

HOUSE AMENDMENT
Bill No. HB 191 (2026)

Amendment No.

CHAMBER ACTION

Senate

House

1 Representative Nixon offered the following:

2

3 **Amendment (with title amendment)**

4 Remove lines 22-78 and insert:

5 **Section 2. Paragraph (a) of subsection (1) and subsection**
6 **(2) of section 443.101, Florida Statutes, are amended to read:**

7 443.101 Disqualification for benefits.—An individual shall
8 be disqualified for benefits:

9 (1) (a) For the week in which he or she has voluntarily
10 left work without good cause attributable to his or her
11 employing unit or for the week in which he or she has been
12 discharged by the employing unit for misconduct connected with
13 his or her work, based on a finding by the Department of

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Commerce. As used in this paragraph, the term "work" means any work, whether full-time, part-time, or temporary.

1. Disqualification for voluntarily quitting continues for the full period of unemployment next ensuing after the individual has left his or her full-time, part-time, or temporary work voluntarily without good cause and until the individual has earned income equal to or greater than 17 times his or her weekly benefit amount. As used in this subsection, the term "good cause" includes only that cause attributable to the employing unit which would compel a reasonable employee to cease working or attributable to the individual's illness or disability requiring separation from his or her work. Any other disqualification may not be imposed.

2. An individual is not disqualified under this subsection for:

- a. Experiencing a lack of child care.
- b. Experiencing a transportation mishap or breakdown.
- c. Attending to a medical or family emergency.
- d. Working a part-time job or gig job.
- e. Living in a rural area with limited job access.

f.a. Voluntarily leaving temporary work to return immediately when called to work by the permanent employing unit that temporarily terminated his or her work within the previous 6 calendar months;

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38 g.b. Voluntarily leaving work to relocate as a result of
39 his or her military-connected spouse's permanent change of
40 station orders, activation orders, or unit deployment orders; or

41 h.e. Voluntarily leaving work if he or she proves that his
42 or her discontinued employment is a direct result of
43 circumstances related to domestic violence as defined in s.
44 741.28. An individual who voluntarily leaves work under this
45 sub-subparagraph must:

46 (I) Make reasonable efforts to preserve employment, unless
47 the individual establishes that such remedies are likely to be
48 futile or to increase the risk of future incidents of domestic
49 violence. Such efforts may include seeking a protective
50 injunction, relocating to a secure place, or seeking reasonable
51 accommodation from the employing unit, such as a transfer or
52 change of assignment;

53 (II) Provide evidence such as an injunction, a protective
54 order, or other documentation authorized by state law which
55 reasonably proves that domestic violence has occurred; and

56 (III) Reasonably believe that he or she is likely to be
57 the victim of a future act of domestic violence at, in transit
58 to, or departing from his or her place of employment.

59 3. The employment record of an employing unit may not be
60 charged for the payment of benefits to an individual who has
61 voluntarily left work under sub-subparagraph 2.h. 2.e.

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62 4. Disqualification for being discharged for misconduct
63 connected with his or her work continues for the full period of
64 unemployment next ensuing after having been discharged and until
65 the individual is reemployed and has earned income of at least
66 17 times his or her weekly benefit amount and for not more than
67 52 weeks immediately following that week, as determined by the
68 department in each case according to the circumstances or the
69 seriousness of the misconduct, under the department's rules for
70 determining disqualification for benefits for misconduct.

71 5. If an individual has provided notification to the
72 employing unit of his or her intent to voluntarily leave work
73 and the employing unit discharges the individual for reasons
74 other than misconduct before the date the voluntary quit was to
75 take effect, the individual, if otherwise entitled, shall
76 receive benefits from the date of the employer's discharge until
77 the effective date of his or her voluntary quit.

78 6. If an individual is notified by the employing unit of
79 the employer's intent to discharge the individual for reasons
80 other than misconduct and the individual quits without good
81 cause before the date the discharge was to take effect, the
82 claimant is ineligible for benefits pursuant to s. 443.091(1)(d)
83 for failing to be available for work for the week or weeks of
84 unemployment occurring before the effective date of the
85 discharge.

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86 (2) If the Department of Commerce finds that the
87 individual has failed without good cause to apply for available
88 suitable work, including contacting the required number of
89 prospective employers per week for any week of unemployment
90 claimed in the benefit year in accordance with s. 443.091, or
91 failed to appear on three or more occasions for a scheduled job
92 interview without notifying the prospective employer of the need
93 to cancel or reschedule the interview, to accept suitable work
94 when offered to him or her, to or return to the individual's
95 customary self-employment when directed by the department, or to
96 return to employment when recalled to work by the individual's
97 employer after a temporary layoff, the disqualification
98 continues for the full period of unemployment next ensuing after
99 he or she failed without good cause to apply for available
100 suitable work, accept suitable work, or return to his or her
101 customary employment or self-employment, and until the
102 individual has earned income of at least 17 times his or her
103 weekly benefit amount. The department shall by rule adopt
104 criteria to implement this subsection, including for determining
105 the "suitability of work," as used in this section. In
106 developing these rules, the department shall consider the
107 duration of a claimant's unemployment in determining the
108 suitability of work and the suitability of proposed rates of
109 compensation for available work. Further, after an individual
110 has received 25 weeks of benefits in a single year, suitable

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111 work is a job that pays the minimum wage and is 120 percent or
112 more of the weekly benefit amount the individual is drawing.

