

Commerce Committee

Thursday, December 11, 2025
12:30 PM - 2:30PM
Webster Hall (212 Knott)

Meeting Packet

Daniel Perez
Speaker

James Buchanan
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Commerce Committee

Start Date and Time: Thursday, December 11, 2025 12:30 PM

End Date and Time: Thursday, December 11, 2025 02:30 PM

Location: Webster Hall (212 Knott)

Duration: 2.00 hrs

Consideration of the following bill(s):

CS/HB 89 Veterinary Prescription Disclosure by Industries & Professional Activities Subcommittee, Brackett
HB 191 Verification of Reemployment Assistance Benefit Eligibility by Abbott
HB 197 Employment Eligibility by Jacques, Michael

NOTICE FINALIZED on 12/04/2025 4:00PM by Young.Kimberly

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 89	**COMPANION BILL:** None
TITLE: Veterinary Prescription Disclosure	**LINKED BILLS:** None
SPONSOR(S): Brackett	**RELATED BILLS:** None

Committee References

Industries & Professional Activities
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Commerce

SUMMARY

Effect of the Bill:
The bill requires licensed veterinarians to inform their clients of their right to receive a written prescription for medication before dispensing it. The veterinarian or an authorized staff member is required to provide such clients with the option to either have the prescription filled at the veterinary establishment or obtain a written prescription to be filled at a pharmacy of the client's choice. This disclosure must be made verbally during in-person consultations or electronically during veterinary telehealth consultations, and must be documented in the patient's medical record.

The bill provides an exception when immediate dispensing of medication is necessary to preserve life or prevent suffering, or if the prescription is for a controlled substance that is restricted by federal or state law.

Fiscal or Economic Impact:
The bill may have an indeterminate positive fiscal impact on veterinary clients.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill requires:

- Licensed veterinarians to clearly inform their clients of their right to receive a written prescription before the veterinarian dispenses a prescription medication.
- Licensed veterinarians, or authorized veterinary staff, to provide the client with the option to have the prescription filled at the veterinary establishment or to obtain a written prescription that may be filled at a pharmacy of the client's choice. (Section 1)

The bill requires each such disclosure to be made:

- Verbally, if the consultation with the client is in person; or
- Electronically, if the consultation with the client is through veterinary telehealth. (Section 1)

The bill requires that the option chosen by the client (verbal or electronic) to be documented in the patient's medical record. (Section 1)

The requirements of the bill do not apply if:

- Immediate dispensing of medication is necessary to preserve life or prevent suffering; or
- The prescription is for a controlled substance, the dispensing of which is restricted by federal or state law. (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

The bill may increase access and provide additional options for obtaining necessary medications for animal owners, and may reduce the price for such medications.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Practice of Veterinary Medicine

The Board of Veterinary Medicine (Board) within the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., relating to veterinary medical practice (practice act). The purpose of the practice act is to ensure that every veterinarian practicing in this state meets minimum requirements for safe practices to protect public health and safety.[1]

A "veterinarian" is a health care practitioner licensed by the Board to engage in the practice of veterinary medicine in Florida.[2] Veterinarians are subject to disciplinary action from the Board for various violations of the practice act.[3] Veterinary establishments are required to have a premises permit issued by DBPR.[4] Veterinarian licenses are renewed every two years,[5] however premises permits have no expiration date.

Veterinary medicine includes, with respect to animals:[6]

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine); and
- Other branches or specialties of veterinary medicine.

The "practice of veterinary medicine" is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.[7]

The practice act defines a "patient" as any animal for which the veterinarian practices veterinary medicine.[8]

The practice act defines a "veterinarian/client/patient relationship" (VCPR) as one in which a veterinarian has assumed responsibility for making medical judgments regarding the health of an animal and its need for medical treatment.[9]

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[1] S. 474.201, F.S.
[2] S. 474.202(11), F.S.
[3] Ss. 474.213 & 474.214, F.S.
[4] S. 474.215(1), F.S.
[5] S. 474.211, F.S.
[6] *See* s. 474.202(13), F.S. Section 474.202(1), F.S., defines "animal" as "any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead."
[7] *See* s. 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals.
[8] S. 474.202(8), F.S.
[9] S. 474.202(12), F.S.

