

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

CS/CS/HB 49 — Employment

by Local Administration, Federal Affairs & Special Districts Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Chaney and others (SB 1596 by Senator Burgess)

The bill (Chapter 2024-25, L.O.F.):

- Clarifies that minors 15 years old or younger may not work more than 15 hours in any one week, when school is in session.
- Provides an exception for minors 16 and 17 years to work for more than 8 hours in any one day when school is scheduled the following day and the day of work is a holiday or a Sunday.
- Provides that the cap of 30 hours per week when school is in session for minors 16 and 17 years old may be waived by a minor's parent or custodian or by the school superintendent or designee.
- Allows minors 16 and 17 years old to work more than 6 consecutive days in any one week by lowering the age limitation to minors 15 years old or younger.
- Requires that minors 16 and 17 years old who work for 8 hours or more in any one day may not work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period. The bill retains the limitation that minors 15 years old or younger may not work more than 4 hours continuously without an interval of at least 30 minutes for a meal period.
- Provides that the work restrictions do not apply to:
 - o Minors enrolled in any educational institution, not just public schools, who qualify on a hardship basis and receive a waiver on hours from the school superintendent.
 - o Minors 16 and 17 years old who are in a home education program, or are enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only.
- Clarifies that the DBPR may grant a waiver of these restrictions.
- Clarifies that a violation by an employer of this section of law is punishable by fine and as a second degree misdemeanor as provided in s. 450.141, F.S.

These provisions were approved by the Governor and take effect July 1, 2024.

Vote: Senate 27-11; House 76-33

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CS/HB 141 — Economic Development

by Ways & Means Committee and Rep. Abbott and others (CS/SB 196 by Appropriations Committee on Transportation, Tourism, and Economic Development and Senator Simon)

The bill amends the Regional Rural Development Grants Program to:

- Eliminate the requirement that grant funds received by a regional economic development organization must be matched each year by nonstate resources in an amount equal to 25 percent of the state contributions;
- Remove the requirement that the Department of Commerce must consider the demonstrated need of the applicant for assistance when approving participants for the program; and
- Remove the requirement that an applicant must show proof that each local government and the private sector made a financial or in-kind commitment to the regional organization in order to receive funding.

Additionally, the bill allows Triumph Gulf Coast, Inc., to retain interest earned on the funds in its trust account rather than having those funds revert to the Triumph Gulf Coast Trust Fund. The funds are required to be used to make awards or pay for administrative costs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 112-0

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SB 304 — Household Moving Services

by Senator Hooper

The bill broadens protections for consumers who use intrastate moving services by:

- Providing additional registration and proof of registration requirements for movers and moving brokers;
- Providing for a required performance bond or certificate of deposit in certain circumstances for shippers' moved goods;
- Requiring a binding estimate of the cost of services, including any applicable fees of a moving broker, to be provided by the mover to a prospective shipper;
- Requiring a moving broker to arrange with a registered mover for the loading, transportation, shipment, or unloading of household goods as part of a household move;
- Requiring a moving broker to include their registration number in all documents and advertisements, and include certain identifying information and information pertaining to applicable fees on any document provided by the moving broker to a shipper;
- Prohibiting a moving broker from providing an estimate or from entering into a contract or agreement for moving, loading, shipping, transporting, or unloading services with a shipper that was not prepared and electronically signed by a registered mover;
- Requiring the Department of Agriculture and Consumer Services to suspend a mover's or moving broker's registration upon notification and subsequent written verification by a law enforcement agency, a court, a state attorney, or the Department of Law Enforcement that such registrant is formally charged with a crime involving:
 - o Fraud;
 - o Theft;
 - o Larceny;
 - o Embezzlement;
 - o Fraudulent conversion;
 - o Misappropriation of property; or
 - o A crime arising from conduct during a movement of household goods; and
- Clarifying that it is a felony of the third degree if a mover or mover's employee, agent, or contractor refuses to comply with an order from a law enforcement officer to relinquish a shipper's household goods in certain situations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 112-0

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CS/CS/HB 433 — Employment Regulations

by Commerce Committee; Regulatory Reform & Economic Development Subcommittee; and Rep. Esposito and others (CS/SB 1492 by Commerce and Tourism Committee and Senator Trumbull)

Workplace Heat Exposure Requirements

A political subdivision is prohibited from:

- Requiring an employer or contractor to meet or provide heat exposure requirements that are not required under state or federal law;
- Giving preference in solicitations based upon employer heat exposure requirements; and
- Considering or seeking information relating to an employer's heat exposure requirements.

The bill does not limit the authority of a political subdivision to provide heat exposure requirements not otherwise required under state or federal law for direct employees of the political subdivision. These heat exposure provisions do not apply if compliance will prevent the political subdivision from receiving federal funds.

Restrictions on Wage and Employment Benefits Requirements by Political Subdivisions

Starting September 30, 2026, a political subdivision is prohibited from preferring one contractor over another based on the wages or employment benefits provided by the contractor.

Starting September 30, 2026, a political subdivision cannot require or try to control a minimum wage or employment benefits for certain employees under the terms of a contract or otherwise through the purchasing power of the political subdivision.

The above provisions do not impair any contract entered into before September 30, 2026.

Preemption of Employee Scheduling Regulation

Local governments are prohibited from adopting or enforcing any regulation relating to scheduling, including predictive scheduling, by a private employer except as expressly authorized or required by state or federal law, rule, or regulation or pursuant to federal grant requirements.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise provided.

