

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

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1 Committee/Subcommittee hearing bill: Regulatory Reform &  
 2 Economic Development Subcommittee  
 3 Representative Abbott offered the following:

**Amendment (with title amendment)**

Remove lines 35-364 and insert:

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:

(2) If the Department of Commerce ~~Economic Opportunity~~ finds that the individual has failed without good cause to apply for available suitable work, failed to contact at least five prospective employers per week in accordance with s. 443.091 unless otherwise exempt, failed to appear on three or more occasions for a scheduled job interview, failed to accept within

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17 | 2 business days suitable work ~~when~~ offered to him or her, or  
18 | failed to return to the individual's customary self-employment  
19 | when directed by the department or when recalled to work by his  
20 | or her former employer, the disqualification continues for the  
21 | full period of unemployment next ensuing after he or she failed  
22 | without good cause to apply for available suitable work, accept  
23 | suitable work, or return to his or her customary self-  
24 | employment, and until the individual has earned income of at  
25 | least 17 times his or her weekly benefit amount. The department  
26 | shall by rule adopt criteria for determining the "suitability of  
27 | work," as used in this section. In developing these rules, the  
28 | department shall consider the duration of a claimant's  
29 | unemployment in determining the suitability of work and the  
30 | suitability of proposed rates of compensation for available  
31 | work. Further, after an individual has received 25 weeks of  
32 | benefits in a single year, suitable work is a job that pays the  
33 | minimum wage and is 120 percent or more of the weekly benefit  
34 | 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  
40 | his or her customary occupation; and the distance of the  
41 | available work from his or her residence.

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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  
47 strike, 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  
55 rejected for offered employment as the direct result of a  
56 positive, confirmed drug test required as a condition of  
57 employment, the individual is disqualified for refusing to  
58 accept an offer of suitable work.

59 (d) The department shall maintain a web page and an e-mail  
60 address through which employers may report known or suspected  
61 violations of this section. Each year the department shall  
62 notify employers in the state of this web page and e-mail  
63 address for reporting violations.

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

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66 443.1112 Verification of reemployment assistance benefit  
67 eligibility.-

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

71 (2) In determining the eligibility of a claim for  
72 reemployment assistance benefits, the department shall weekly  
73 cross-check the information contained in the claim with all of  
74 the following sources or similar sources of information:

75 (a) The National Association of State Workforce Agencies  
76 Integrity Data Hub.

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

79 (c) The State Directory of New Hires created in s.  
80 409.2576.

81 (d) The Department of Corrections inmate database.

82 (e) The Social Security Administration Prisoner Update  
83 Processing System.

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

86 (g) The Department of Health Bureau of Vital Statistics  
87 death records database.

88 (h) The United States Citizenship and Immigration Services  
89 SAVE database.

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90 (3) Reemployment assistance benefits administered by the  
91 department may not be paid for any claim that has not been  
92 cross-checked against all the sources specified in subsection  
93 (2) or similar sources of information.

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

95 (a) Investigate any claim indicating suspicious activity  
96 associated with a mailing address, a bank account, an e-mail  
97 address, a telephone number, or an Internet protocol address  
98 that is associated with another existing claim for reemployment  
99 assistance benefits and verify that the claim is legitimate and  
100 not fraudulent before paying any benefits for the claim.

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

103 (c) Work with the United States Department of Labor, other  
104 workforce agencies outside the state, the Office of the Attorney  
105 General, the Department of Law Enforcement, or other relevant  
106 law enforcement entities to share information related to  
107 fraudulent claims or attempted fraudulent claims to the extent  
108 feasible for further investigation and prosecution.

109 (d) Each year, submit to the Legislature and make  
110 available on its website a report identifying the number of  
111 fraudulent reemployment assistance claims identified for the  
112 prior year, the number of claims not paid due to successful  
113 detection of fraudulent intentions, the number of claims and the  
114 amount of reemployment assistance benefits paid against claims

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115 subsequently identified as fraudulent, the amount of fraudulent  
116 overpayments recovered, and the number of fraudulent claims  
117 referred for investigation and possible prosecution. The report  
118 must also list the sources of information that were used to  
119 cross-check claims during the reporting period.

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121

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

123 Remove lines 4-25 and insert:

124 title; amending s. 443.101, F.S.; making a technical change;  
125 revising circumstances under which the department disqualifies  
126 claimants from benefits; requiring the department to maintain a  
127 web page and an e-mail address for a specified purpose and to  
128 notify employers each year of the web page and e-mail address;  
129 creating s. 443.1112, F.S.; requiring the department to verify  
130 claimants' identities before paying benefits; requiring the  
131 department to weekly cross-check certain information; providing  
132 sources against which such information is cross-checked;  
133 prohibiting benefits from being paid for claims that have not  
134 been cross-checked; providing duties of the department;  
135 providing annual reporting requirements; amending s. 445.003,