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LEGISLATIVE ACTION

Senate

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House

The Appropriations Committee on Transportation, Tourism, and Economic Development (Trumbull) recommended the following:

1 **Senate Substitute for Amendment (121838) (with title**
2 **amendment)**

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4 Delete everything after the enacting clause
5 and insert:

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

8 Section 2. Subsection (2) of section 443.101, Florida
9 Statutes, is amended to read:

10 443.101 Disqualification for benefits.—An individual shall



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11 be disqualified for benefits:

12 (2) If the Department of Commerce ~~Economic Opportunity~~
13 finds that the individual has failed without good cause to apply
14 for available suitable work, including contacting the required
15 number of prospective employers per week for any week of
16 unemployment claimed in the benefit year in accordance with s.
17 443.091, accept suitable work when offered to him or her, or
18 return to the individual's customary self-employment when
19 directed by the department or return to employment when recalled
20 to work by the individual's employer after a temporary layoff,
21 the disqualification continues for the full period of
22 unemployment next ensuing after he or she failed without good
23 cause to apply for available suitable work, accept suitable
24 work, or return to his or her customary self-employment, and
25 until the individual has earned income of at least 17 times his
26 or her weekly benefit amount. The department shall by rule adopt
27 criteria to implement this subsection, including for determining
28 the "suitability of work," as used in this section. In
29 developing these rules, the department shall consider the
30 duration of a claimant's unemployment in determining the
31 suitability of work and the suitability of proposed rates of
32 compensation for available work. Further, after an individual
33 has received 25 weeks of benefits in a single year, suitable
34 work is a job that pays the minimum wage and is 120 percent or
35 more of the weekly benefit amount the individual is drawing.

36 (a) In determining whether or not any work is suitable for
37 an individual, the department shall consider the degree of risk
38 to the individual's health, safety, and morals; the individual's
39 physical fitness, prior training, experience, prior earnings,



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40 length of unemployment, and prospects for securing local work in
41 his or her customary occupation; and the distance of the
42 available work from his or her residence.

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

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

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

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

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

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

62 443.1112 Verification of reemployment assistance benefit
63 eligibility; detection of fraud.-

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

67 (2) For the initial claim for benefits made by a claimant
68 and as necessary to verify a claimant's eligibility for



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69 benefits, the department shall cross-check the information
70 contained in the claim with information in the United States
71 Citizenship and Immigration Services SAVE database.

72 (3) For each week which a claimant makes a claim for
73 benefits, including the initial claim for benefits, to verify a
74 claimant's eligibility for benefits the department shall cross-
75 check the information contained in the claim with all of the
76 following sources or similar sources of information:

77 (a) The National Association of State Workforce Agencies
78 Integrity Data Hub.

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

81 (c) The State Directory of New Hires created in s.
82 409.2576.

83 (d) The Department of Corrections inmate database.

84 (e) The Social Security Administration Prisoner Update
85 Processing System.

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

88 (g) The Department of Health Bureau of Vital Statistics
89 death records database.

90 (3) The department may not pay any week claimed by a
91 claimant that has not been cross-checked against all the sources
92 specified in subsections (2) and (3), as appropriate, or similar
93 sources of information. However, in any week in which any of the
94 sources specified are unavailable, the claim may be paid
95 provided the department cross-checks the claimant's information
96 against the unavailable source upon its availability.

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



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

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

108 (c) Work with the United States Department of Labor, the
109 United States Department of Justice, other state workforce
110 agencies, the Department of Law Enforcement, the state
111 attorneys, or the Office of the Statewide Prosecutor to share
112 information related to fraudulent claims or attempted fraudulent
113 claims to the extent feasible for further investigation and
114 proceedings brought under this chapter.

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

120 (e) Each year make available on its website a report
121 identifying the number of fraudulent reemployment assistance
122 claims identified for the prior year, the number of claims not
123 paid due to successful detection of fraudulent intentions, the
124 number of claims and the amount of reemployment assistance
125 benefits paid against claims subsequently identified as
126 fraudulent, the amount of fraudulent overpayments recovered, and



127 the number of fraudulent claims referred for investigation and
128 possible prosecution. The report must also list the sources of
129 information that were used to cross-check claims during the
130 reporting period.

131 Section 4. Paragraph (b) of subsection (1) of section
132 445.011, Florida Statutes, is amended to read:

133 445.011 Consumer-first workforce system.—

134 (1) The department, in consultation with the state board,
135 the Department of Education, and the Department of Children and
136 Families, shall implement, subject to legislative appropriation,
137 an automated consumer-first workforce system that improves
138 coordination among required one-stop partners and is necessary
139 for the efficient and effective operation and management of the
140 workforce development system. This system shall include, but
141 need not be limited to, the following:

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

146 a.1. Skill match information, including skill gap analysis;
147 resume creation; job order creation; skill tests; job search by
148 area, employer type, and employer name; and training provider
149 linkage;

150 b.2. Job market information based on surveys, including
151 local, state, regional, national, and international occupational
152 and job availability information; and

153 c.3. Service provider information, including education and
154 training providers, child care facilities and related
155 information, health and social service agencies, and other



156 providers of services that would be useful to job seekers.
157 2. The job-matching information system shall use artificial
158 intelligence generation for the purpose of matching participants
159 to jobs and training opportunities and include a knowledge,
160 skills, and interests assessment for the purpose of guiding
161 participants to jobs and training opportunities.

162 Section 5. This act shall take effect July 1, 2024.
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164 ===== T I T L E A M E N D M E N T =====

165 And the title is amended as follows:

166 Delete everything before the enacting clause
167 and insert:

168 A bill to be entitled

169 An act relating to verification of reemployment
170 assistance benefit eligibility; providing a short
171 title; amending s. 443.101, F.S.; making a technical
172 change; revising circumstances under which the
173 department disqualifies claimants from benefits;
174 creating s. 443.1112, F.S.; requiring the department
175 to verify claimants' identities before paying
176 benefits; requiring the department to cross-check
177 certain information; providing sources against which
178 such information is cross-checked; prohibiting
179 benefits from being paid for claims that have not been
180 cross-checked; providing an exception; providing
181 duties of the department; requiring the department to
182 maintain a web page and an e-mail address for a
183 specified purpose and to notify employers each year of
184 the web page and e-mail address; providing annual



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185 reporting requirements; amending s. 445.011, F.S.;

186 requiring the department's job-matching information

187 system to contain certain elements; providing an

188 effective date.