

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 a definition;  
 4       providing legislative findings and intent; preempting  
 5       regulation of wage theft to the state, except as otherwise  
 6       provided by federal law, and superseding any municipal or  
 7       county ordinance or other local regulation on the subject;  
 8       providing that any local ordinance governing wage theft  
 9       enacted before January 1, 2011, is not preempted;  
 10      providing an effective date.

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

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 14       Section 1. Section 448.111, Florida Statutes, is created  
 15 to read:

16       448.111 Florida Wage Protection Law.-

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

19       (2) For purposes of this section, the term "wage theft"  
 20 means the underpayment or nonpayment of wages earned through  
 21 lawful employment.

22       (3) The Legislature finds as a matter of public policy  
 23 that it is necessary to declare the theft of wages and the  
 24 denial of compensation for work completed to be against the laws  
 25 and policies of the state.

26       (4) The Legislature finds that employers and employees  
 27 benefit from consistent and established standards of laws  
 28 relating to wage theft and that existing federal and state laws,

29 including the federal Fair Labor Standards Act of 1938, the  
30 Davis-Bacon Act, the McNamara-O'Hara Service Contract Act of  
31 1965, the Migrant and Seasonal Agricultural Worker Protection  
32 Act, the Contract Work Hours and Safety Standards Act, the  
33 Copeland "Anti-kickback" Act, this chapter, and s. 24, Art. X of  
34 the State Constitution protect employees from predatory and  
35 unfair wage practices while also providing appropriate due  
36 process to employers.

37 (5) It is the intent of this section to provide uniform  
38 wage theft laws in the state, to void all ordinances and  
39 regulations relating to wage theft that have been enacted by a  
40 governmental entity other than the state or the Federal  
41 Government, and to prohibit the enactment of any future  
42 ordinance or other local regulation relating to wage theft.

43 (6) This section hereby expressly preempts regulation of  
44 wage theft to the state and supersedes any municipal or county  
45 ordinance or other local regulation on the subject. Any local  
46 ordinance governing wage theft enacted before January 1, 2011,  
47 is not preempted by this section.

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