



954552

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/14/2009	.	
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The Committee on Commerce (Garcia) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 211 - 319  
and insert:

Section 3. Subsection (1) and subsection (3) of section  
443.191, Florida Statutes, are amended to read:

443.191 Unemployment Compensation Trust Fund; establishment  
and control.—

(1) There is established, as a separate trust fund apart  
from all other public funds of this state, an Unemployment  
Compensation Trust Fund, which shall be administered by the  
Agency for Workforce Innovation exclusively for the purposes of



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13 this chapter. The fund shall consist of:

14 (a) All contributions and reimbursements collected under  
15 this chapter;

16 (b) Interest earned on any moneys in the fund;

17 (c) Any property or securities acquired through the use of  
18 moneys belonging to the fund;

19 (d) All earnings of these properties or securities; and

20 (e) All money credited to this state's account in the  
21 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.  
22 1103; ~~and~~ and

23 (f) Advances on the amount in the federal Unemployment  
24 Compensation Trust Fund credited to the state under 42 U.S.C. s.  
25 1321, as requested by the Governor or the Governor's designee.

26  
27 Except as otherwise provided in s. 443.1313(4), all moneys  
28 in the fund shall be mingled and undivided.

29 (3) Moneys may only be requisitioned from the state's  
30 account in the federal Unemployment Compensation Trust Fund  
31 solely for the payment of benefits and extended benefits and for  
32 payment in accordance with rules prescribed by the Agency for  
33 Workforce Innovation, or for the repayment of advances made  
34 pursuant to 42 U.S.C. s. 1321, as authorized by the Governor or  
35 the Governor's designee, except that money credited to this  
36 state's account under 42 U.S.C. s. 1103 may only be used  
37 exclusively as provided in subsection (5). The Agency for  
38 Workforce Innovation, through the Chief Financial Officer, shall  
39 requisition from the federal Unemployment Compensation Trust  
40 Fund amounts, not exceeding the amounts credited to this state's  
41 account in the fund, as necessary for the payment of benefits



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42 and extended benefits for a reasonable future period. Upon  
43 receipt of these amounts, the Chief Financial Officer shall  
44 deposit the moneys in the benefit account in the State Treasury  
45 and warrants for the payment of benefits and extended benefits  
46 shall be drawn upon the order of the Agency for Workforce  
47 Innovation against the account. All warrants for benefits and  
48 extended benefits are payable directly to the ultimate  
49 beneficiary. Expenditures of these moneys in the benefit account  
50 and refunds from the clearing account are not subject to any law  
51 requiring specific appropriations or other formal release by  
52 state officers of money in their custody. All warrants issued  
53 for the payment of benefits and refunds must bear the signature  
54 of the Chief Financial Officer. Any balance of moneys  
55 requisitioned from this state's account in the federal  
56 Unemployment Compensation Trust Fund which remains unclaimed or  
57 unpaid in the benefit account after the period for which the  
58 moneys were requisitioned shall be deducted from estimates for,  
59 and may be used for the payment of, benefits and extended  
60 benefits during succeeding periods, or, in the discretion of the  
61 Agency for Workforce Innovation, shall be redeposited with the  
62 Secretary of the Treasury of the United States, to the credit of  
63 this state's account in the federal Unemployment Compensation  
64 Trust Fund, as provided in subsection (2).

65  
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete lines 17 - 19

69 and insert:

70 to the Governor or the Governor's designee to request advances;



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71 related to repayment of advances; providing