

Amendment No.

CHAMBER ACTION

Senate

House

.

---

1 Representative Murzin offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 618 and 619, insert:

5 Section 26. In order to implement Specific Appropriation  
6 2219 of the 2010-2011 General Appropriations Act, and  
7 notwithstanding the expiration date contained in section 1 of  
8 chapter 2010-1, Laws of Florida, operating retroactive to  
9 February 27, 2010, section 443.1117, Florida Statutes, as  
10 amended by section 1 of chapter 2010-1, Laws of Florida, is  
11 revived, reenacted, and amended to read:

12 443.1117 Temporary extended benefits.—

13 (1) APPLICABILITY OF EXTENDED BENEFITS STATUTE.—Except  
14 when the result is inconsistent with the other provisions of  
15 this section, the provisions of s. 443.1115 (2), (3), (4), (6),  
16 and (7) apply to all claims covered by this section.

396355

Approved For Filing: 3/25/2010 11:52:04 AM

Amendment No.

17 (2) DEFINITIONS.—For the purposes of this section, the  
18 term:

19 (a) "Regular benefits" and "extended benefits" have the  
20 same meaning as in s. 443.1115.

21 (b) "Eligibility period" means the period consisting of  
22 the weeks in an individual's benefit year or emergency benefit  
23 period which begin in an extended benefit period and, if the  
24 benefit year or emergency benefit period ends within that  
25 extended benefit period, any subsequent weeks beginning in that  
26 period.

27 (c) "Emergency benefits" means Emergency Unemployment  
28 Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No.  
29 110-449, Pub. L. No. 111-5, Pub. L. No. 111-92, ~~and~~ Pub. L. No.  
30 111-118, and Pub. L. No. 111-144.

31 (d) "Extended benefit period" means a period that:

32 1. Begins with the third week after a week for which there  
33 is a state "on" indicator; and

34 2. Ends with any of the following weeks, whichever occurs  
35 later:

36 a. The third week after the first week for which there is  
37 a state "off" indicator;

38 b. The 13th consecutive week of that period.  
39

40 However, an extended benefit period may not begin by reason of a  
41 state "on" indicator before the 14th week after the end of a  
42 prior extended benefit period that was in effect for this state.

396355

Approved For Filing: 3/25/2010 11:52:04 AM

Amendment No.

43 (e) "Emergency benefit period" means the period during  
44 which an individual receives emergency benefits as defined in  
45 paragraph (c).

46 (f) "Exhaustee" means an individual who, for any week of  
47 unemployment in her or his eligibility period:

48 1. Has received, before that week, all of the regular  
49 benefits and emergency benefits, if any, available under this  
50 chapter or any other law, including dependents' allowances and  
51 benefits payable to federal civilian employees and ex-  
52 servicemembers under 5 U.S.C. ss. 8501-8525, in the current  
53 benefit year or emergency benefit period that includes that  
54 week. For the purposes of this subparagraph, an individual has  
55 received all of the regular benefits and emergency benefits, if  
56 any, available although, as a result of a pending appeal for  
57 wages paid for insured work which were not considered in the  
58 original monetary determination in the benefit year, she or he  
59 may subsequently be determined to be entitled to added regular  
60 benefits;

61 2. Had a benefit year which expired before that week, and  
62 was paid no, or insufficient, wages for insured work on the  
63 basis of which she or he could establish a new benefit year that  
64 includes that week; and

65 3.a. Has no right to unemployment benefits or allowances  
66 under the Railroad Unemployment Insurance Act or other federal  
67 laws as specified in regulations issued by the United States  
68 Secretary of Labor; and

69 b. Has not received and is not seeking unemployment  
70 benefits under the unemployment compensation law of Canada; but  
396355

Approved For Filing: 3/25/2010 11:52:04 AM

Amendment No.

71 if an individual is seeking those benefits and the appropriate  
72 agency finally determines that she or he is not entitled to  
73 benefits under that law, she or he is considered an exhaustee.

