

By Representative Westbrook

1                                   A bill to be entitled  
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;  
9           providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Definitions.--As used in this act:

14           (1) "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           (2) "Eligible new business" means any corporation,  
18 person, proprietorship, firm, company, or other legal entity  
19 authorized to do business within this state which:

20           (a) Conducts permanent business activities with a  
21 permanent place of business at a location within a free  
22 employment zone, provided, any business already doing business  
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  
25 eligible new business for all jobs at that place of business.

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.

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1       (c) Pays all employees at the site of the eligible new  
2 business a base hourly wage, exclusive of benefits, equal to  
3 at least 120 percent of the federal minimum wage.

4       (d) Provides adequate notice of the provisions of this  
5 act to each new employee at the time of initial employment.

6       (3) "Adequate notice" means posting a notice as  
7 required by s. 440.055, Florida Statutes, providing each new  
8 employee a copy of this act, and the execution by each new  
9 employee, at the time of initial employment, of a written and  
10 sworn acknowledgment that the employee has read, or has had  
11 read to the employee, all provisions of this act and that the  
12 employee fully understands that the employee will not be  
13 entitled to certain benefits or protections under chapter 440,  
14 Florida Statutes, the Workers' Compensation Law.

15       (4) "Employer" has the same meaning as set forth in s.  
16 440.02, Florida Statutes.

17       (5) "Employee" has the same meaning as set forth in s.  
18 440.02(13)(c), Florida Statutes, but does not include any  
19 person excluded under s. 440.02(13)(d), Florida Statutes, on  
20 the effective date of this act or as otherwise amended.

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

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