Prescription Authority

Veterinarians are authorized to prescribe drugs in the course of veterinary practice, but may be disciplined by the Board for certain related violations, including for ordering, prescribing, or making available medicinal drugs[10] or controlled substances[11] for use other than for the specific treatment of animal patients for which there is a documented VCPR.[12]

The practice act also makes the following prescription related violations grounds for disciplinary action:

- Performing or prescribing unnecessary or unauthorized treatment;[13]
- Providing, prescribing, ordering, or making available for human use medicinal drugs or drugs as defined in chapter 465, F.S., controlled substances as defined in chapter 893, F.S., or any material, chemical, or substance used exclusively for animal treatment;[14]
- Prescribing or dispensing a legend drug as defined in chapter 499, F.S., including any controlled substance, inappropriately or in excessive or inappropriate quantities;[15]
- Presigning blank prescription forms; or[16]
- Failing to maintain accurate records or reports as required by [chapter 474, F.S.] or by federal or state laws or rules pertaining to the storing, labeling, selling, dispensing, prescribing, and administering of controlled substances.[17]

Veterinarians are required to give the owner of a patient, before dispensing any drug, a written prescription when requested.[18]

According to the American Veterinary Medical Association, "many states require that a prescription be provided **upon client request**, and the majority of states prohibit veterinarians from prescribing animal medications outside of a VCPR. Clearly written prescriptions help prevent misunderstandings and misinterpretations that can harm patient health."[19]

Controlled Substances

The federal Controlled Substances Act (CSA)[20] specifically prohibits practitioners (physicians, dentists, veterinarians, and certain researchers)[21] from prescribing controlled substances via the Internet without an in-person evaluation, but the Ryan Haight Online Pharmacy Consumer Protection Act (Haight Act),[22] signed into law in October 2008[23] created a pathway for telehealth practitioners to dispense controlled substances via telehealth.

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[10] S. 465.003(15), F.S.
[11] S. 893.02(4), F.S.
[12] S. 474.214(1)(y), F.S.
[13] S. 474.214(1)(l), F.S.
[14] S. 474.214(1)(z), F.S.
[15] S. 474.214(1)(ff), F.S.
[16] S. 474.214(1)(ii), F.S.
[17] S. 474.214(1)(mm), F.S.
[18] S. 474.214(1)(pp), F.S.
[19] American Veterinary Medical Association, *Pharmacy and prescription issues*, https://www.avma.org/resources-tools/animal-health-and-welfare/animal-health/pharmacy (last visited November 4, 2025).
[20] Pub. L. 91-513, tit. II, 84 Stat. 1242 (1970) (codified as amended at 21 U.S.C. §§ 801–904).
[21] 21 U.S.C., s. 802(21), defines "practitioner" as a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other person licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices or does research, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.
[22] Ryan Haight Online Consumer Protection Act of 2008, Public Law 110-425 (H.R. 6353).
[23] 21 CFR s. 829, the in-person medical evaluation requires that the patient be in the physical presence of the provider without regard to the presence or conduct of other professionals.

The practitioner is still subject to the requirement that all controlled substance prescriptions be issued for a legitimate purpose by a practitioner acting in the usual course of professional practice. But, once an in-person evaluation of the patient has occurred, the practitioner may provide future prescriptions for controlled substances for that patient using telehealth services.[24]

Florida law prohibits a telehealth provider from using (human) telehealth services to prescribe a controlled substance except when treating a psychiatric disorder, an inpatient at a licensed hospital, a patient receiving hospice services, or a resident of a nursing home facility.[25]

Federal Prescription Authority

In order to purchase, prescribe, administer or dispense controlled substances in Florida, veterinarians must obtain a registration from the Drug Enforcement Agency (DEA). According to the CSA, a veterinarian is considered a "practitioner," and is authorized to "distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research."[26] Unless otherwise exempted, every practitioner who dispenses, which includes administering and prescribing, controlled substances in schedules II through V, must be registered with the DEA,[27]and must comply with applicable state and local laws.[28]

A practitioner's registration must be renewed every three years.[29]

Veterinary Telehealth

Florida allows veterinarians to prescribe certain medications under certain conditions via telehealth.[30] Telehealth based prescriptions are limited to timeframes of up to 1 month for flea and tick control drugs and 14 days for other animal drugs.[31] Veterinarians are prohibited from prescribing certain drugs and controlled substances unless the veterinarian has conducted an in-person physical examination, or made medically appropriate and timely visits to the premises where the animal is kept.

Veterinarians are prohibited from using telehealth to:

- Prescribe a controlled substance as defined in chapter 893, F.S., unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.[32]
    - Penalties for violations are punishable by the Board and include:[33]
        - Administrative fine from $2,000 to $5,000 and one to two years probation.
        - For a second or subsequent offense, two years probation up to one year suspension, and an administrative fine of $4,000 to $5,000.
- Prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C. ss. 3051 et seq.[34]
    - Penalties for violations are punishable by the Board and include:[35]

[24] *Id*.
[25] S. 456.47(2)(c), F.S.
[26] 21 U.S.C. s. 802(21).
[27] 21 U.S.C. s. 822(a)(2), and 21 CFR 1301.11(a).
[28] 21 U.S.C. s. 822(f).
[29] 21 CFR 1301.13(e)(1)(iv).
[30] S. 474.2021, F.S.
[31] S. 474.2021(4)(e)1., F.S.
[32] S. 474.2021(4)(e) 3., F.S.
[33] R. 61G18-30.001(rr), F.A.C.
[34] S. 474.2021(4)(e) 4, F.S.
[35] R. 61G18-30.001(ss), F.A.C.

        - Reprimand and an administrative fine of $2,000 to $3,000.
        - For a second or subsequent offense, two years probation up to two years suspension followed by two years probation and an administrative fine of $4,000 to $5,000.
- Issue an international or interstate travel certificate or a certificate of veterinary inspection.[36]
    - Penalties for violations are punishable by the Board and include:[37]
        - Up to one year suspension followed by one year probation an administrative fine of $3,000 up to revocation and a fine of $5,000.
        - For a second or subsequent offense, three year suspension and an administrative fine of five thousand dollars up to revocation and a fine of five thousand dollars.

Veterinary Medical Records

Individual medical records are required to be maintained on every patient by the veterinarian, except for clients owning or leasing 10 or more animals of the same species. The records must be kept for at least three years after date of last entry, and must contain all clinical information pertaining to the patient with sufficient information to justify the diagnosis or determination of health status and warrant any treatment recommended or administered.[38]

Medical records must be created as treatment is provided or within 24 hours from the time of treatment, include the date of each service performed, and contain the following information:[39]

- Name of owner or agent.
- Patient identification.
- Record of any vaccinations administered.
- Complaint or reason for provision of services.
- History.
- Physical examination to include, but not limited to patient weight, temperature, pulse, and respiration, or noted exceptions to the collection of said information.
- A telehealth provider must make notation that the examination was conducted by telehealth. If the telehealth provider is unable to obtain any of the required information, the record should state reason for deficiency.
- Any present illness or injury noted.
- Provisional diagnosis or health status determination.

Medical records must also contain the following information if the services are provided or occur during examination or treatment:[40]

- Clinical laboratory reports.
- Radiographs and their interpretation.
- Consultation.
- Treatment – medical, surgical.
- Hospitalization.
- Drugs prescribed, administered, or dispensed along with the route, strength, and dosage of the drug and time said drug was administered if not otherwise discernible from the record.
- Tissue examination report.
- Necropsy findings.

[36] S. 474.2021(4)(h), F.S.
[37] R. 61G18-30.001(tt), F.A.C.
[38] R. 61G18-18.002(1), F.A.C.
[39] R. 61G18-18.002(3), F.A.C.
[40] R. 61G18-18.002(4), F.A.C.

Veterinarians are required to maintain confidentiality of all patient records in their possession or control, and such records may not be disclosed without the consent of the client. Appropriate disclosure may be made without consent:[41]

- In any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice by the party seeking such records to the client or his/her legal representative.
- When required by the Board's rules.

Veterinarians are required, upon a written request, to furnish, in a timely manner without delays for legal reviews, a true and correct copy of the patient records to the client, or to anyone designated by the client. The veterinarian is not allowed to charge a fee for such records, except for the reasonable cost of duplication.[42]

Medical records may be maintained in an easily retrievable electronic data format.[43]

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2024	HB 849 - Veterinary Practices	Killebrew, Buchanan/ *Bradley*	Became law on July 1, 2024.

OTHER RESOURCES:

Florida Department of Business & Professional Regulation – VETERINARY MEDICINE

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee	11 Y, 0 N, As CS	11/18/2025	Anstead	Thompson
THE CHANGES ADOPTED BY THE COMMITTEE:	Made a technical change correcting terminology.			
Commerce Committee			Hamon	Thompson

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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[41] R. 61G18-18.002(5), F.A.C.
[42] R. 61G18-18.002(6), F.A.C.
[43] R. 61G18-18.002(9), F.A.C.

A bill to be entitled

An act relating to veterinary prescription disclosure; creating s. 474.224, F.S.; requiring a veterinarian to inform a client of the right to receive a written prescription and to provide certain options to the client regarding the filling of such prescription; providing requirements therefor; providing exceptions; providing an effective date.

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

Section 1. Section 474.224, Florida Statutes, is created to read:

474.224 Veterinary prescription disclosure.—

(1)(a) Before dispensing a prescription medication, a licensed veterinarian must clearly inform a client of the client's right to receive a written prescription for the medication.

(b) The veterinarian, or an authorized member of the veterinary staff, must provide the client with the option to have the prescription filled at the veterinary establishment or to obtain a written prescription that may be filled at a pharmacy of the client's choice.

(c) Each disclosure required under this subsection shall be made:

CODING: Words stricken are deletions; words underlined are additions.

1. Verbally, if the consultation with the client is in person; or

2. Electronically, if the consultation with the client is through veterinary telehealth.

(d) The option chosen by the client under paragraph (b) must be documented in the patient's medical record.

(2) This section does not apply if:

(a) Immediate dispensing of medication is necessary to preserve life or prevent suffering; or

(b) The prescription is for a controlled substance, the dispensing of which is restricted by federal or state law.

Section 2. This act shall take effect July 1, 2026.

COMMERCE COMMITTEE

CS/HB 89 by Rep. Brackett
Veterinary Prescription Disclosure

AMENDMENT SUMMARY
December 11, 2025

Amendment 116585 by Rep. Brackett (lines 16-31):

- Requires veterinarians to provide an acknowledgement signed by the client that states that the client is aware of the prescription options.
- Specifies certain transmission methods for “written prescriptions.”
- Prohibits certain statements, notifications, warnings, or assumptions regarding filling a pet’s prescription through a non-veterinary approved pharmacy.
- Requires posting of the prescription options at the point of sale.
- Clarifies that the veterinarian does not have to fill the prescription if they are not able.

Amendment No.

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	_____	

Committee/Subcommittee hearing bill: Commerce Committee

Representative Brackett offered the following:

Amendment (with title amendment)

Remove lines 16-31 and insert:

licensed veterinarian or an authorized member of the veterinary staff must clearly inform a client of:

1. The client's right to receive a written prescription for the medication that can be filled at the pharmacy of the client’s choice.

2. If the veterinary establishment is able to fill the prescription, the option to have the prescription filled at the veterinary establishment.

For purposes of this chapter, "written prescription" may include paper prescriptions via manual transmission or electronic prescriptions via direct transmission to a pharmacy.

(b) Each disclosure required under this subsection shall be made:

1. Verbally, if the consultation with the client is in person; or

2. Electronically, if the consultation with the client is through veterinary telehealth.

(c) The option chosen by the client under paragraph (a) must be documented by the veterinarian or an authorized member of the veterinary staff with a one-time acknowledgement that is signed by the client and that states that the client is aware of the options in paragraph (a).

1. The acknowledgement must be in substantially the following form:

ACKNOWLEDGMENT OF ABILITY TO
RECEIVE WRITTEN PRESCRIPTION

"I, (name of client), understand the veterinary client's right to receive a written prescription for the medication that can be filled by the pharmacy of my choice or my veterinarian, as provided in s. 474.224, Florida Statutes."

Signature: (signature of applicant) Date: (date)

2. An acknowledgment signed by a client under this section shall be documented in the patient's medical record.

3. An acknowledgement under this section may not make a statement, notification, warning, or assumption regarding the efficacy or safety of filling prescriptions through an outside pharmacy.

(d) A veterinary establishment shall post a clear and conspicuous sign near the point of sale or where checkout occurs which substantially states the following:

"FLORIDA LAW GIVES THE VETERINARY CLIENT THE OPTION TO:
1. RECEIVE A WRITTEN PRESCRIPTION FOR MEDICATION THAT CAN BE FILLED AT THE PHARMACY OF YOUR CHOICE; OR
2. HAVE YOUR PRESCRIPTION FILLED AT THE VETERINARY ESTABLISHMENT, IF THE VETERINARY ESTABLISHMENT IS ABLE TO FILL THE PRESCRIPTION."

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

Remove lines 5-6 and insert:
prescription or the option to have the prescription filled at the veterinary establishment; specifies certain transmission methods for "written prescriptions"; requires the disclosure to include an

acknowledgement signed by the client; requires the acknowledgement to include certain information; prohibits certain statements, notifications, warnings, or assumptions; requires posting of certain information;

HB 191

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 191	**COMPANION BILL:** SB 216 (McClain)
TITLE: Verification of Reemployment Assistance Benefit Eligibility	**LINKED BILLS:** None
SPONSOR(S): Abbott	**RELATED BILLS:** None

Committee References

Housing, Agriculture & Tourism
12 Y, 4 N

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Commerce

SUMMARY

Effect of the Bill:
The bill adds conditions for disqualification from reemployment assistance and requires the Department of Commerce to implement new provisions to verify a claimant's eligibility.

Fiscal or Economic Impact:
The bill may have an indeterminate negative fiscal impact on the Department of Commerce.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill adds the following conditions for disqualification from reemployment assistance:

- Failing to contact five prospective employers per week;
- Failing to appear on three or more occasions for a scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview; or
- Failing to return to work when recalled by their former employer after a temporary layoff. (Section 2).

The bill requires the Department of Commerce (Department) to verify a claimant's eligibility for reemployment assistance benefits through the following measures:

- Verify the identity of each claimant.
- Cross-check the information contained in an initial claim with information in the database of the Systematic Alien Verification for Entitlements (SAVE) program.
- Cross-check the information contained in a claim every two weeks that a claimant files a claim to ensure that the claimant is:
  - Living.
  - Not incarcerated.
  - Not already employed. (Section 3).

The bill also requires the Department to verify each claimant's eligibility for reemployment assistance benefits by:

- Investigating any claim in this state associated with another existing claim for reemployment assistance benefits, either in this state or another state, that indicates suspicious activity.
- Examining each claim in this state filed from a foreign Internet Protocol address.
- Work with the United States Department of Labor, the Department of Justice, other state workforce agencies, the Department of Law Enforcement, the state attorneys, or the Office of the Statewide Prosecutor, as feasible, to investigate and prosecute fraudulent claims.
- Maintain a website through which an individual or an employer may report known or suspected violations of the Reemployment Assistance Program Law, and annually notify employers of the website.

- Annually make available on its website a report identifying for the prior year:
  - The number of successful detections of fraudulent claims;
  - The number of claims not paid due to the detection of fraud;
  - The number of fraudulent claims paid and the amount paid on those claims;
  - The amount recovered from fraudulent overpayments;
  - The number of fraudulent claims referred for investigation and possible prosecution; and
  - The sources used to cross-check claims during the reporting period. (Section 3).

The bill provides an effective date of July 1, 2026. (Section 4).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The Department of Commerce may incur indeterminate costs related to the creation, maintenance, and operation of websites and database checks with the overall impact on the state expenditures remaining indeterminate. A request for a formal analysis was submitted to the Department of Commerce on November 5, 2025.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Unemployment Compensation

The Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no fault of their own (as determined under state law) and who meet the requirements of state law.[1] The program is administered as a partnership between the federal government and the states.[2] Individual states and the Internal Revenue Service (IRS) collect employer payroll taxes to pay reemployment assistance benefits.[3] Costs of administering state unemployment compensation and job service programs are paid by the federal government.[4] In addition, Federal funds pay one-half of the cost of extended unemployment benefits (during periods of high unemployment) and provide a fund from which states may borrow, if necessary, to pay benefits.[5]

States are permitted to set benefit eligibility requirements, the amount and duration of benefits, and the state tax structure, as long as state law does not conflict with the Federal requirements.[6] Florida's Reemployment Assistance Program was created by the Legislature in 1937 and the Department of Commerce (Department) is the agency responsible for its administration.[7] The Department contracts with the Florida Department of Revenue to provide unemployment tax collections services.[8]

In Florida, which rebranded the unemployment compensation program as the reemployment assistance program

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[1] United States Department of Labor (DOL), Employment & Training Administration, *State Unemployment Insurance Benefits*, https://oui.doleta.gov/unemploy/uifactsheet.asp (last visited Nov. 19, 2025).
[2] DOL, *Federal – State Partnership*, https://oui.doleta.gov/unemploy/pdf/partnership.pdf (last visited Nov. 19, 2025).
[3] Florida Department of Revenue, *Florida Reemployment Tax*, https://floridarevenue.com/taxes/taxesfees/Pages/reemployment.aspx (last visited Nov. 19, 2025); Internal Revenue Service, *Federal Unemployment Tax,* https://www.irs.gov/individuals/international-taxpayers/federal-unemployment-tax (last visited Nov. 19, 2025).
[4] DOL, *Unemployment Insurance Tax Topic,* https://oui.doleta.gov/unemploy/uitaxtopic.asp#:~:text=FUTA%20taxes%20are%20calculated%20by,times%20the%20employer's%20taxable%20wages.&text=Employers%20who%20pay%20their%20state,tax%20paid%20to%20the%20state (last visited Nov. 19, 2025).
[5] *Id.*
[6] *Federal – State Partnership, supra note 2.*
[7] Ch. 18402, Laws of Fla.; ss. 443.171(1) and 443.011, F.S.
[8] S. 443.1316(1), F.S.

in 2012,[9] a qualified claimant may receive benefits equal to 25 percent of wages, not to exceed $6,325 in a benefit year.[10] Benefits range from a minimum of $32 per week to a maximum weekly benefit amount[11] of $275, for a maximum of between 12 weeks and 23 weeks.[12]

Disqualification for Reemployment Assistance Benefits

An individual must be disqualified from receiving reemployment assistance benefits for any of the following reasons, which include, but are not limited to:[13]

- Voluntarily leaving work without good cause, or being discharged by his or her employing unit for misconduct connected with the work;
- Failing to apply for available suitable work when directed by the department or the One-Stop Career Center, to accept suitable work when offered, or to return to suitable self-employment when directed to do so;
- Making false or fraudulent representations in filing for benefits;
- Being discharged from employment due to drug use or rejection from a job offer for failing a drug test; or
- Becoming unavailable for work due to incarceration or imprisonment.

Benefit Eligibility

To be eligible for benefits each week of unemployment, a claimant must meet certain requirements, which generally involve efforts to find new employment, including, but not limited to, the following:[14]

- Completing the Department's online work registration;
- Reporting to the One-Stop Career Center when directed to do so by the local CareerSource board;
- Being able and available for work;
- Contacting at least 5 prospective employers each week; and
- Participating in reemployment services.

Systematic Alien Verification for Entitlements (SAVE) Program

The SAVE program is an online service that verifies immigration status and U.S. citizenship of applicants seeking benefits or licenses.[15] The program assists registered federal, state, local, tribal, and territorial government agencies.[16] The SAVE program does not determine eligibility, as that responsibility rests with the benefit-granting or licensing agency.[17]

In order for the SAVE program to verify a benefit applicant's immigration or citizenship status, the benefit-granting or licensing agency must submit:[18]

- First and last name;
- Date of birth;
- The public benefit(s) requested by the applicant; and
- At least one unique immigration identifier such as the Alien Registration Number, I-94, SEVIS ID, I-797, or Citizenship Certificate Number.

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[9] Ch. 2012-30, Laws of Fla.
[10] S. 443.111(5), F.S.
[11] S. 443.111(3), F.S. The "weekly benefit amount," is an amount equal to one twenty-sixth of the total wages for insured work paid during the quarter of the base period where the wages paid were highest.
[12] S. 443.111(5)(c), F.S.
[13] S. 443.101, F.S.
[14] S. 443.091(1), F.S.,
[15] United States Citizenship and Immigration Services (USCIS), *Save,* https://www.uscis.gov/save/about-save/save-verification-response-time (last visited Nov. 19, 2025).
[16] *Id.*
[17] *Id.*
[18] USCIS, *Verification Process,* https://www.uscis.gov/save/about-save/save-verification-process (last visited Nov. 19, 2025).

The SAVE program typically provides an initial response within seconds, and most requests do not require additional verification. For those requests that do require additional verification, the response time is 15 federal workdays.[19] The SAVE program charges $3.10 per verification for federal agencies and has eliminated verification charges for all state, local, tribal, and territorial government agencies that use the SAVE program.[20] In addition, the SAVE program charges a minimum of $25 for each month that an agency submits at least one case.[21]

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2025	CS/CS/HB 1157 - Verification of Reemployment Assistance Benefit Eligibility	Abbott/ *Rodriguez*	The bill died in the Senate.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Housing, Agriculture & Tourism Subcommittee	12 Y, 4 N	11/18/2025	Curtin	Rodriguez
Commerce Committee			Hamon	Rodriguez

[19] USCIS, *SAVE Verification Response Time,* https://www.uscis.gov/save/about-save/save-verification-response-time (last visited Nov. 19, 2025).
[20] USCIS, *Transaction Charges,* Transaction Charges | USCIS (last visited Nov. 19, 2025).
[21] *Id.*

A bill to be entitled

An act relating to verification of reemployment assistance benefit eligibility; providing a short title; amending s. 443.101, F.S.; revising circumstances under which the Department of Commerce disqualifies claimants from reemployment assistance benefits; creating s. 443.1112, F.S.; requiring the department to verify claimants' identities before paying benefits; requiring the department to cross-check certain information to verify claimants' eligibility under certain circumstances; providing duties of the department; requiring the department to maintain a web page for a specified purpose and to notify employers each year of the web page; providing annual reporting requirements; providing an effective date.

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

Section 1. This act may be cited as the "Promoting Work, Deterring Fraud Act of 2026."

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:

CODING: Words stricken are deletions; words underlined are additions.

(2) If the Department of Commerce finds that the individual has failed without good cause to apply for available suitable work, to contact the required number of prospective employers per week for any week of unemployment claimed in a benefit year in accordance with s. 443.091, to appear on three or more occasions for a scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview, to accept suitable work when offered to him or her, to ~~or~~ return to the individual's customary self-employment when directed by the department, or to return to employment when recalled to work by the individual's employer after a temporary layoff, the disqualification continues for the full period of unemployment next ensuing after he or she failed without good cause to apply for available suitable work, to appear on three or more occasions for a scheduled job interview without notification, to accept suitable work, to ~~or~~ return to his or her customary self-employment, or to return to his or her employment after a temporary layoff, and until the individual has earned income of at least 17 times his or her weekly benefit amount. The department shall by rule adopt criteria to implement this subsection, including criteria for determining the "suitability of work," as used in this section. In developing these rules, the department shall consider the duration of a claimant's unemployment in determining the suitability of work and the suitability of proposed rates of compensation for

available work. Further, after an individual has received 25 weeks of benefits in a single year, suitable work is a job that pays the minimum wage and is 120 percent or more of the weekly benefit amount the individual is drawing.

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

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

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

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

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

(c) If the department finds that an individual was rejected for offered employment as the direct result of a

positive, confirmed drug test required as a condition of employment, the individual is disqualified for refusing to accept an offer of suitable work.

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

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

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

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

(3) For every 2 weeks that a claimant makes a claim for benefits, including the initial claim for benefits, to verify a claimant's eligibility for benefits, the department must cross-check the information contained in the claim to ensure that the claimant is:

(a) Living.

(b) Not incarcerated.

(c) Not already employed.

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

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

(b) Examine each claim filed from a foreign Internet protocol address before paying any benefits for the claim.

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

(d) Maintain a web page through which an individual or an employer may report known or suspected violations of this chapter, including identity theft or fraud. Each year, the department shall notify employers in this state of the web page for reporting violations.

(e) Each year, make available on its website a report identifying for the prior year the number of fraudulent reemployment assistance claims identified, the number of claims

not paid due to successful detection of fraudulent intentions, the number of claims and the amount of reemployment assistance benefits paid against claims subsequently identified as fraudulent, the amount of fraudulent overpayments recovered, and the number of fraudulent claims referred for investigation and possible prosecution. The report must also list the sources of information that were used to cross-check claims during the reporting period.

Section 4. This act shall take effect July 1, 2026.

HB 197

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 197	**COMPANION BILL:** None
TITLE: Employment Eligibility	**LINKED BILLS:** None
SPONSOR(S): Jacques and Michael	**RELATED BILLS:** None

Committee References

Industries & Professional Activities
12 Y, 4 N
➤
Commerce

SUMMARY

Effect of the Bill:
The bill expands Florida's E-Verify employment eligibility verification requirements so that all private employers are required to use the E-Verify system, ensuring that every new hire is legally authorized to work in the United States, beginning on July 1, 2026.

Fiscal or Economic Impact:
Indeterminate. The bill may have an indeterminate fiscal impact on state government and the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill expands to all private employers the requirement to use the E-Verify system to verify each employee's employment eligibility, beginning on July 1, 2026. (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

Indeterminate. The bill may have an indeterminate fiscal impact on state agencies related to enforcement.

PRIVATE SECTOR:

Indeterminate. Businesses may have additional workload related to the use of the E-Verify system[1], and some may be subject to fines related to violations.

[1] E-Verify, *History and Milestones*, https://www.e-verify.gov/about-e-verify/history-and-milestones (last visited Nov. 21, 2025). In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, which, among other provisions, created various employment eligibility verification programs, including E-Verify. E-Verify is an Internet-based system through which an employer can verify that a newly hired employee is authorized to work in the United States. E-Verify is administered by DHS in partnership with the Social Security Administration. It is free for employers to use and provides an automated link to Government records to help employers confirm the employment eligibility of employees.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida E-Verify Law

E-Verify is a web-based system that allows enrolled employers to confirm the eligibility to work in the United States. Florida requires the use of the E-Verify system to verify a new employee's employment eligibility by:[2]

- All public employers.
- Private employers with 25 or more employees.

Each employer that is required, or who volunteers, to use the E-Verify system, must certify on its first return each calendar year to the tax service provider that it is in compliance with the E-Verify requirements when making contributions to or reimbursing the state's unemployment compensation or reemployment assistance system.[3]

The law provides requirements for employers when the system is unavailable,[4] requires employers to retain documentation of verifications,[5] and prohibits an employer from continuing to knowingly employ an unauthorized alien.[6]

If the E-Verify system is unavailable for the three business days after the first day a new employee begins working and the employer cannot access the system to verify the employee's employment eligibility, the employer must use the Employment Eligibility Verification Form (Form I-9) to verify employment eligibility. The employer must document the unavailability of the system by retaining: a screenshot each day that shows the employer's inability to access the system; a public announcement that the E-Verify system is not available; or any other communication or notice regarding the unavailability of the system.

The following entities may request, and an employer must provide, copies of any documentation relied upon by the employer for the verification of a new employee's employment eligibility:[7]

- The Department of Law Enforcement (FDLE);
- The Attorney General (AG);
- The state attorney in the circuit in which the new employee works;
- The statewide prosecutor; or
- The Department of Commerce (DC).

These entities must rely upon the Federal Government to verify an employee's employment eligibility and may not independently make a final determination as to whether an employee is an unauthorized alien.[8]

An employer that uses the E-Verify system or, if that system is unavailable, the Form I-9, with respect to the employment of an unauthorized alien has established a rebuttable presumption and an affirmative defense that the employer has not violated the state prohibition on hiring unauthorized aliens,[9] with respect to such employment.[10]

The DC is responsible for the administration of compliance requirements, as follows:[11]

- If it determines that an employer failed to use the E-Verify system, the DC is required to:
    - Notify the employer of its determination; and

[2] S. 448.095(2)(a) and (b), F.S.
[3] S. 448.095(2)(b)3., F.S.
[4] S. 448.095(2)(c), F.S.
[5] S. 448.095(2)(d), F.S.
[6] S. 448.095(2)(e), F.S.
[7] S. 448.095(3)(a), F.S.
[8] S. 448.095(3)(b), F.S.
[9] S. 448.09, F.S.
[10] S. 448.095(4)(a), F.S.
[11] S. 448.095(6), F.S.

  - Provide the employer with 30 days to cure the noncompliance.
- If the DC determines that an employer failed to use the E-Verify system as required three times in any 24-month period, it must impose a fine of $1,000 per day until the employer provides proof of compliance.
- Noncompliance constitutes grounds for the suspension of all licenses issued by a licensing agency subject to chapter 120, F.S., until the noncompliance is cured.
- Fines must be deposited into the State Economic Enhancement and Development Trust Fund for use by the DC for employer outreach and public notice of the state's employment verification laws.

E-Verify Federal Law

To use the E-Verify system, an employer must open a "case" for the employee on the system and enter basic information from the employee's Form I-9 (name, address, SSN) into the case.[12] Then, the system checks the submitted information to records that are available to the U.S. Department of Homeland Security (DHS) and the U.S. Social Security Administration (SSA), and issues one of the following possible results to the employer:[13]

- **Employment Authorized** - The employee's information matched records available to the DHS and/or SSA.
- **E-Verify Needs More Time** - This case was referred to the DHS for further verification.
- **Tentative Non-confirmation (Mismatch)** - Information did not match records available to the DHS and/or SSA. Additional action is required.
- **Case in Continuance** - The employee has contacted the DHS or visited an SSA field office, but more time is needed to determine a final case result.
- **Close Case and Resubmit** – The DHS or SSA requires that the employer to close the case and create a new case for the employee. This result may be issued when the employee's United States passport, passport card, or driver's license information is incorrect.
- **Final Non-confirmation** - E-Verify cannot confirm the employee's employment eligibility after the employee contacted the DHS or SSA, the time for resolving the case expired, or the DHS closed the case without confirming the employee's employment eligibility for some other reason.

If the result is Tentative Non-confirmation, then the employer must notify the employee, who must take further action to verify his or her eligibility. If the result is E-Verify Needs More Time or Case in Continuance, then the E-Verify system needs more time to process the case.[14]

E-Verify Defenses for Employers

The Immigration Reform and Control Act (IRCA) provides sanctions to be imposed on employers who knowingly employ aliens who are not authorized to work.[15] Federal law contains no criminal sanction for working without authorization, although document fraud is a civil violation.[16] The United States Citizenship and Immigration Services (USCIS) enforces these provisions.[17]

According to the Immigration and Nationality Act (INA), an employer using E-Verify or the Form I-9, establishing good faith compliance with the law, has established an affirmative defense and a rebuttable presumption that the person or entity has not violated the federal law with respect to such hiring, recruiting, or referring.[18],[19]

[12] E-Verify, *Verification Process*, for details on how the system works, https://www.e-verify.gov/employers/verification-process (last visited Oct. 23, 2025). Before using E-Verify, an employer must enroll and sign a Memorandum of Understanding that provides the terms of agreement between the employer and the DHS. *See* E-Verify, *The E-Verify Memorandum of Understanding for Employers*, https://www.e-verify.gov/sites/default/files/everify/memos/MOUforEVerifyEmployer.pdf (last visited Nov. 21, 2025).
[13] *Id*.
[14] *Id*.
[15] 8 U.S.C. s. 1324a(a)(1)-(2).
[16] 8 U.S.C. s. 1324c.
[17] 8 U.S.C. s. 1324a.
[18] 8 U.S.C. s. 1324a(a)(3) and (b)(6).
[19] 8 U.S.C. s. 1324a notes, *Pilot Programs for Employment Eligibility Confirmation*.

RECENT LEGISLATION:

YEAR	BILL #	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	HB 955	Jacques, Michael	The bill passed the House, but died in the Senate.
2023	CS/HB 1617	Michael, Jacques	The bill became effective July 1, 2023, except as otherwise provided

U.S. Department of Homeland Security, E-Verify

Florida Department of Commerce, E-Verify Compliance

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee	12 Y, 4 N	11/5/2025	Anstead	Bunnell
Commerce Committee			Hamon	Thompson

A bill to be entitled

An act relating to employment eligibility; amending s. 448.095, F.S.; requiring that all private employers, rather than only those employing more than a specified number of employees, use the E-Verify system to verify a new employee's employment eligibility beginning on a specified date; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(2) EMPLOYMENT VERIFICATION.—

(b)1. A public agency shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

2. Beginning on July 1, 2026 ~~2023~~, a private employer ~~with 25 or more employees~~ shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

3. Each employer ~~required to use the E-Verify system under this paragraph~~ must certify on its first return each calendar year to the tax service provider that it is in compliance with this section when making contributions to or reimbursing the

state's unemployment compensation or reemployment assistance system. ~~An employer that voluntarily uses the E-Verify system may also make such a certification on its first return each calendar year in order to document such use.~~

Section 2. This act shall take effect July 1, 2026.