Vote: Senate 24-15; House 74-36

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CS/HB 481 — Building Construction Regulations and System Warranties

by Civil Justice Subcommittee and Rep. Maggard (CS/SB 612 by Commerce and Tourism Committee and Senator Hooper)

The bill expands the kind of work that Class A and Class B air-conditioning contractors and mechanical contractors may undertake to include replacing, disconnecting, or reconnecting power wiring on the line side of a dedicated existing electrical disconnect switch on a single phase electrical system; and repairing or replacing power wiring, disconnects, breakers, or fuses for dedicated HVAC circuits with proper use of a circuit breaker lock.

The bill prohibits the conditioning of an HVAC system warranty on product registration, and specifies that the full length of such a warranty's coverage term begins on the date a licensed contractor installs the system. The bill also requires that an HVAC warranty or product registration card or form must specify that the card or form is for the product registration and that failure to complete and return the form does not diminish any warranty rights.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 117-0

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CS/SB 998 — Sale of Liquefied Petroleum Gas

by Fiscal Policy Committee and Senator Collins

The bill makes a number of changes with regard to the regulation of liquefied petroleum (LP) gas by the Department of Agriculture and Consumer Services (DACS). Specifically the bill:

- Provides that a category I liquefied petroleum gas dealer license must include one licensed location, and may include up to two remote bulk storage locations, and that remote bulk storage locations must be located within 75 miles of the licensed location and included in the category I liquefied petroleum gas dealer license application;
- Specifies that a competency exam must be completed within 90 days after the application has been accepted by the DACS;
- Requires that category I or category V qualifiers must have one year of verifiable LP gas experience;
- Clarifies that a qualifier for a business must actually function in a position with authority to monitor and enforce safety provisions at the licensed location, and that a separate qualifier is required for every 10 employees performing LP gas activities;
- Provides that a person may not act as a master qualifier for more than one licensee;
- Empowers the DACS to revoke the license of a qualifier or master qualifier who demonstrates a lack of trustworthiness;
- Gives the DACS the authority to condemn unsafe equipment and issue an immediate final order requiring the immediate removal of LP gas that is deemed a threat to public health;
- Adjusts language relating to aggregate capacity of containers;
- Requires LP gas technicians to provide their name and qualifier number on all work orders;
- Prohibits anyone other than those authorized from adding or removing gas from a customer's tank, and gives the DACS the authority to adopt rules to provide exceptions for emergencies; and
- Revises and clarifies the minimum storage requirement to account for aggregate storage.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 112-0

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CS/CS/SB 1198 — Corporate Actions

by Rules Committee; Commerce and Tourism Committee; and Senator Martin

The bill provides a statutory ratification procedure for corporate actions that may not have been properly authorized, and for shares that may have been improperly issued. These improperly authorized corporate actions, that would otherwise be proper, are called defective corporate actions.

The bill provides a statutory ratification process that is intended to supplement common law ratification. The ratification procedure is intended to be available only where there is objective evidence that a corporate action was defectively implemented. Subsequent ratified defective corporate actions will remain subject to equitable review. The bill gives specified affected parties the ability to file motions in the circuit court of the applicable county.

The bill also provides a statutory method, through filing a single composite statement, for a registered agent to resign from more than one corporate entity at a time, if the specified entity has been dissolved, administratively or voluntarily, for 10 years or longer. The bill applies to the following business entity types:

- Limited liability companies or foreign limited liability companies;
- Corporations; and
- Corporations not for profit.

Finally, the bill keeps the fee to file the registered agent resignation the same for the above listed business entity types, even if filing to resign from more than one entity at a time.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 114-0

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CS/CS/SB 1420 — Department of Commerce

by Rules Committee; Commerce and Tourism Committee; and Senator Burgess

The bill makes the following changes that impact the Department of Commerce (DCM):

- Specifies that a citizen-led county charter amendment not required to be approved by the board of county commissioners which preempts certain land development decisions is prohibited, unless expressly authorized in the county charter that was lawful and in effect on January 1, 2024. This provision is effective upon becoming a law.
- Provides that if the local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within 10 working days after the final adoption hearing.
- Deletes an outdated requirement that the Florida Sports Foundation must continue amateur sports programs previously conducted by the Florida Governor's Council on Physical Fitness and Amateur Sports.
- Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years, and directs the DCM to amend existing loans executed before February 1, 2024, to increase the loan term to a total of 10 years from the original date of execution. This provision is effective upon becoming a law.
- Requires the DCM to establish a direction-support organization (DSO) to take over the duties of the Florida Defense Support Task Force; provides for organizational composition; revises the mission of the DSO; requires the DSO to operate under a contract with the DCM; revises the due date for the annual report; and provides a repeal date of October 1, 2029.
- Creates a Supply Chain Innovation Grant Program within the DCM; requires the DCM to jointly select grants with the Florida Department of Transportation; provides that priority must be given to projects with innovative plans, advanced technologies, and development strategies that focus on future growth and economic prosperity; requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to review the program by January 1, 2027, and every three years thereafter; and provides the program expires June 30, 2034. Neither the bill nor the General Appropriations Act provides funding for this program.
- Revises the term "businesses" in the Incumbent Worker Training Program to include healthcare facilities and allied health care opportunities, and revises the funding priority to provide that health care facilities, in addition to hospitals, operated by nonprofit or local government entities that provide opportunities in health care, are eligible for the funding.
- Provides that specified members of the state workforce development board are voting members.
- Specifies that a homeowner's association's proposed revived declaration of covenants and articles of incorporation and bylaws must be submitted to the DCM within 60 days after obtaining valid written consent from a majority of the affected parcel owners, or

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within 60 days after the date the documents are approved by affected parcel owners by a vote at a meeting.

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Vote: Senate 38-1; House 104-9