 (5) DURATION OF BENEFITS.--

26 (a)1. Any otherwise eligible individual shall be  
27 entitled during any benefit year to a total amount of benefits  
28 equal to 25 percent of the total wages in the base period, not  
29 to exceed \$7,150. For claims with benefit years beginning  
30 October 1, 2002, through June 30, 2004 ~~January 1, 2000,~~  
31 ~~through December 31, 2000~~, an additional amount equal to \$650

1 or 15 5 percent of the weekly benefit amount multiplied by 26,  
2 whichever is greater,~~8~~ shall be added to the calculated total  
3 amount of benefits, the sum of which may not exceed \$8,216  
4 ~~\$7,254~~. However, such total amount of benefits, if not a  
5 multiple of \$1, shall be rounded downward to the nearest full  
6 dollar amount. Such benefits shall be payable at a weekly rate  
7 no greater than the weekly benefit amount.

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

14           Section 5. Except as otherwise provided in this act,  
15 this act shall take effect upon becoming a law.

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 1220  
4                   The committee substitute:  
5                   1) Clarifies that provisions requiring competitive-bidding  
6                   and performance-based funding of contracts for  
7                   economic-recovery training services apply to existing programs  
8                   and do not create new programs.  
9                   2) Delays the effective date of payments under the  
10                  alternative base period from September 1, 2001, to October 1,  
11                  2002.  
12                  3) Clarifies that an employer must submit requested wage data  
13                  within 10 days after receiving a request and subjects the  
14                  employer to the penalty for delinquent reports if the employer  
15                  fails to timely submit the wage data.  
16                  4) Authorizes that monetary eligibility under the alternative  
17                  base period may be determined from an affidavit of the  
18                  unemployed individual if the wage data is not available, and  
19                  provides for adjustments of the determination after the wage  
20                  data is processed and becomes available.  
21                  5) Removes provisions from the bill that would have waived a  
22                  requirement that individuals be unemployed for a waiting  
23                  period of 1 week before receiving unemployment benefits and  
24                  that would have accelerated the initial payment of benefits.  
25                  6) Extends the total amount of unemployment benefits that an  
26                  individual may receive by an amount corresponding to a  
27                  temporary increase in weekly benefits.  
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