

By Representative Bense

1 A bill to be entitled
2 An act relating to local government;
3 prohibiting local governments from requiring
4 employers to pay a minimum wage in excess of
5 the federal minimum wage; providing exceptions;
6 providing an effective date.

7
8 WHEREAS, promoting the economic growth and prosperity
9 of its citizens is among the most important responsibilities
10 of the state, and

11 WHEREAS, this economic growth and prosperity depends
12 upon maintaining a stable business climate that will attract
13 new employers to the state and allow existing employers to
14 grow, and

15 WHEREAS, with regard to worker wages, federal minimum
16 wage provisions strike the necessary balance between the
17 interests of workers and their employers, and

18 WHEREAS, allowing each local government to establish
19 minimum wage levels in their individual jurisdictions higher
20 than those required by federal law would threaten to drive
21 businesses out of these communities and out of the state in
22 search of a more favorable and uniform business environment,
23 and

24 WHEREAS, higher minimum wage standards differing from
25 one locale to another would encourage residents to conduct
26 their business in jurisdictions where wage costs, and hence
27 prices, are lower, and

28 WHEREAS, such artificial constraints would disrupt
29 Florida's economy and threaten the public welfare, NOW,
30 THEREFORE,

31

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

2

3 Section 1. For purposes of this act, "political
4 subdivision" means counties, municipalities, departments,
5 commissions, districts, boards, and other public bodies,
6 whether corporate or otherwise, created by or pursuant to
7 state law.

8 Section 2. No political subdivision of the state may
9 establish, mandate, or otherwise require an employer to pay a
10 minimum wage that exceeds the federal minimum wage set forth
11 in s. 6 of the Fair Labor Standards Act of 1938, 29 U.S.C. s.
12 206. In addition, no political subdivision of the state may
13 establish, mandate, or otherwise require an employer to pay a
14 minimum wage related to employee wages that are exempt under
15 the Fair Labor Standards Act of 1938, 29 U.S.C. ss. 201 et
16 seq.

17 Section 3. This act does not limit the authority of a
18 political subdivision of the state to establish a minimum wage
19 that exceeds the federal minimum wage:

20 (a) For its own employees;

21 (b) Pursuant to the terms of any contract in which the
22 political subdivision is a party procuring goods or services;
23 or

24 (c) As a condition of the political subdivision
25 providing a direct tax abatement or subsidy to an employer.

26 Section 4. For purposes of this act, "wage" has the
27 same meaning as set forth in s. 3(m) of the Fair Labor
28 Standards Act of 1938, 29 U.S.C. s. 203(m).

29 Section 5. This act shall take effect upon becoming a
30 law.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

Prohibits local governments from requiring employers to
pay a minimum wage in excess of the federal minimum wage.
Provides exceptions.