

1 A bill to be entitled
2 An act relating to verification of reemployment
3 assistance benefit eligibility; providing a short
4 title; amending s. 443.101, F.S.; making a technical
5 change; revising circumstances under which the
6 Department of Commerce disqualifies claimants from
7 benefits; creating s. 443.1112, F.S.; requiring the
8 department to verify claimants' identities before
9 paying benefits; requiring the department to cross-
10 check certain information; providing sources against
11 which such information is cross-checked; prohibiting
12 benefits from being paid for claims that have not been
13 cross-checked; providing an exception; providing
14 duties of the department; requiring the department to
15 maintain a web page and an e-mail address for a
16 specified purpose and to notify employers each year of
17 the web page and e-mail address; providing annual
18 reporting requirements; amending s. 445.011, F.S.;
19 requiring the department's job-matching information
20 system to contain certain elements; providing an
21 effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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

26 Section 2. Subsection (2) of section 443.101, Florida
 27 Statutes, is amended to read:
 28 443.101 Disqualification for benefits.—An individual shall
 29 be disqualified for benefits:
 30 (2) If the Department of Commerce ~~Economic Opportunity~~
 31 finds that the individual has failed without good cause to apply
 32 for available suitable work, including contacting the required
 33 number of prospective employers per week for any week of
 34 unemployment claimed in the benefit year in accordance with s.
 35 443.091, or failed to appear on three or more occasions for a
 36 scheduled job interview, to accept suitable work when offered to
 37 him or her, to ~~or~~ return to the individual's customary self-
 38 employment when directed by the department, or to return to
 39 employment when recalled to work by the individual's employer
 40 after a temporary layoff, the disqualification continues for the
 41 full period of unemployment next ensuing after he or she failed
 42 without good cause to apply for available suitable work, accept
 43 suitable work, or return to his or her customary self-
 44 employment, and until the individual has earned income of at
 45 least 17 times his or her weekly benefit amount. The department
 46 shall by rule adopt criteria to implement this subsection,
 47 including for determining the "suitability of work," as used in
 48 this section. In developing these rules, the department shall
 49 consider the duration of a claimant's unemployment in
 50 determining the suitability of work and the suitability of

51 | proposed rates of compensation for available work. Further,
52 | after an individual has received 25 weeks of benefits in a
53 | single year, suitable work is a job that pays the minimum wage
54 | and is 120 percent or more of the weekly benefit amount the
55 | individual is drawing.

56 | (a) In determining whether or not any work is suitable for
57 | an individual, the department shall consider the degree of risk
58 | to the individual's health, safety, and morals; the individual's
59 | physical fitness, prior training, experience, prior earnings,
60 | length of unemployment, and prospects for securing local work in
61 | his or her customary occupation; and the distance of the
62 | available work from his or her residence.

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

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

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

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

75 | (c) If the department finds that an individual was

76 | rejected for offered employment as the direct result of a
 77 | positive, confirmed drug test required as a condition of
 78 | employment, the individual is disqualified for refusing to
 79 | accept an offer of suitable work.

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

82 | 443.1112 Verification of reemployment assistance benefit
 83 | eligibility; detection of fraud.—

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

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

94 | (3) For each week that a claimant makes a claim for
 95 | benefits, including the initial claim for benefits, to verify a
 96 | claimant's eligibility for benefits, the department must cross-
 97 | check the information contained in the claim with all of the
 98 | following sources or similar sources of information:

99 | (a) The National Association of State Workforce Agencies
 100 | Integrity Data Hub.

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

103 (c) The State Directory of New Hires created in s.
 104 409.2576.

105 (d) The Department of Corrections inmate database.

106 (e) The Social Security Administration Prisoner Update
 107 Processing System.

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

110 (g) The Department of Health Bureau of Vital Statistics
 111 death records database.

112 (4) The department may not pay any week claimed by a
 113 claimant that has not been cross-checked against all the sources
 114 specified in subsections (2) and (3), as appropriate, or similar
 115 sources of information. However, in any week in which any of the
 116 sources specified are unavailable, the claim may be paid
 117 provided that the department cross-checks the claimant's
 118 information against the unavailable source upon its
 119 availability.

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

121 (a) Investigate any claim in this state associated with a
 122 mailing address, a bank account, an e-mail address, a telephone
 123 number, or an Internet protocol address that is also associated
 124 with another existing claim for reemployment assistance benefits
 125 in this state or another state and verify that the claim in this

126 state is legitimate and not fraudulent before paying any
127 benefits for the claim.

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

131 (c) Work with the United States Department of Labor, the
132 United States Department of Justice, other state workforce
133 agencies, the Department of Law Enforcement, the state
134 attorneys, or the Office of the Statewide Prosecutor to share
135 information related to fraudulent claims or attempted fraudulent
136 claims to the extent feasible for further investigation and
137 proceedings brought under this chapter.

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

143 (e) Each year, make available on its website a report
144 identifying the number of fraudulent reemployment assistance
145 claims identified for the prior year, the number of claims not
146 paid due to successful detection of fraudulent intentions, the
147 number of claims and the amount of reemployment assistance
148 benefits paid against claims subsequently identified as
149 fraudulent, the amount of fraudulent overpayments recovered, and
150 the number of fraudulent claims referred for investigation and

151 possible prosecution. The report must also list the sources of
152 information that were used to cross-check claims during the
153 reporting period.

154 Section 4. Paragraph (b) of subsection (1) of section
155 445.011, Florida Statutes, is amended to read:

156 445.011 Consumer-first workforce system.—

157 (1) The department, in consultation with the state board,
158 the Department of Education, and the Department of Children and
159 Families, shall implement, subject to legislative appropriation,
160 an automated consumer-first workforce system that improves
161 coordination among required one-stop partners and is necessary
162 for the efficient and effective operation and management of the
163 workforce development system. This system shall include, but
164 need not be limited to, the following:

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

169 ~~a.1.~~ Skill match information, including skill gap
170 analysis; resume creation; job order creation; skill tests; job
171 search by area, employer type, and employer name; and training
172 provider linkage;

173 ~~b.2.~~ Job market information based on surveys, including
174 local, state, regional, national, and international occupational
175 and job availability information; and

176 ~~c.3.~~ Service provider information, including education and
177 training providers, child care facilities and related
178 information, health and social service agencies, and other
179 providers of services that would be useful to job seekers.

180 2. The job-matching information system must use artificial
181 intelligence generation for the purpose of matching participants
182 to jobs and training opportunities and must include a knowledge,
183 skills, and interests assessment for the purpose of guiding
184 participants to jobs and training opportunities.

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