

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
2 Representative Holder offered the following:

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4 **Amendment (with title amendment)**

5 Between lines 1600 and 1601, insert:

6 Section 28. Notwithstanding the expiration date contained
7 in section 13 of chapter 2011-235, Laws of Florida, operating
8 retroactive to January 4, 2012, and expiring March 11, 2012,
9 section 443.1117, Florida Statutes, is revived, readopted, and
10 amended to read:

11 443.1117 Temporary extended benefits.—

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

16 (2) DEFINITIONS.—As used in this section, the term:

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

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

24 (c) "Emergency benefits" means benefits ~~Emergency~~
25 ~~Unemployment Compensation~~ paid pursuant to Pub. L. No. 110-252,
26 and any subsequent federal law that provides for the payment of
27 Emergency Unemployment Compensation ~~Pub. L. No. 110-449, Pub. L.~~
28 ~~No. 111-5, Pub. L. No. 111-92, Pub. L. No. 111-118, Pub. L. No.~~
29 ~~111-144, Pub. L. No. 111-157, Pub. L. No. 111-205, and Pub. L.~~
30 ~~No. 111-312.~~

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; or

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

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

42 (e) "Emergency benefit period" means the period during
43 which an individual receives emergency benefits.

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

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

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

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

67 b. Has not received and is not seeking unemployment
68 benefits under the unemployment compensation law of Canada; but
69 if an individual is seeking those benefits and the appropriate
70 agency finally determines that she or he is not entitled to
71 benefits under that law, she or he is considered an exhaustee.

72 (g) "State 'on' indicator" means, with respect to weeks of
73 unemployment ending on or before February 11, 2012 ~~December 10,~~

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74 | 2011, the occurrence of a week in which the average total
75 | unemployment rate, seasonally adjusted, as determined by the
76 | United States Secretary of Labor, for the most recent 3 months
77 | for which data for all states are published by the United States
78 | Department of Labor:

79 | 1. Equals or exceeds 110 percent of the average of those
80 | rates for the corresponding 3-month period ending in any or all
81 | of the preceding 3 calendar years; and

82 | 2. Equals or exceeds 6.5 percent.

83 | (h) "High unemployment period" means, with respect to
84 | weeks of unemployment ending on or before February 11, 2012
85 | ~~December 10, 2011~~, any week in which the average total
86 | unemployment rate, seasonally adjusted, as determined by the
87 | United States Secretary of Labor, for the most recent 3 months
88 | for which data for all states are published by the United States
89 | Department of Labor:

90 | 1. Equals or exceeds 110 percent of the average of those
91 | rates for the corresponding 3-month period ending in any or all
92 | of the preceding 3 calendar years; and

93 | 2. Equals or exceeds 8 percent.

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

97 | (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in
98 | subsection (4):

99 | (a) For any week for which there is an "on" indicator
100 | pursuant to paragraph (2)(g), the total extended benefit amount

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101 payable to an eligible individual for her or his applicable
102 benefit year is the lesser of:

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

105 2. Thirteen times the weekly benefit amount payable under
106 this chapter for a week of total unemployment in the applicable
107 benefit year.

108 (b) For any high unemployment period, the total extended
109 benefit amount payable to an eligible individual for her or his
110 applicable benefit year is the lesser of:

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

113 2. Twenty times the weekly benefit amount payable under
114 this chapter for a week of total unemployment in the applicable
115 benefit year.

116 (4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any
117 other provision of this chapter, if the benefit year of an
118 individual ends within an extended benefit period, the number of
119 weeks of extended benefits the individual is entitled to receive
120 in that extended benefit period for weeks of unemployment
121 beginning after the end of the benefit year, except as provided
122 in this section, is reduced, but not to below zero, by the
123 number of weeks for which the individual received, within that
124 benefit year, trade readjustment allowances under the Trade Act
125 of 1974, as amended.

126 Section 29. The provisions of s. 443.1117, Florida
127 Statutes, as revived, readopted, and amended by this act, apply
128 only to claims for weeks of unemployment in which an exhaustee

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129 establishes entitlement to extended benefits pursuant to that
130 section which are established for the period between January 4,
131 2012, and March 11, 2012.

132 Section 30. If any provision of this act or its
133 application to any person or circumstance is held invalid, the
134 invalidity does not affect other provisions or applications of
135 the act which can be given effect without the invalid provision
136 or application, and to this end the provision of the act are
137 severable.

138 Section 31. The Legislature finds that this act fulfills
139 an important state interest.

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

Remove line 36 and insert:
changes made by this act; reviving, readopting, and amending s.
443.1117, F.S., relating to temporary extended benefits;
providing for retroactive application; establishing temporary
state extended benefits for weeks of unemployment; revising
definitions; providing for state extended benefits for certain
weeks and for periods of high unemployment; providing
applicability; providing severability; providing that the act
fulfills an important state interest; amending ss. 20.60, 27.52,