

By Senator Constantine

22-90-03

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 other than a  
5           federal minimum wage; providing exceptions;  
6           providing an effective date.  
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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,  
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. (1) As used in this section, the term:

4 (a) "Federal minimum wage" means a minimum wage  
5 required under federal law, including the federal Fair Labor  
6 Standards Act of 1938, as amended, 29 U.S.C. ss. 201 et seq.

7 (b) "Minimum wage" means a minimum rate of  
8 compensation for employment.

9 (c) "Political subdivision" means a county,  
10 municipality, department, commission, district, board, or  
11 other public body, whether corporate or otherwise, created by  
12 or under state law.

13 (2) Except as otherwise provided in subsection (3), a  
14 political subdivision may not establish, mandate, or otherwise  
15 require an employer to pay a minimum wage, other than a  
16 federal minimum wage, or to apply a federal minimum wage to  
17 wages exempt from a federal minimum wage.

18 (3) This section does not limit the authority of a  
19 political subdivision to establish a minimum wage other than a  
20 federal minimum wage:

21 (a) For the employees of the political subdivision;

22 (b) For the employees of an employer contracting to  
23 provide goods or services for the political subdivision, or  
24 for the employees of a subcontractor of such an employer,  
25 under the terms of a contract with the political subdivision;  
26 or

27 (c) For the employees of an employer receiving a  
28 direct tax abatement or subsidy from the political  
29 subdivision, as a condition of the direct tax abatement or  
30 subsidy.

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1 Section 2. This act shall take effect upon becoming a  
2 law.

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5 SENATE SUMMARY

6 Prohibits a political subdivision from requiring  
7 employers to pay a minimum wage, other than a federal  
8 minimum wage, or to apply a federal minimum wage to wages  
9 exempt from a federal minimum wage. Provides that  
political subdivisions may establish a minimum wage other  
than a federal minimum wage for employees of the  
political subdivisions or other specified employees.

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