

HB 0499

2004

1 A bill to be entitled
 2 An act relating to unemployment compensation; amending s.
 3 443.036, F.S.; providing a definition and an application
 4 of an alternative base period; providing requirements and
 5 limitations; providing an effective date.

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

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 9 Section 1. Subsection (7) of section 443.036, Florida
 10 Statutes, is amended to read:

11 443.036 Definitions.--As used in this chapter, the term:

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

15 (b) With respect to a benefit year commencing after
 16 October 1, 2004, if an individual is not monetarily eligible in
 17 his or her base period to qualify for benefits, the Agency for
 18 Workforce Innovation must designate his or her base period to be
 19 the alternative base period. As used in this paragraph, the term
 20 "alternative base period" means the last four completed calendar
 21 quarters immediately preceding the individual's benefit year.

22 Wages used in a base period to establish a monetarily eligible
 23 benefit year may not be applied to establish monetary
 24 eligibility in any succeeding benefit year. If information
 25 regarding wages for the calendar quarter or quarters immediately
 26 preceding the benefit year has not been input into the agency's
 27 database, the agency shall request such information from the
 28 employer. An employer must respond to the wage request within 10
 29 days after receiving a request from the agency. If the employer

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30 fails to provide the requested wage information within the
31 required time, the employer is subject to the penalty for
32 delinquent reports provided in s. 443.141(1)(b).

33 (c) For monetary determinations based upon the alternative
34 base period under paragraph (b), if the agency is unable to
35 access the wage information through its database, the agency may
36 base the determination of eligibility for benefits on an
37 affidavit submitted by the individual with respect to wages for
38 those calendar quarters. The individual must furnish payroll
39 information, if available, in support of the affidavit. A
40 determination of benefits based upon an alternative base period
41 shall be adjusted when the quarterly report of wage information
42 from the employer is received, if that information causes a
43 change in the determination.

44 Section 2. This act shall take effect July 1, 2004.