

1 A bill to be entitled
 2 An act relating to unemployment compensation; amending s.
 3 443.036, F.S.; redefining the term "base period" for
 4 purposes of determining eligibility for benefits;
 5 providing an alternative base period and for the
 6 applicability and calculation of benefits; providing an
 7 effective date.

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

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

13 443.036 Definitions.--As used in this chapter, the term:

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

17 (a) With respect to a benefit year commencing on or after
 18 October 1, 2007, if an individual is not monetarily eligible in
 19 his or her base period to qualify for benefits, the division
 20 must designate the alternative base period to be his or her base
 21 period. As used in this subsection, the term "alternative base
 22 period" means the last four completed calendar quarters
 23 immediately preceding the first day of an individual's benefit
 24 year. Wages used in a base period to establish a monetarily
 25 eligible benefit year may not be applied to establish monetary
 26 eligibility in any succeeding benefit year. If information
 27 regarding wages for the calendar quarter or quarters immediately
 28 preceding the benefit year has not been entered into the

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29 division's mainframe database from the regular quarterly reports
30 of wage information or is otherwise unavailable, the division
31 shall request such information from the employer. An employer
32 must provide the requested wage information within 10 days after
33 receiving a request from the division. An employer that fails to
34 provide the requested wage information within the required time
35 is subject to the penalty for delinquent reports in s.
36 443.141(1)(b).

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

48 Section 2. This act shall take effect October 1, 2007.