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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: TP | . | |
| 02/20/2024 | . | |
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Trumbull) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Promoting Work,
Deterring Fraud Act of 2024."

Section 2. Subsection (2) of section 443.101, Florida
Statutes, is amended to read:

443.101 Disqualification for benefits.—An individual shall
be disqualified for benefits:



121838

11 (2) If the Department of Commerce ~~Economic Opportunity~~
12 finds that the individual has failed without good cause to apply
13 for available suitable work, including contacting the required
14 number of prospective employers per week for any week of
15 unemployment claimed in the benefit year in accordance with s.
16 443.091, accept suitable work when offered to him or her, or
17 return to the individual's customary self-employment when
18 directed by the department or return to employment when recalled
19 to work by the individual's employer after a temporary layoff,
20 the disqualification continues for the full period of
21 unemployment next ensuing after he or she failed without good
22 cause to apply for available suitable work, accept suitable
23 work, or return to his or her customary self-employment, and
24 until the individual has earned income of at least 17 times his
25 or her weekly benefit amount. The department shall by rule adopt
26 criteria to implement this subsection, including ~~for~~ determining
27 the "suitability of work," as used in this section. In
28 developing these rules, the department shall consider the
29 duration of a claimant's unemployment in determining the
30 suitability of work and the suitability of proposed rates of
31 compensation for available work. Further, after an individual
32 has received 25 weeks of benefits in a single year, suitable
33 work is a job that pays the minimum wage and is 120 percent or
34 more of the weekly benefit amount the individual is drawing.

35 (a) In determining whether or not any work is suitable for
36 an individual, the department shall consider the degree of risk
37 to the individual's health, safety, and morals; the individual's
38 physical fitness, prior training, experience, prior earnings,
39 length of unemployment, and prospects for securing local work in



121838

40 his or her customary occupation; and the distance of the
41 available work from his or her residence.

42 (b) Notwithstanding any other provisions of this chapter,
43 work is not deemed suitable and benefits may not be denied to
44 any otherwise eligible individual for refusing to accept new
45 work under any of the following conditions:

46 1. The position offered is vacant due directly to a strike,
47 lockout, or other labor dispute.

48 2. The wages, hours, or other conditions of the work
49 offered are substantially less favorable to the individual than
50 those prevailing for similar work in the locality.

51 3. As a condition of being employed, the individual is
52 required to join a company union or to resign from or refrain
53 from joining any bona fide labor organization.

54 (c) If the department finds that an individual was rejected
55 for offered employment as the direct result of a positive,
56 confirmed drug test required as a condition of employment, the
57 individual is disqualified for refusing to accept an offer of
58 suitable work.

59 Section 3. Section 443.1112, Florida Statutes, is created
60 to read:

61 443.1112 Verification of reemployment assistance benefit
62 eligibility.-

63 (1) The Department of Commerce shall verify the identity of
64 each claimant who applies for reemployment assistance benefits
65 before paying any benefits to that individual.

66 (2) For each week which a claimant makes a claim for
67 benefits, the department shall cross-check the information
68 contained in the claim with all of the following sources or



121838

69 similar sources of information:

70 (a) The National Association of State Workforce Agencies
71 Integrity Data Hub.

72 (b) The United States Department of Health and Human
73 Services National Directory of New Hires.

74 (c) The State Directory of New Hires created in s.
75 409.2576.

76 (d) The Department of Corrections inmate database.

77 (e) The Social Security Administration Prisoner Update
78 Processing System.

79 (f) The Centers for Disease Control and Prevention National
80 Vital Statistics System death records database.

81 (g) The Department of Health Bureau of Vital Statistics
82 death records database.

83 (h) The United States Citizenship and Immigration Services
84 SAVE database.

85 (3) The department may not pay any week claimed by a
86 claimant that has not been cross-checked against all the sources
87 specified in subsection (2) or similar sources of information.
88 However, in any week in which any of the sources specified in
89 subsection (2) are unavailable, the claim may be paid provided
90 the department cross-checks the claimant's information against
91 the unavailable source upon its availability.

