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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 maintaining a certain minimum wage; 5 prohibiting political subdivisions from controlling, 6 affecting, or awarding preferences relating to wages 7 or employment benefits of entities contracting with 8 the political subdivision; providing applicability; 9 conforming a provision to changes made by the act; amending s. 448.110, F.S.; providing that the state 10 11 minimum wage only applies to individuals who are entitled to receive the federal minimum wage under the 12 13 federal Fair Labor Standards Act, as amended; providing applicability; providing an effective date. 14 15 16 Be It Enacted by the Legislature of the State of Florida: 17 18 Section 1. Subsection (2) and paragraph (a) of subsection 19 (3) of section 218.077, Florida Statutes, are amended to read: 20 218.077 Wage and employment benefits requirements by political subdivisions; restrictions.-21 22 (2)(a) Except as otherwise provided in subsection (3), a 23 political subdivision may not establish, mandate, maintain, or 24 otherwise require an employer to pay a minimum wage, other than

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a state or federal minimum wage, to apply a state or federal

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minimum wage to wages exempt from a state or federal minimum wage, or to provide employment benefits not otherwise required by state or federal law.

- (b) A political subdivision may not through its purchasing or contracting procedures seek to control or affect the wages or employment benefits provided by its vendors, contractors, service providers, or other parties doing business with the political subdivision. A political subdivision may not through the use of evaluation factors, qualification of bidders, or otherwise award preferences on the basis of wages or employment benefits provided by its vendors, contractors, service providers, or other parties doing business with the political subdivision. This paragraph only applies to contracts, purchasing or contracting procedures, evaluation factors, qualifications of bidders, or other award preferences adopted by a political subdivision related to wages or employment benefits provided by vendors, contractors, service providers, or other parties doing business with the political subdivision entered into on or after the date this act becomes a law.
 - (3) This section does not:

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- (a) Limit the authority of a political subdivision to establish a minimum wage other than a state or federal minimum wage or to provide employment benefits not otherwise required under state or federal law:
 - 1. For the employees of the political subdivision; or

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2. For the employees of an employer contracting to provide goods or services for the political subdivision, or for the employees of a subcontractor of such an employer, under the terms of a contract with the political subdivision; or

2.3. For the employees of an employer receiving a direct tax abatement or subsidy from the political subdivision, as a condition of the direct tax abatement or subsidy.

Section 2. Subsection (3) of section 448.110, Florida Statutes, is amended to read:

448.110 State minimum wage; annual wage adjustment; enforcement.—

- (3) Effective May 2, 2005, Employers shall pay employees a minimum wage at an hourly rate of \$6.15 for all hours worked in Florida. Only those individuals entitled to receive the federal minimum wage under the federal Fair Labor Standards Act, as amended, and its implementing regulations shall be eligible to receive the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section. The provisions of ss. 213 and 214 of the federal Fair Labor Standards Act, as interpreted by applicable federal regulations and implemented by the Secretary of Labor, are incorporated herein.
- Section 3. The amendments to s. 448.110, Florida Statutes, in this act are intended to clarify existing law.
 - Section 4. This act shall take effect upon becoming a law.