



402308

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/F/2R

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04/28/2009 11:25 AM

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Senators Hill and Gelber moved the following:

Senate Amendment (with title amendment)

Delete line 29

and insert:

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

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

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



13 establish a monetarily eligible benefit year may not be used to
14 establish monetary eligibility in a subsequent benefit year.

15 (a) If information regarding wages for the calendar
16 quarters immediately preceding the benefit year has not been
17 entered into the Agency for Workforce Innovation's mainframe
18 database from the regular quarterly reports of wage information
19 submitted under s. 443.163 or is otherwise unavailable, the
20 agency shall request the information from the employer by mail.
21 The employer must provide the requested information within 10
22 days after the agency mails the request. An employer that fails
23 to provide the requested wage information within the required
24 time period is subject to the penalty for delinquent reports
25 under s. 443.141.

26 (b) For a benefit year commencing on or after January 1,
27 2010, if an individual is not monetarily eligible in the base
28 period to qualify for benefits, the Agency for Workforce
29 Innovation must designate an alternative base period. As used in
30 this subsection, the term "alternative base period" means the
31 last four completed calendar quarters immediately preceding the
32 first day of an individual's benefit year. If the agency is
33 unable to access wage information through its mainframe database
34 for determining monetary eligibility for benefits based on the
35 individual's alternative base period, the agency may base the
36 determination on an affidavit submitted by the individual
37 attesting to his or her wages for those calendar quarters. The
38 individual must also furnish payroll information, if available,
39 in support of the affidavit. Benefits based on an alternative
40 base period must be adjusted if the quarterly report of wage
41 information received from the employer under s. 443.141 results



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42 in a change in the monetary determination.

43 Section 2. Effective January 1, 2010, paragraph (a) of

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

46 And the title is amended as follows:

47 Delete line 3

48 and insert:

49 Fund; amending s. 443.036, F.S.; revising the definition of

50 "base period;" amending s. 443.1217, F.S.; raising the amount