113 (a) In determining whether or not any work is suitable for
114 an individual, the department shall consider the degree of risk
115 to the individual's health, safety, and morals; the individual's
116 physical fitness, prior training, experience, prior earnings,
117 length of unemployment, and prospects for securing local work in
118 his or her customary occupation; and the distance of the
119 available work from his or her residence.

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

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

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

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

132 (c) If the department finds that an individual was
133 rejected for offered employment as the direct result of a
134 positive, confirmed drug test required as a condition of

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135 employment, the individual is disqualified for refusing to
136 accept an offer of suitable work.

137 **Section 3. Paragraph (a) of subsection (3) of section**
138 **443.131, Florida Statutes, is amended to read:**

139 443.131 Contributions.—

140 (3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT
141 EXPERIENCE.—

142 (a) Employment records.—The regular and short-time
143 compensation benefits paid to an eligible individual shall be
144 charged to the employment record of each employer who paid the
145 individual wages of at least \$100 during the individual's base
146 period in proportion to the total wages paid by all employers
147 who paid the individual wages during the individual's base
148 period. Benefits may not be charged to the employment record of
149 an employer who furnishes part-time work to an individual who,
150 because of loss of employment with one or more other employers,
151 is eligible for partial benefits while being furnished part-time
152 work by the employer on substantially the same basis and in
153 substantially the same amount as the individual's employment
154 during his or her base period, regardless of whether this part-
155 time work is simultaneous or successive to the individual's lost
156 employment. Further, as provided in s. 443.151(3), benefits may
157 not be charged to the employment record of an employer who
158 furnishes the Department of Commerce with notice, as prescribed
159 in rules of the department, that any of the following apply:

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160 1. If an individual leaves his or her work without good
161 cause attributable to the employer or is discharged by the
162 employer for misconduct connected with his or her work, benefits
163 subsequently paid to the individual based on wages paid by the
164 employer before the separation may not be charged to the
165 employment record of the employer.

166 2. If an individual is discharged by the employer for
167 unsatisfactory performance during an initial employment
168 probationary period, benefits subsequently paid to the
169 individual based on wages paid during the probationary period by
170 the employer before the separation may not be charged to the
171 employer's employment record. As used in this subparagraph, the
172 term "initial employment probationary period" means an
173 established probationary plan that applies to all employees or a
174 specific group of employees and that does not exceed 90 calendar
175 days following the first day a new employee begins work. The
176 employee must be informed of the probationary period within the
177 first 7 days of work. The employer must demonstrate by
178 conclusive evidence that the individual was separated because of
179 unsatisfactory work performance and not because of lack of work
180 due to temporary, seasonal, casual, or other similar employment
181 that is not of a regular, permanent, and year-round nature.

182 3. Benefits subsequently paid to an individual after his
183 or her refusal without good cause to accept suitable work from
184 an employer may not be charged to the employment record of the

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185 employer if any part of those benefits are based on wages paid
186 by the employer before the individual's refusal to accept
187 suitable work. As used in this subparagraph, the term "good
188 cause" does not include distance to employment caused by a
189 change of residence by the individual. The department shall
190 adopt rules prescribing for the payment of all benefits whether
191 this subparagraph applies regardless of whether a
192 disqualification under s. 443.101 applies to the claim.

193 4. If an individual is separated from work as a direct
194 result of a natural disaster declared under the Robert T.
195 Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C.
196 ss. 5121 et seq., benefits subsequently paid to the individual
197 based on wages paid by the employer before the separation may
198 not be charged to the employment record of the employer.

199 5. If an individual is separated from work as a direct
200 result of an oil spill, terrorist attack, or other similar
201 disaster of national significance not subject to a declaration
202 under the Robert T. Stafford Disaster Relief and Emergency
203 Assistance Act, benefits subsequently paid to the individual
204 based on wages paid by the employer before the separation may
205 not be charged to the employment record of the employer.

206 6. If an individual is separated from work as a direct
207 result of domestic violence and meets all requirements in s.
208 443.101(1)(a)2.h. ~~s. 443.101(1)(a)2.e.~~, benefits subsequently
209 paid to the individual based on wages paid by the employer

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210 before separation may not be charged to the employment record of
211 the employer.

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

216 Remove line 7 and insert:

217 benefits; amending s. 443.131, F.S.; conforming a
218 cross-reference; creating s. 443.1112, F.S.; requiring
219 the

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