74 (g) "State 'on' indicator" means, with respect to weeks of  
75 unemployment beginning on or after February 1, 2009, and ending  
76 on or before March 13, 2010 ~~January 30, 2010~~, the occurrence of  
77 a week in which the average total unemployment rate, seasonally  
78 adjusted, as determined by the United States Secretary of Labor,  
79 for the period consisting of the most recent 3 months for which  
80 data for all states are published by the United States  
81 Department of Labor:

- 82 1. Equals or exceeds 110 percent of the average of those  
83 rates for the corresponding 3-month period ending in each of the  
84 preceding 2 calendar years; and
- 85 2. Equals or exceeds 6.5 percent.

86 (h) "High unemployment period" means, with respect to  
87 weeks of unemployment beginning on or after February 1, 2009,  
88 and ending on or before March 13, 2010 ~~January 30, 2010~~, any  
89 week in which the average total unemployment rate, seasonally  
90 adjusted, as determined by the United States Secretary of Labor,  
91 for the period consisting of the most recent 3 months for which  
92 data for all states are published by the United States  
93 Department of Labor:

- 94 1. Equals or exceeds 110 percent of the average of those  
95 rates for the corresponding 3-month period ending in each of the  
96 preceding 2 calendar years; and
- 97 2. Equals or exceeds 8 percent.

396355

Approved For Filing: 3/25/2010 11:52:04 AM

Amendment No.

98 (i) "State 'off' indicator" means the occurrence of a week  
99 in which there is no state "on" indicator or which does not  
100 constitute a high unemployment period.

101 (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in  
102 subsection (4):

103 (a) For any week for which there is an "on" indicator  
104 pursuant to paragraph (2)(g), the total extended benefit amount  
105 payable to an eligible individual for her or his applicable  
106 benefit year is the lesser of:

107 1. Fifty percent of the total regular benefits payable  
108 under this chapter in the applicable benefit year; or

109 2. Thirteen times the weekly benefit amount payable under  
110 this chapter for a week of total unemployment in the applicable  
111 benefit year.

112 (b) For any high unemployment period as defined in  
113 paragraph (2)(h), the total extended benefit amount payable to  
114 an eligible individual for her or his applicable benefit year is  
115 the lesser of:

116 1. Eighty percent of the total regular benefits payable  
117 under this chapter in the applicable benefit year; or

118 2. Twenty times the weekly benefit amount payable under  
119 this chapter for a week of total unemployment in the applicable  
120 benefit year.

121 (4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any  
122 other provision of this chapter, if the benefit year of an  
123 individual ends within an extended benefit period, the number of  
124 weeks of extended benefits the individual is entitled to receive  
125 in that extended benefit period for weeks of unemployment

396355

Approved For Filing: 3/25/2010 11:52:04 AM

Amendment No.

126 beginning after the end of the benefit year, except as provided  
127 in this section, is reduced, but not to below zero, by the  
128 number of weeks for which the individual received, within that  
129 benefit year, trade readjustment allowances under the Trade Act  
130 of 1974, as amended.

131 (5) EXPIRATION.—This section expires April 5, 2010, unless  
132 reviewed and reenacted by the Legislature before that date.

133 Section 27. The provisions of s. 443.1117, Florida  
134 Statutes, as revived, reenacted, and amended by this act, apply  
135 only to claims for weeks of unemployment in which an exhaustee  
136 establishes entitlement to extended benefits pursuant to that  
137 section which are established for the period between February  
138 22, 2009, and April 5, 2010.

139 Section 28. The Legislature finds that the amendments made  
140 by this act to s. 443.1117, Florida Statutes, fulfill an  
141 important state interest.

142 -----  
143  
144 **T I T L E A M E N D M E N T**

145 Remove line 82 and insert:  
146 related needs of economic development projects; reviving,  
147 reenacting, and amending s. 443.1117, F.S.; providing for  
148 retroactive application; establishing temporary state extended  
149 benefits for weeks of unemployment; revising definitions;  
150 providing for state extended benefits for certain weeks and for  
151 periods of high unemployment; providing applicability; providing  
152 a declaration of important state interest; providing

396355

Approved For Filing: 3/25/2010 11:52:04 AM