

1                   A bill to be entitled  
 2           An act relating to wage protection; creating s. 448.111,  
 3           F.S.; providing a short title; providing legislative  
 4           findings and intent; preempting regulation of wage theft  
 5           to the state, except as otherwise provided by federal law,  
 6           and superseding any municipal or county ordinance or other  
 7           local regulation on the subject; providing an effective  
 8           date.

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

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 12           Section 1.   Section 448.111, Florida Statutes, is created  
 13   to read:

14           448.111 Florida Wage Protection Law.—

15           (1) This section may be cited as the "Florida Wage  
 16   Protection Law."

17           (2) The Legislature finds as a matter of public policy  
 18   that it is necessary to declare the theft of wages and the  
 19   denial of fair compensation for work completed to be against the  
 20   laws and policies of the state.

21           (3) The Legislature finds that employers and employees  
 22   benefit from consistent and established standards of wage theft  
 23   regulation and that existing federal and state laws, including  
 24   the federal Fair Labor Standards Act of 1938, the Davis-Bacon  
 25   Act, the McNamara-O'Hara Service Contract Act of 1965, the  
 26   Migrant and Seasonal Agricultural Worker Protection Act, the  
 27   Contract Work Hours and Safety Standards Act, the Copeland  
 28   "Anti-kickback" Act, this chapter, and s. 24, Art. X of the

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29 State Constitution seek to protect employees from predatory and  
30 unfair wage practices while also providing appropriate due  
31 process to employers.

32 (4) It is the intent of this section to provide uniform  
33 wage theft laws in the state, to void all ordinances and  
34 regulations relating to wage theft that have been enacted by a  
35 governmental entity other than the state or the Federal  
36 Government, to prohibit the enactment of any future ordinance or  
37 other local regulation relating to wage theft, and to require  
38 local governmental entities to enforce state and federal wage  
39 theft laws.

40 (5) Except as otherwise provided by federal law, this  
41 section expressly preempts regulation of wage theft to the state  
42 and supersedes any municipal or county ordinance or other local  
43 regulation on the subject.

44 Section 2. This act shall take effect July 1, 2011.