A bill to be entitled 1 2 An act relating to workers' compensation; 3 providing definitions; authorizing certain 4 businesses to elect to be exempt from 5 requirements of the Florida Workers' 6 Compensation Law under certain circumstances; 7 providing requirements; providing for waiver of 8 the exemption; providing for other benefits; providing an effective date. 9 10 11 Be It Enacted by the Legislature of the State of Florida: 12 13 Section 1. Definitions.--As used in this act: 14 "Free employment zone" means any area in a county, 15 contiguous to Alabama or Georgia, which is designated as an 16 empowerment zone, enterprise community, or enterprise zone. 17 "Eligible new business" means any corporation, person, proprietorship, firm, company, or other legal entity 18 19 authorized to do business within this state which: 20 (a) Conducts permanent business activities with a permanent place of business at a location within a free 21 employment zone, provided, any business already doing business 22 23 within the free employment zone which adds a minimum of 10 24 full-time, permanent jobs at its place of business shall be an eligible new business for all jobs at that place of business. 25 26 (b) Initially employs, on a permanent, full-time 27 basis, at least 10 residents of such county, and maintains 28 employment of at least 10 such persons on a permanent, 29 full-time basis. 30

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- (c) Pays all employees at the site of the eligible new business a base hourly wage, exclusive of benefits, equal to at least 120 percent of the federal minimum wage.
- (d) Provides adequate notice of the provisions of this act to each new employee at the time of initial employment.
- required by s. 440.055, Florida Statutes, providing each new employee a copy of this act, and the execution by each new employee, at the time of initial employment, of a written and sworn acknowledgment that the employee has read, or has had read to the employee, all provisions of this act and that the employee fully understands that the employee will not be entitled to certain benefits or protections under chapter 440, Florida Statutes, the Workers' Compensation Law.
- (4) "Employer" has the same meaning as set forth in s. 440.02, Florida Statutes.
- (5) "Employee" has the same meaning as set forth in s. 440.02(13)(c), Florida Statutes, but does not include any person excluded under s. 440.02(13)(d), Florida Statutes, on the effective date of this act or as otherwise amended.

Section 2. Exemption.--As long as an employer qualifies as an eligible new business, and if the employer does not waive the provisions of this act, the employer shall not be subject to the requirements or entitled to the protections set forth in chapter 440, Florida Statutes, regardless of the number of persons employed by the employer. As long as an employer qualifies as an eligible new business, an employee of the eligible new business shall not be entitled to the protections or rights set forth in chapter 440, Florida Statutes.

Section 3. Waiver of exemption. -- An eligible new 1 2 business may elect to waive the exemption provided for in this 3 act and to obtain the immunity for employers set forth in 4 chapter 440, Florida Statutes. Such election shall be 5 conclusively evidenced by the eliqible new business' purchase of workers compensation insurance which complies with the 6 7 requirements of chapter 440, Florida Statutes. 8 Section 4. Other benefits. -- An employer and an 9 employee at an eliqible new business shall have the right to enter into such additional or other agreement as they see fit 10 11 regarding benefits payable to the employee, including, by way of illustration, accidental death or dismemberment insurance, 12 13 health insurance, or disability or wage replacement insurance, or rights and remedies of the employee against the employer or 14 coemployees in the event of injury, death, or disability 15 16 suffered in connection with or related to employment. Nothing 17 in this act, or otherwise contained in the laws of this state, shall be deemed to restrict or limit the effectiveness of any 18 19 such additional or other agreement. Section 5. This act shall take effect upon becoming a 20 21 law. 22 23 24 HOUSE SUMMARY 25 Authorizes eligible new businesses in empowerment zones, enterprise communities, or enterprise zones in counties contiguous to Alabama or Georgia to elect to be exempt from requirements of the Florida Workers' Compensation Law under specified circumstances. Provides for waiver of the exemption and authorizes the provision of other benefits. See bill for details. 26 27 28 29 30

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