

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Frankel offered the following:

Amendment (with title amendment)

On page 38, between lines 5 and 6,

insert:

Section 5. Subsection (7) of Section 443.036, Florida Statutes, is amended to read:

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

(7) BASE PERIOD.--

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

(b) With respect to a benefit year commencing on or after October 1, 2002, if an individual is not monetarily eligible in his or her base period to qualify for benefits, the division must designate his or her base period to be the alternative base period. As used in this paragraph, the term "alternative base period" means the last four completed calendar quarters immediately preceding the first day of an

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1 individual's benefit year. Wages used in a base period to
 2 establish a monetarily eligible benefit year may not be
 3 applied to establish monetary eligibility in any succeeding
 4 benefit year. If information regarding wages for the calendar
 5 quarter or quarters immediately preceding the benefit year has
 6 not been input into the division's mainframe database from the
 7 regular quarterly reports of wage information or is otherwise
 8 unavailable, the division shall request such information from
 9 the employer. An employer must provide the requested wage
 10 information within 10 days after receiving a request from the
 11 division. An employer who fails to provide the requested wage
 12 information within the required time is subject to the penalty
 13 for delinquent reports in s. 443.141(1)(b).

14 (c) For monetary determinations based upon the
 15 alternative base period under paragraph (b), if the division
 16 is unable to access the wage information through its mainframe
 17 database, the division may base the determination of
 18 eligibility for benefits on an affidavit submitted by the
 19 individual with respect to wages for those calendar quarters.
 20 The individual must furnish payroll information, if available,
 21 in support of the affidavit. A determination of benefits based
 22 upon an alternative base period shall be adjusted when the
 23 quarterly report of wage information from the employer is
 24 received, if that information causes a change in the
 25 determination.

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 3, line 2, after the semicolon,

31

Amendment No. ____ (for drafter's use only)

1 insert:

2 amending s. 443.036, F.S.; providing a
3 definition and an application of an alternative
4 base period; providing requirements and
5 limitations; requiring employers to respond to
6 requests for information and providing a
7 penalty for failure to respond; providing for
8 adjustments in determinations of monetary
9 eligibility;

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