



738334

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2025	.	
	.	
	.	
	.	

The Committee on Commerce and Tourism (Rodriguez) 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 2025."

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:



738334

(2) If the Department of Commerce finds that the individual has failed without good cause to apply for available suitable work; to appear, on three or more occasions, for a scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview; ~~to~~ accept suitable work within 2 business days when offered to him or her; ~~to~~ ~~or~~ return to the individual's customary self-employment when directed by the department; or to return to employment when recalled to work by the individual's employer after a temporary layoff, the disqualification continues for the full period of unemployment next ensuing after he or she failed without good cause to apply for available suitable work; to appear, on three or more occasions, for a scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview; ~~to~~ accept suitable work; ~~or~~ to return to his or her customary employment or self-employment, and until the individual has earned income of at least 17 times his or her weekly benefit amount. The department shall by rule adopt criteria to implement this subsection, including for determining the "suitability of work," as used in this section. In developing these rules, the department shall consider the duration of a claimant's unemployment in determining the suitability of work and the suitability of proposed rates of compensation for available work. Further, after an individual has received 25 weeks of benefits in a single year, suitable work is a job that pays the minimum wage and is 120 percent or more of the weekly benefit amount the individual is drawing.

(a) In determining whether or not any work is suitable for an individual, the department shall consider the degree of risk



738334

to the individual's health, safety, and morals; the individual's physical fitness, prior training, experience, prior earnings, length of unemployment, and prospects for securing local work in his or her customary occupation; and the distance of the available work from his or her residence.

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

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

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

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

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

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

443.1112 Verification of reemployment assistance benefit eligibility; detection of fraud.—

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



738334

(2) For the initial claim for benefits made by a claimant and as necessary to verify a claimant's eligibility for benefits, the department shall cross-check the information contained in the claim with information in the database of the Systematic Alien Verification for Entitlements Program established by the United States Bureau of Citizenship and Immigration Services.

(3) For every 2 weeks that a claimant makes a claim for benefits, including the initial claim for benefits, to verify a claimant's eligibility for benefits, the department shall cross-check the information contained in the claim to make sure that the claimant is:

(a) Living.

(b) Not incarcerated.

(c) Not already employed.

(d) Not filing fraudulent or duplicate claims.

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

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

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

(c) Refer any suspected fraudulent or attempted fraudulent claim identified by the department to the Department of Legal



738334

Affairs and the state attorney of the judicial circuit in which the suspected fraudulent claim originated for further investigation and potential prosecution.

(d) Maintain a web page and an e-mail address through which an individual or an employer may report known or suspected violations of this chapter, including identity theft, fraud, or reasons for which a claimant would be disqualified for benefits under s. 443.101, including, but not limited to, failing to appear for a previously scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview or failing to accept suitable work within 2 business days when offered to him or her. Each year, the department shall notify employers in this state of this web page and e-mail address for reporting violations.

(e) Annually make available on its website a report identifying the number of fraudulent reemployment assistance claims identified for the previous year, the number of claims not paid due to successful detection of fraudulent intentions, the number of claims and the amount of reemployment assistance benefits paid against claims subsequently identified as fraudulent, the amount of fraudulent overpayments recovered, and the number of fraudulent claims referred for investigation and possible prosecution. The report must also list the sources of information that were used to cross-check claims during the reporting period.

(4) This section may not be construed as limiting the ability of the department to adopt additional mechanisms and strategies designed to limit waste, fraud, and abuse in the reemployment assistance program.



738334

Section 4. Paragraph (d) of subsection (1) of section 443.091, Florida Statutes, is amended to read:

443.091 Benefit eligibility conditions.—

(1) An unemployed individual is eligible to receive benefits for any week only if the Department of Commerce finds that:

(d) She or he is able to work and is available for work. In order to assess eligibility for a claimed week of unemployment, the department shall develop criteria to determine a claimant's ability to work and availability for work. A claimant must be actively seeking work in order to be considered available for work. This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers for each week of unemployment claimed. The department may require the claimant to provide proof of such efforts to the one-stop career center as part of reemployment services. A claimant's proof of work search efforts may not include the same prospective employer at the same location in 3 consecutive weeks, unless the employer has indicated since the time of the initial contact that the employer is hiring. The department shall conduct random reviews of work search information provided by claimants. As an alternative to contacting at least five prospective employers for any week of unemployment claimed, a claimant may, for that same week, report in person to a one-stop career center to meet with a representative of the center and access reemployment services of the center. The center shall keep a record of the services or information provided to the claimant and shall provide the records to the department upon request by the department. However:



738334

1. Notwithstanding ~~any other provision of~~ this paragraph or paragraphs (b) and (e), an otherwise eligible individual may not be denied benefits for any week because she or he is in training with the approval of the department, or by reason of s.

443.101(2) relating to failure to apply for, failure to appear for an interview for, or refusal to accept, suitable work.

Training may be approved by the department in accordance with criteria prescribed by rule. A claimant's eligibility during approved training is contingent upon satisfying eligibility conditions prescribed by rule.

2. Notwithstanding ~~any other provision of~~ this chapter, an otherwise eligible individual who is in training approved under s. 236(a)(1) of the Trade Act of 1974, as amended, may not be determined ineligible or disqualified for benefits due to enrollment in such training or because of leaving work that is not suitable employment to enter such training. As used in this subparagraph, the term "suitable employment" means work of a substantially equal or higher skill level than the worker's past adversely affected employment, as defined for purposes of the Trade Act of 1974, as amended, the wages for which are at least 80 percent of the worker's average weekly wage as determined for purposes of the Trade Act of 1974, as amended.

3. Notwithstanding any other provision of this section, an otherwise eligible individual may not be denied benefits for any week because she or he is before any state or federal court pursuant to a lawfully issued summons to appear for jury duty.

4. Union members who customarily obtain employment through a union hiring hall may satisfy the work search requirements of this paragraph by reporting daily to their union hall.



738334

5. The work search requirements of this paragraph do not apply to persons who are unemployed as a result of a temporary layoff or who are claiming benefits under an approved short-time compensation plan as provided in s. 443.1116.

6. In small counties as defined in s. 120.52(19), a claimant engaging in systematic and sustained efforts to find work must contact at least three prospective employers for each week of unemployment claimed.

7. The work search requirements of this paragraph do not apply to persons required to participate in reemployment services under paragraph (e).

Section 5. This act shall take effect July 1, 2025.

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

And the title is amended as follows:

Delete 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.; revising circumstances under which the Department of Commerce may disqualify claimants from receiving reemployment assistance benefits; creating s. 443.1112, F.S.; requiring the department to verify claimants' identities before paying reemployment assistance benefits; requiring the department to cross-check certain information on a specified schedule; providing duties of the department; requiring the department to



738334

214 maintain a web page and an e-mail address for a
215 specified purpose and to notify employers each year of
216 the web page and e-mail address; requiring the
217 department to annually make certain information
218 available on its website; providing construction;
219 amending s. 443.091, F.S.; conforming a provision to
220 changes made by the act; providing an effective date.