92 (4) The department shall do all of the following:

93 (a) Investigate any claim in this state associated with a
94 mailing address, a bank account, an e-mail address, a telephone
95 number, or an Internet protocol address that is also associated
96 with another existing claim for reemployment assistance benefits
97 in this state or another state and verify that the claim in this



121838

98 state is legitimate and not fraudulent before paying any
99 benefits for the claim.

100 (b) Scrutinize any claim in this state filed from a foreign
101 Internet protocol address before paying any benefits for the
102 claim.

103 (c) Work with the United States Department of Labor, the
104 United States Department of Justice, other state workforce
105 agencies, the Department of Law Enforcement, the state
106 attorneys, or the Office of the Statewide Prosecutor to share
107 information related to fraudulent claims or attempted fraudulent
108 claims to the extent feasible for further investigation and
109 proceedings brought under this chapter.

110 (d) Maintain a web page and an e-mail address through which
111 an individual or an employer may report known or suspected
112 violations of this chapter, including identity theft or fraud.
113 Each year the department shall notify employers in the state of
114 this web page and e-mail address for reporting violations.

115 (e) Each year make available on its website a report
116 identifying the number of fraudulent reemployment assistance
117 claims identified for the prior year, the number of claims not
118 paid due to successful detection of fraudulent intentions, the
119 number of claims and the amount of reemployment assistance
120 benefits paid against claims subsequently identified as
121 fraudulent, the amount of fraudulent overpayments recovered, and
122 the number of fraudulent claims referred for investigation and
123 possible prosecution. The report must also list the sources of
124 information that were used to cross-check claims during the
125 reporting period.

126 Section 4. Paragraph (b) of subsection (1) of section



121838

127 445.011, Florida Statutes, is amended to read:

128 445.011 Consumer-first workforce system.—

129 (1) The department, in consultation with the state board,
130 the Department of Education, and the Department of Children and
131 Families, shall implement, subject to legislative appropriation,
132 an automated consumer-first workforce system that improves
133 coordination among required one-stop partners and is necessary
134 for the efficient and effective operation and management of the
135 workforce development system. This system shall include, but
136 need not be limited to, the following:

137 (b)1. An automated job-matching information system that is
138 accessible to employers, job seekers, and other users via the
139 Internet, which is in alignment with the implementation of 20
140 C.F.R. s. 652.3, and that includes, at a minimum:

141 a.1- Skill match information, including skill gap analysis;
142 resume creation; job order creation; skill tests; job search by
143 area, employer type, and employer name; and training provider
144 linkage;

145 b.2- Job market information based on surveys, including
146 local, state, regional, national, and international occupational
147 and job availability information; and

148 c.3- Service provider information, including education and
149 training providers, child care facilities and related
150 information, health and social service agencies, and other
151 providers of services that would be useful to job seekers.

152 2. The job-matching information system shall use artificial
153 intelligence generation for the purpose of matching participants
154 to jobs and training opportunities and include a knowledge,
155 skills, and interests assessment for the purpose of guiding



156 participants to jobs and training opportunities.

157 Section 5. This act shall take effect July 1, 2024.

158

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

160 And the title is amended as follows:

161 Delete everything before the enacting clause

162 and insert:

163 A bill to be entitled

164 An act relating to verification of reemployment

165 assistance benefit eligibility; providing a short

166 title; amending s. 443.101, F.S.; making a technical

167 change; revising circumstances under which the

168 department disqualifies claimants from benefits;

169 creating s. 443.1112, F.S.; requiring the department

170 to verify claimants' identities before paying

171 benefits; requiring the department to cross-check

172 certain information; providing sources against which

173 such information is cross-checked; prohibiting

174 benefits from being paid for claims that have not been

175 cross-checked; providing an exception; providing

176 duties of the department; requiring the department to

177 maintain a web page and an e-mail address for a

178 specified purpose and to notify employers each year of

179 the web page and e-mail address; providing annual

180 reporting requirements; amending s. 445.011, F.S.;

181 requiring the department's job-matching information

182 system to contain certain elements; providing an

183 effective date.