

By Senator Hill

1-1633-04

See HB

1                                   A bill to be entitled  
 2           An act relating to unemployment compensation;  
 3           amending s. 443.101, F.S.; limiting the scope  
 4           of the definition of work applicable to  
 5           disqualification for benefits; amending s.  
 6           443.111, F.S.; providing an exception to full  
 7           weekly benefits for totally unemployed persons  
 8           under certain circumstances; amending s.  
 9           443.151, F.S.; prohibiting overpayment  
 10          recoveries under certain circumstances;  
 11          providing an effective date.

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

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 15           Section 1. Paragraph (a) of subsection (1) of section  
 16           443.101, Florida Statutes, is amended to read:

17           443.101 Disqualification for benefits.--An individual  
 18           shall be disqualified for benefits:

19           (1)(a) For the week in which he or she has voluntarily  
 20           left his or her work without good cause attributable to his or  
 21           her employing unit or in which the individual has been  
 22           discharged by his or her employing unit for misconduct  
 23           connected with his or her work, based on a finding by the  
 24           Agency for Workforce Innovation. As used in this paragraph,  
 25           the term "work" means any work, whether full-time, part-time,  
 26           or temporary, other than part-time work engaged in by an  
 27           individual receiving partial benefits as provided in s.  
 28           443.111(4)(a).

29           1. Disqualification for voluntarily quitting continues  
 30           for the full period of unemployment next ensuing after he or  
 31           she has left his or her full-time, part-time, or temporary

1 work voluntarily without good cause and until the individual  
2 has earned income equal to or in excess of 17 times his or her  
3 weekly benefit amount. As used in this subsection, the term  
4 "good cause" includes only that cause attributable to the  
5 employing unit or which consists of illness or disability of  
6 the individual requiring separation from his or her work. Any  
7 other disqualification may not be imposed. An individual is  
8 not disqualified under this subsection for voluntarily leaving  
9 temporary work to return immediately when called to work by  
10 the permanent employing unit that temporarily terminated his  
11 or her work within the previous 6 calendar months.

12         2. Disqualification for being discharged for  
13 misconduct connected with his or her work continues for the  
14 full period of unemployment next ensuing after having been  
15 discharged and until the individual has become reemployed and  
16 has earned income of at least 17 times his or her weekly  
17 benefit amount and for not more than 52 weeks that immediately  
18 follow that week, as determined by the Agency for Workforce  
19 Innovation in each case according to the circumstances in each  
20 case or the seriousness of the misconduct, under the agency's  
21 rules adopted for determinations of disqualification for  
22 benefits for misconduct.

23         Section 2. Paragraph (a) of subsection (4) of section  
24 443.111, Florida Statutes, is amended to read:

25             443.111 Payment of benefits.--

26             (4) WEEKLY BENEFIT FOR UNEMPLOYMENT.--

27             (a) Total.--Each eligible individual who is totally  
28 unemployed in any week is paid for the week a benefit equal to  
29 her or his weekly benefit amount, except that an individual  
30 receiving partial benefits under paragraph (b) who becomes  
31 totally unemployed by voluntarily leaving his or her part-time

1 work without cause attributable to his or her employing unit  
2 shall continue to receive only the partial benefits for which  
3 he or she was eligible under paragraph (b) before such event  
4 occurred.

5 Section 3. Paragraph (c) of subsection (6) of section  
6 443.151, Florida Statutes, is amended to read:

7 443.151 Procedure concerning claims.--

8 (6) RECOVERY AND RECOUPMENT.--

9 (c) Recoupment from future benefits and recovery of  
10 overpayments are ~~is~~ not permitted if the benefits are received  
11 by such person without fault on the person's part and  
12 recoupment or recovery would defeat the purpose of this  
13 chapter or would be inequitable and against good conscience.

14 Section 4. This act shall take effect upon becoming a  
15 law.

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