

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
2 Representative Abbott offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

10 443.101 Disqualification for benefits.—An individual shall
11 be disqualified for benefits:

12 (2) If the Department of Commerce ~~Economic Opportunity~~
13 finds that the individual has failed without good cause to apply
14 for available suitable work, including contacting the required
15 number of prospective employers per week for any week of
16 unemployment claimed in the benefit year in accordance with s.

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17 443.091, failed to appear on three or more occasions for a
18 scheduled job interview, accept suitable work when offered to
19 him or her, or return to the individual's customary self-
20 employment when directed by the department or return to
21 employment when recalled to work by the individual's employer
22 after a temporary layoff, the disqualification continues for the
23 full period of unemployment next ensuing after he or she failed
24 without good cause to apply for available suitable work, accept
25 suitable work, or return to his or her customary self-
26 employment, and until the individual has earned income of at
27 least 17 times his or her weekly benefit amount. The department
28 shall by rule adopt criteria to implement this subsection,
29 including for determining the "suitability of work," as used in
30 this section. In developing these rules, the department shall
31 consider the duration of a claimant's unemployment in
32 determining the suitability of work and the suitability of
33 proposed rates of compensation for available work. Further,
34 after an individual has received 25 weeks of benefits in a
35 single year, suitable work is a job that pays the minimum wage
36 and is 120 percent or more of the weekly benefit amount the
37 individual is drawing.

38 (a) In determining whether or not any work is suitable for
39 an individual, the department shall consider the degree of risk
40 to the individual's health, safety, and morals; the individual's
41 physical fitness, prior training, experience, prior earnings,

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42 length of unemployment, and prospects for securing local work in
43 his or her customary occupation; and the distance of the
44 available work from his or her residence.

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

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

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

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

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

62 Section 3. Section 443.1112, Florida Statutes, is created
63 to read:

64 443.1112 Verification of reemployment assistance benefit
65 eligibility; detection of fraud.-

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

69 (2) For the initial claim for benefits made by a claimant
70 and as necessary to verify a claimant's eligibility for
71 benefits, the department shall cross-check the information
72 contained in the claim with information in the United States
73 Citizenship and Immigration Services SAVE database.

74 (3) For each week which a claimant makes a claim for
75 benefits, including the initial claim for benefits, to verify a
76 claimant's eligibility for benefits the department shall cross-
77 check the information contained in the claim with all of the
78 following sources or similar sources of information:

79 (a) The National Association of State Workforce Agencies
80 Integrity Data Hub.

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

83 (c) The State Directory of New Hires created in s.
84 409.2576.

85 (d) The Department of Corrections inmate database.

86 (e) The Social Security Administration Prisoner Update
87 Processing System.

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

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90 (g) The Department of Health Bureau of Vital Statistics
91 death records database.

92 (4) The department may not pay any week claimed by a
93 claimant that has not been cross-checked against all the sources
94 specified in subsections (2) and (3), as appropriate, or similar
95 sources of information. However, in any week in which any of the
96 sources specified are unavailable, the claim may be paid
97 provided the department cross-checks the claimant's information
98 against the unavailable source upon its availability.

99 (5) The department shall do all of the following:

100 (a) Investigate any claim in this state associated with a
101 mailing address, a bank account, an e-mail address, a telephone
102 number, or an Internet protocol address that is also associated
103 with another existing claim for reemployment assistance benefits
104 in this state or another state and verify that the claim in this
105 state is legitimate and not fraudulent before paying any
106 benefits for the claim.

107 (b) Scrutinize any claim in this state filed from a
108 foreign Internet protocol address before paying any benefits for
109 the claim.

110 (c) Work with the United States Department of Labor, the
111 United States Department of Justice, other state workforce
112 agencies, the Department of Law Enforcement, the state
113 attorneys, or the Office of the Statewide Prosecutor to share
114 information related to fraudulent claims or attempted fraudulent

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115 claims to the extent feasible for further investigation and
116 proceedings brought under this chapter.

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

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

133 Section 4. Paragraph (b) of subsection (1) of section
134 445.011, Florida Statutes, is amended to read:

135 445.011 Consumer-first workforce system.—

136 (1) The department, in consultation with the state board,
137 the Department of Education, and the Department of Children and
138 Families, shall implement, subject to legislative appropriation,
139 an automated consumer-first workforce system that improves

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140 coordination among required one-stop partners and is necessary
141 for the efficient and effective operation and management of the
142 workforce development system. This system shall include, but
143 need not be limited to, the following:

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

148 a.1. Skill match information, including skill gap
149 analysis; resume creation; job order creation; skill tests; job
150 search by area, employer type, and employer name; and training
151 provider linkage;

152 b.2. Job market information based on surveys, including
153 local, state, regional, national, and international occupational
154 and job availability information; and

155 c.3. Service provider information, including education and
156 training providers, child care facilities and related
157 information, health and social service agencies, and other
158 providers of services that would be useful to job seekers.

159 2. The job-matching information system shall use
160 artificial intelligence generation for the purpose of matching
161 participants to jobs and training opportunities and include a
162 knowledge, skills, and interests assessment for the purpose of
163 guiding participants to jobs and training opportunities.

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

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to verification of reemployment assistance benefit eligibility; providing a short title; amending s. 443.101, F.S.; making a technical change; revising circumstances under which the department disqualifies claimants from benefits; creating s. 443.1112, F.S.; requiring the department to verify claimants' identities before paying benefits; requiring the department to cross-check certain information; providing sources against which such information is cross-checked; prohibiting benefits from being paid for claims that have not been cross-checked; providing an exception; providing duties of the department; requiring the department to maintain a web page and an e-mail address for a specified purpose and to notify employers each year of the web page and e-mail address; providing annual reporting requirements; amending s. 445.011, F.S.; requiring the department's job-matching information system to contain certain elements; providing an effective date.