

ENROLLED  
 HB 219, Engrossed 1

2006 Legislature

1                                   A bill to be entitled  
 2           An act relating to labor pools; amending s. 448.24, F.S.;  
 3           providing a limit on the amount a labor pool may charge a  
 4           laborer for transportation to or from a designated  
 5           worksite; authorizing a labor pool to provide day laborers  
 6           with a method of obtaining cash from a cash-dispensing  
 7           machine; amending s. 448.23, F.S.; conforming a cross-  
 8           reference; creating s. 448.26, F.S.; providing for  
 9           application of pt. II of ch. 448, F.S., the Labor Pool  
 10          Act; providing an effective date.

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

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 14           Section 1. Paragraph (b) of subsection (1) of section  
 15   448.24, Florida Statutes, is amended, and subsection (7) is  
 16   added to that section, to read:

17           448.24 Duties and rights.--

18           (1) No labor pool shall charge a day laborer:

19           (b) More than a reasonable amount to transport a worker to  
 20   or from the designated worksite, but in no event shall the  
 21   amount exceed \$1.50 each way ~~the prevailing rate for public~~  
 22   ~~transportation in the geographic area; or~~

23           (7) Nothing in this part precludes the labor pool from  
 24   providing a day laborer with a method of obtaining cash from a  
 25   cash-dispensing machine that is located on the premises of the  
 26   labor pool and is operated by the labor pool, or by an

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27 affiliate, pursuant to chapter 560, if required, for a fee for  
 28 each transaction which may not exceed \$1.99, provided:

29 (a) The labor pool offers payment in compliance with the  
 30 provisions of paragraph (2) (a).

31 (b) The day laborer voluntarily elects to accept payment  
 32 in cash after disclosure of the fee.

33 (c) The cash-dispensing machine requires affirmative  
 34 action by the day laborer with respect to imposition of the fee  
 35 and allows the day laborer to negate the transaction in lieu of  
 36 payment in compliance with paragraph (2) (a).

37 Section 2. Section 448.23, Florida Statutes, is amended to  
 38 read:

39 448.23 Exclusions.--Except as specified in ss. ~~s.~~  
 40 448.22(1)(c) and 448.26, this part does not apply to:

41 (1) Business entities duly registered as farm labor  
 42 contractors pursuant to part III of chapter 450;

43 (2) Employee leasing companies, as defined in s. 468.520;

44 (3) Temporary help services engaged in supplying solely  
 45 white collar employees, secretarial employees, clerical  
 46 employees, or skilled laborers;

47 (4) Labor union hiring halls; or

48 (5) Labor bureau or employment offices operated by a  
 49 business entity for the sole purpose of employing an individual  
 50 for its own use.

51 Section 3. Section 448.26, Florida Statutes, is created to  
 52 read:

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53        448.26 Application.--Nothing in this part shall exempt any  
54 client of any labor pool or temporary help arrangement entity as  
55 defined in s. 468.520(4)(a) or any assigned employee from any  
56 other license requirements of state, local, or federal law. Any  
57 employee assigned to a client who is licensed, registered, or  
58 certified pursuant to law shall be deemed an employee of the  
59 client for such licensure purposes but shall remain an employee  
60 of the labor pool or temporary help arrangement entity for  
61 purposes of chapters 440 and 443.

62        Section 4. This act shall take effect July 1, 2006.