

By Senator Miller

18-61-03

1 A bill to be entitled
 2 An act relating to migrant farm workers;
 3 amending s. 381.0086, F.S.; providing
 4 requirements for certain rules necessary to
 5 protect the health and safety of migrant farm
 6 workers and other occupants of migrant labor
 7 camps or residential migrant housing; providing
 8 that migrant farm workers may provide their own
 9 living accommodations, food, and transportation
 10 to and from work; providing that it is unlawful
 11 to prohibit or restrict the exercise of such
 12 rights; placing restrictions upon the rates for
 13 rental and for room and board which a migrant
 14 farm worker and the worker's family may be
 15 charged; providing penalties; prohibiting
 16 forcing an individual to work as a migrant farm
 17 worker against his or her will; providing
 18 penalties; providing an effective date.

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

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 22 Section 1. Subsection (1) of section 381.0086, Florida
 23 Statutes, is amended to

24 381.0086 Rules; variances; penalties.--

25 (1) The department shall adopt rules necessary to
 26 protect the health and safety of migrant farm workers and
 27 other migrant labor camp or residential migrant housing
 28 occupants, including rules governing field sanitation
 29 facilities. These rules must include definitions of terms,
 30 provisions relating to plan review of the construction of new,
 31 expanded, or remodeled camps, sites, buildings and structures,

1 personal hygiene facilities, lighting, sewage disposal,
2 safety, minimum living space per occupant, bedding, food
3 equipment, food storage and preparation, insect and rodent
4 control, garbage, heating equipment, water supply, maintenance
5 and operation of the camp, housing, or roads, and such other
6 matters as the department finds to be appropriate or necessary
7 to protect the life and health of the occupants. These rules
8 must include, but are not limited to, a provision that a
9 migrant labor camp operator or an owner of migrant housing may
10 not require residents of such a camp or housing to sleep more
11 than three to a room. Housing operated by a public housing
12 authority is exempt from the provisions of any administrative
13 rule that conflicts with or is more stringent than the federal
14 standards applicable to the housing.

15 Section 2. Migrant farm workers; right to provide
16 certain amenities; prohibitions against excessive rent;
17 penalties.--

18 (1) A migrant farm worker, as defined in section
19 316.003, Florida Statutes, has the right to provide his or her
20 own living accommodations, food, and transportation to and
21 from her or his place of employment. It is unlawful to
22 prohibit a migrant farm worker from exercising any such right,
23 or to discourage such a worker from exercising any such right,
24 through imposing or threatening to impose disincentives,
25 including, but not limited to, firing or reducing the wages of
26 the worker or a member of his or her immediate family.

27 (2) A landlord may not charge a migrant farm worker,
28 for a housing unit to be occupied by the migrant worker and
29 his or her family, a rental rate that exceeds 30 percent of
30 the amount comprising 50 percent of the median adjusted gross
31 annual income for the households within the metropolitan

1 statistical area (MSA) in which the housing unit is located
2 or, if the housing unit is not within an MSA, within the
3 county in which the housing unit is located, divided by 12. A
4 landlord who provides both room and board to a migrant farm
5 worker may not charge the worker more than 50 percent of the
6 amount comprising 50 percent of the median adjusted gross
7 annual income for the households within the metropolitan
8 statistical area in which the room is located or, if the room
9 is not located within an MSA, within the county in which the
10 room is located, divided by 12.

11 (3) A violation of subsection (1) or subsection (2) is
12 a felony of the third degree, punishable as provided in
13 section 775.082, section 775.083, or section 775.084, Florida
14 Statutes.

15 Section 3. Forced labor prohibited.--

16 (1) It is unlawful to force an individual to undertake
17 employment as a migrant farm worker against his or her will.

18 (2) A violation of subsection (1) is a felony of the
19 third degree, punishable as provided in section 775.082,
20 section 775.083, or section 775.084, Florida Statutes.

21 Section 4. This act shall take effect July 1, 2003.

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24 SENATE SUMMARY

25 Provides that a migrant labor camp operator or an owner
26 of migrant housing may not require residents of such a
27 camp or housing to sleep more than three to a room.
28 Provides that migrant farm workers have the right to
29 provide their own living accommodations, food, and
30 transportation to and from work. Provides criminal
31 penalties for prohibiting or restricting the exercise of
such rights. Restricts the rates for rental and for room
and board which a migrant farm worker and the worker's
family may be charged. Provides criminal penalties for
violating those restrictions. Prohibits forcing an
individual to work as a migrant farm worker. Provides
criminal penalties for violating that prohibition.