

Chapter Law 80-95

Senate Bill No 721

A bill to be entitled

An act relating to unemployment compensation; creating part I of chapter 443, Florida Statutes, "General Provisions," consisting of ss 443.011, 443.021, 443.031, 443.041, 443.051, 443.061, and 443.071, Florida Statutes, relating to short title, declaration of public policy, rule of liberal construction, waiver of rights, fees, and privileged communications, benefits not alienable, saving clause, and penalties; creating part II of chapter 443, Florida Statutes, "Definitions," consisting of s. 443.081, Florida Statutes, defining terms for purposes of the chapter; creating part III of chapter 443, Florida Statutes, "Individual Benefits and Eligibility," consisting of ss 443.091, 443.101, and 443.111, Florida Statutes, relating to benefit eligibility conditions, disqualification for benefits, and payment of benefits; creating part IV of chapter 443, Florida Statutes, "Employer Coverage and Contributions," consisting of ss 443.121, 443.131, and 443.141, Florida Statutes, relating to employing units affected, contributions, and collection of contributions; creating part V of chapter 443, Florida Statutes, "Claims Procedures and Appeals," consisting of s. 443.151, Florida Statutes, relating to procedure concerning claims; creating part VI of chapter 443, Florida Statutes, "Administration," consisting of ss. 443.161, 443.171, 443.181, 443.191, 443.201, 443.211, and 443.221, Florida Statutes, relating to administrative organization, powers, duties and rules of the Division of Employment Security of the Department of labor and Employment Security, the Florida State Employment Service, the Unemployment Compensation Trust Fund, nonliability of the state, the Employment Security Administration Trust Fund, and reciprocal arrangements with other states or with the Federal Government; amending ss. 20.171(5)(f) and (1), 120.57(1) (a), and 215.22(10) and (11), Florida Statutes, to conform cross references; repealing all of present chapter 443, Florida Statutes, relating to unemployment compensation; directing the Division of Statutory Revision to incorporate substantive amendments into the renumbered and reorganized act; providing an effective date.

Be It Enacted by the Legislature of the state of Florida:

120.57 Decisions which affect substantial interests. -- The provisions of this section shall apply in all proceedings in which the substantial interests of a party are determined by an agency. Unless waived by all parties, subsection (1) shall apply whenever the proceeding

involves a disputed issue of material fact. Unless otherwise agreed, subsection (2) shall apply in all other cases.

(1) FORMAL PROCEEDINGS.—

(a) A hearing officer assigned by the division shall conduct all hearings under this subsection, except for: