PCS for HB 917

1	A bill to be entitled
2	An act relating to wage and employment benefits;
3	amending s. 218.077, F.S.; prohibiting political
4	subdivisions from controlling, affecting, or awarding
5	preferences, related to wages or employment benefits
6	of entities contracting with the political
7	subdivision; amending s. 448.110, F.S.; providing that
8	the state minimum wage only applies to individuals who
9	are entitled to receive the federal minimum wage under
10	the federal Fair Labor Standards Act, as amended;
11	providing applicability; providing an effective date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Subsection (2) and paragraph (a) of subsection
16	(3) of section 218.077, Florida Statutes, are amended to read:
17	218.077 Wage and employment benefits requirements by
18	political subdivisions; restrictions
19	(2) Except as otherwise provided in subsection (3), a
20	political subdivision may not establish, mandate, <u>maintain,</u> or
21	otherwise require an employer to pay a minimum wage, other than
22	a state or federal minimum wage, to apply a state or federal
23	minimum wage to wages exempt from a state or federal minimum
24	wage, or to provide employment benefits not otherwise required
25	by state or federal law. <u>No political subdivision may through</u>
	Page 1 of 3

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2023

PCS for HB 917

26 its purchasing or contracting procedures seek to control or 27 affect the wages or employment benefits provided by its vendors, 28 contractors, service providers, or other parties doing business 29 with the political subdivision. A political subdivision shall 30 not through the use of evaluation factors, qualification of bidders, or otherwise award preferences on the basis of wages or 31 32 employment benefits provided by its vendors, contractors, service providers, or other parties doing business with the 33 34 political subdivision. 35 This section does not: (3) 36 Limit the authority of a political subdivision to (a) 37 establish a minimum wage other than a state or federal minimum wage or to provide employment benefits not otherwise required 38 39 under state or federal law: For the employees of the political subdivision; or 40 1. 41 2. For the employees of an employer contracting to provide goods or services for the political subdivision, or for the 42 43 employees of a subcontractor of such an employer, under the 44 contract with the political subdivision; or torms 45 3. For the employees of an employer receiving a direct tax 46 abatement or subsidy from the political subdivision, as a 47 condition of the direct tax abatement or subsidy. 48 Section 2. Subsection (3) of section 448.110, Florida 49 Statutes, is amended to read: 448.110 State minimum wage; annual wage adjustment; 50 Page 2 of 3

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2023

PCS for HB 917

2023

51	enforcement
52	(3) Effective May 2, 2005, Employers shall pay employees a
53	minimum wage at an hourly rate of \$6.15 for all hours worked in
54	Florida. Only those individuals entitled to receive the federal
55	minimum wage under the federal Fair Labor Standards Act, as
56	amended, and its implementing regulations shall be eligible to
57	receive the state minimum wage pursuant to s. 24, Art. X of the
58	State Constitution and this section. The provisions of ss. 213
59	and 214 of the federal Fair Labor Standards Act, as interpreted
60	by applicable federal regulations and implemented by the
61	Secretary of Labor, are incorporated herein.

Section 3. <u>The amendments to s. 448.110, Florida Statutes,</u>
<u>in this act are intended to clarify existing law.</u>

64

Section 4. This act shall take effect upon becoming a law.

Page 3 of 3

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