



26           Section 1. This act may be cited as the "Expanding Public  
27 Sector Career Opportunities Act."

28           Section 2. Section 110.1075, Florida Statutes, is created  
29 to read:

30           110.1075 Expanding public sector career opportunities.-

31           (1) For purposes of this section, the term:

32           (a) "Applicant" means a person seeking gainful employment  
33 from a public employer.

34           (b) "Baseline requirement" means the minimum skills or  
35 previous training or experience required to satisfactorily  
36 perform the primary duties of an employment position.

37           (c) "Direct experience" means any previous work experience  
38 during which:

39           1. The applicant's primary duties were consistent with the  
40 employment position he or she is currently seeking; or

41           2. The skills required for the applicant's primary duties  
42 are transferable to the employment position he or she is  
43 currently seeking.

44           (d) "Hiring consideration" means all of the following:

45           1. A decision to offer an applicant an interview.

46           2. An interview held in good faith between the public  
47 employer and the applicant.

48           3. A decision to move an applicant to a subsequent round  
49 in the hiring process.

50           4. A decision to include the applicant on a list of

51 applicants for consideration by another member of the public  
52 employer.

53 5. A final offer of employment.

54 (e) "Postsecondary degree" means an associate degree, a  
55 bachelor's degree, or a graduate degree earned from an  
56 accredited college or university.

57 (f) "Public employer" has the same meaning as in s.  
58 448.095(1).

59 (2) Both of the following apply for hiring considerations  
60 by public employers:

61 (a) A public employer may not deny consideration to an  
62 applicant solely on the basis of the applicant lacking a  
63 postsecondary degree.

64 (b) A public employer shall determine for each employment  
65 position baseline requirements that an applicant must meet.  
66 Prior direct experience or specified certifications or courses  
67 may be included as a baseline requirement. A postsecondary  
68 degree may only be included as a baseline requirement as  
69 provided in subsection (4).

70 (3) Paragraph (2)(a) does not apply if a public employer  
71 clearly demonstrates that the job duties of the employment  
72 position require a postsecondary degree. In the job posting, a  
73 public employer must substantiate the necessity of a  
74 postsecondary degree on the basis that the postsecondary degree  
75 is the best measure to determine if an applicant possesses

76 specific skills required for the job or that the employment  
77 position requires advanced accreditation or licensure that is  
78 only available to a person who holds a specific postsecondary  
79 degree.

80 (4) A public employer may include a postsecondary degree  
81 as a baseline requirement only as an alternative to the number  
82 of years of direct experience required, not to exceed:

83 (a) Two years of direct experience for an associate  
84 degree;

85 (b) Four years of direct experience for a bachelor's  
86 degree;

87 (c) Six years of direct experience for a master's degree;

88 (d) Seven years of direct experience for a professional  
89 degree; or

90 (e) Nine years of direct experience for a doctoral degree.

91 (5)(a) An applicant who is eliminated from a hiring  
92 consideration solely because the applicant lacks a postsecondary  
93 degree may appeal such decision to the department.

94 (b) A person may report to the department any job postings  
95 by a public employer which require a postsecondary degree but  
96 fail to include the information required under subsection (3).

97 (c) If an appeal or report is substantiated by the  
98 department, the public employer must reopen the hiring process,  
99 modify the job posting, or take other action as directed by the  
100 department.

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101       (6) This section does not apply to political appointments  
102 or other employment positions hired by elected representatives  
103 in the state.

104       (7) The department shall adopt rules to implement the  
105 requirements of subsection (5).

106       Section 3. Subsections (4) and (5) of section 112.219,  
107 Florida Statutes, are renumbered as subsections (5) and (6),  
108 respectively, subsection (1) is amended, and a new subsection  
109 (4) is added to that section, to read:

110       112.219 Substitution of work experience for postsecondary  
111 educational requirements.—

112       (1) ~~Beginning July 1, 2022,~~ The head of an employing  
113 agency may elect to substitute verifiable, related work  
114 experience in lieu of postsecondary educational requirements for  
115 a position of employment if the person seeking the position of  
116 employment is otherwise qualified for such position.

117       (4) (a) The head of an employing agency may elect to  
118 substitute verifiable, related work experience in lieu of  
119 postsecondary educational requirements for a contract for the  
120 performance of services with the employing agency if the person  
121 seeking to enter the contract with the employing agency is  
122 otherwise qualified for such position.

123       (b) Related work experience may not substitute for any  
124 licensure, certification, or registration required for the  
125 contract as established by the employing agency and indicated in

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126 | the advertised description of the contract.

127 |       Section 4. This act shall take effect July 1, 2023.