

By Senator Stewart

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1 A bill to be entitled
2 An act relating to unemployment compensation; amending
3 s. 443.111, F.S.; increasing the weekly benefit
4 amounts an individual may receive; redefining the term
5 "Florida average unemployment rate"; increasing the
6 cap on the total benefit amount an individual is
7 entitled to receive during a benefit year; revising
8 the duration of benefits; reenacting ss. 443.041(2)(b)
9 and 443.1116(6), (7), and (8)(a), F.S., relating to
10 fees and short-term compensation, to incorporate the
11 amendments made to s. 443.111, F.S., in references
12 thereto; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (3) and paragraphs (a), (b), and (c)
17 of subsection (5) of section 443.111, Florida Statutes, are
18 amended to read:

19 443.111 Payment of benefits.—

20 (3) WEEKLY BENEFIT AMOUNT.—An individual's "weekly benefit
21 amount" is an amount equal to one twenty-sixth of the total
22 wages for insured work paid during that quarter of the base
23 period in which the total wages paid were the highest, but not
24 less than \$125 ~~\$32~~ or more than \$400 ~~\$275~~. The weekly benefit
25 amount, if not a multiple of \$1, is rounded downward to the
26 nearest full dollar amount. The maximum weekly benefit amount in
27 effect at the time the claimant establishes an individual weekly
28 benefit amount is the maximum benefit amount applicable
29 throughout the claimant's benefit year.

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30 (5) DURATION OF BENEFITS.—

31 (a) As used in this section, the term "Florida average
32 unemployment rate" means the average of the 3 months for the
33 most recent ~~third~~ calendar year quarter of the seasonally
34 adjusted statewide unemployment rates as published by the
35 Department of Economic Opportunity.

36 (b) Each otherwise eligible individual is entitled during
37 any benefit year to a total amount of benefits equal to 25
38 percent of the total wages in his or her base period, not to
39 exceed \$14,800 ~~\$6,325~~ or the product arrived at by multiplying
40 the weekly benefit amount with the number of weeks determined in
41 paragraph (c), whichever is less. However, the total amount of
42 benefits, if not a multiple of \$1, is rounded downward to the
43 nearest full dollar amount. These benefits are payable at a
44 weekly rate no greater than the weekly benefit amount.

45 (c) For claims submitted during a calendar year, the
46 duration of benefits is limited to:

47 1. Twenty-six ~~Twelve~~ weeks if this state's average
48 unemployment rate is at or below 5 percent.

49 2. An additional week in addition to the 26 ~~12~~ weeks for
50 each 0.5 percent increment in this state's average unemployment
51 rate above 5 percent.

52 3. Up to a maximum of 37 ~~23~~ weeks if this state's average
53 unemployment rate equals or exceeds 10.5 percent.

54 Section 2. For the purpose of incorporating the amendment
55 made by this act to section 443.111, Florida Statutes, in a
56 reference thereto, paragraph (b) of subsection (2) of section
57 443.041, Florida Statutes, is reenacted to read:

58 443.041 Waiver of rights; fees; privileged communications.—

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59 (2) FEES.—

60 (b) An attorney at law representing a claimant for benefits
61 in any district court of appeal of this state or in the Supreme
62 Court of Florida is entitled to counsel fees payable by the
63 department as set by the court if the petition for review or
64 appeal is initiated by the claimant and results in a decision
65 awarding more benefits than provided in the decision from which
66 appeal was taken. The amount of the fee may not exceed 50
67 percent of the total amount of regular benefits permitted under
68 s. 443.111(5)(b) during the benefit year.

69 Section 3. For the purpose of incorporating the amendment
70 made by this act to section 443.111, Florida Statutes, in a
71 reference thereto, subsections (6) and (7) and paragraph (a) of
72 subsection (8) of section 443.1116, Florida Statutes, are
73 reenacted to read:

74 443.1116 Short-time compensation.—

75 (6) WEEKLY SHORT-TIME COMPENSATION BENEFIT AMOUNT.—The
76 weekly short-time compensation benefit amount payable to an
77 individual is equal to the product of her or his weekly benefit
78 amount as provided in s. 443.111(3) and the ratio of the number
79 of normal weekly hours of work for which the employer would not
80 compensate the individual to the individual's normal weekly
81 hours of work. The benefit amount, if not a multiple of \$1, is
82 rounded downward to the next lower multiple of \$1.

83 (7) TOTAL SHORT-TIME COMPENSATION BENEFIT AMOUNT.—An
84 individual may not be paid benefits under this section in any
85 benefit year for more than the maximum entitlement provided in
86 s. 443.111(5), and an individual may not be paid short-time
87 compensation benefits for more than 26 weeks in any benefit

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88 year.

89 (8) EFFECT OF SHORT-TIME COMPENSATION BENEFITS RELATING TO
90 THE PAYMENT OF REGULAR AND EXTENDED BENEFITS.—

91 (a) The short-time compensation benefits paid to an
92 individual shall be deducted from the total benefit amount
93 established for that individual in s. 443.111(5).

94 Section 4. This act shall take effect July 1, 2021.