

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/HB 655 — Employment Benefits

by State Affairs Committee and Rep. Precourt and others (CS/CS/CS/CS/SB 726 by Appropriations Committee; Judiciary Committee; Health Policy Committee; Community Affairs Committee; and Senator Simmons)

CS/HB 655 amends current law to prohibit political subdivisions, such as counties and municipalities, from requiring an employer to provide certain employment benefits not required by state or federal law. The term “employment benefits” is defined as anything of value that an employee may receive from an employer in addition to wages and salary. The term includes, but is not limited to, health benefits; disability benefits; death benefits; group accidental death and dismemberment benefits; paid or unpaid days off for holidays, sick leave, vacation, and personal necessity; retirement benefits; and profit-sharing benefits. The term “employer” is defined as any person who is required to pay a state or federal minimum wage to the person’s employees.

The bill does not limit the authority of a political subdivision to establish a minimum wage or provide employment benefits not otherwise required under state or federal law for its own employees or for the employees of an employer contracting with, or receiving a direct tax abatement or subsidy from, the political subdivision. The bill further specifies that provisions of the act do not apply to a domestic violence or sexual abuse ordinance, order, rule or policy adopted by a political subdivision.

The bill also creates an 11-member Employer-Sponsored Benefits Task Force to analyze employment benefits and the impact of the state preemption of the regulation of such benefits. Task force findings and recommendations are to be included in a report submitted to the Governor, the President of the Senate, and the Speaker of the House by January 15, 2014. Workforce Florida, Inc., shall provide administrative and staff support for the task force.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 25-13; House 76-41