

By Senator Torres

15-01321-17

20171632__

1 A bill to be entitled
2 An act relating to call center jobs; creating s.
3 559.952, F.S.; providing a short title; creating s.
4 559.9521, F.S.; defining terms; creating s. 559.9522,
5 F.S.; requiring certain call centers that intend to
6 relocate out of state, in whole or in part, to notify
7 the Department of Business and Professional Regulation
8 before a specified date; providing a penalty for
9 failing to provide such notice; requiring the
10 department to compile a semiannual list of employers
11 that relocate call centers out of state; creating s.
12 559.9523, F.S.; providing that employers named on the
13 list are ineligible for certain state grants, loans,
14 or tax benefits for 5 years; requiring such employers
15 to remit the remaining prorated value of any state
16 grant, loan, or tax benefit to the department under
17 certain circumstances; providing exceptions; creating
18 s. 559.9524, F.S.; requiring the head of each state
19 agency to ensure that certain services are performed
20 in-state by state contractors or their agents or
21 subcontractors; providing a timeframe by which certain
22 contractors or their agents or subcontractors must
23 comply with the act; requiring grandfathered
24 contractors to comply with the act under certain
25 circumstances; creating s. 559.9525, F.S.; specifying
26 that this act may not be construed to allow the
27 withholding or denial of certain payments,
28 compensation, or benefits; providing a directive to
29 the Division of Law Revision and Information;

15-01321-17

20171632__

30 providing an effective date.

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Section 559.952, Florida Statutes, is created to
35 read:

36 559.952 Short title.—This act may be cited as the "Save
37 Florida Call Center Jobs Act of 2017."

38 Section 2. Section 559.9521, Florida Statutes, is created
39 to read:

40 559.9521 Definitions.—As used in this act, the term:

41 (1) "Call center or employer" means any business enterprise
42 that employs 50 or more individuals who in the aggregate work at
43 least 1,500 hours per week, not including hours of overtime, for
44 the purpose of providing customer service or conducting back-
45 office operations.

46 (2) "Department" means the Department of Business and
47 Professional Regulation.

48 Section 3. Section 559.9522, Florida Statutes, is created
49 to read:

50 559.9522 Call centers intending to move out of state.—

51 (1) NOTICE REQUIREMENT.—An employer that intends to
52 relocate a Florida call center out of state, or one or more
53 facilities or operating units within a call center comprising at
54 least 30 percent of the call center's, or operating unit's,
55 total volume when measured against the previous 12-month average
56 call volume of operations or substantially similar operations,
57 must notify the department at least 120 days before such
58 relocation.

15-01321-17

20171632__

59 (2) PENALTY.—An employer that violates subsection (1) is
60 subject to a civil penalty of up to \$10,000 per day for each day
61 the violation continues; however, the department may reduce the
62 penalty amount if just cause is shown.

63 (3) LIST COMPILATION.—The department shall compile a
64 semiannual list of all employers that relocate a Florida call
65 center, or one or more facilities or operating units within a
66 call center comprising at least 30 percent of the call center's
67 total volume of operations, out of the state.

68 Section 4. Section 559.9523, Florida Statutes, is created
69 to read:

70 559.9523 Grants and guaranteed loans.—

71 (1) INELIGIBILITY.—Except as provided in subsection (3) and
72 notwithstanding any other law, an employer named on the list
73 described in s. 559.9522 is ineligible for any direct or
74 indirect state grants, state-guaranteed loans, or tax benefits
75 for 5 years after the date such list is published.

76 (2) REVERSION.—Except as provided in subsection (3) and
77 notwithstanding any other law, an employer named on the list
78 described in s. 559.9522 shall remit to the department the
79 remaining prorated value of any state grant, state-guaranteed
80 loan, tax benefit, or any other state governmental support it
81 has received on or after the effective date of this act.

82 (3) EXCEPTIONS.—The department, in consultation with the
83 appropriate state agency providing a loan or grant, may waive
84 the ineligibility requirement in subsection (1) if the employer
85 applying for such loan, grant, or benefit demonstrates that
86 returning such loan, grant, or benefit would result in:

87 (a) Substantial job loss in this state; or

15-01321-17

20171632__

88 (b) Harm to the environment.

89 Section 5. Section 559.9524, Florida Statutes, is created
90 to read:

91 559.9524 In-state procurement.—The head of each state
92 agency shall ensure that all state-business-related call center
93 and customer service work is performed by state contractors or
94 their agents or subcontractors entirely within the state. State
95 contractors who currently perform state-business-related call
96 center and customer service work outside the state have 2 years
97 after the effective date of this act to comply with this act,
98 provided that if any such grandfathered contractors add customer
99 service employees who will perform work on state agency
100 contracts, those new employees must immediately be employed
101 within the state.

102 Section 6. Section 559.9525, Florida Statutes, is created
103 to read:

104 559.9525 State benefits for workers.—This act may not be
105 construed to allow withholding or denial of payments,
106 compensation, or benefits under any other state law, including
107 state unemployment compensation, disability payments, or worker
108 retraining or readjustment funds, to workers employed by
109 employers that relocate out of this state.

110 Section 7. The Division of Law Revision and Information is
111 directed to replace the phrase “the effective date of this act”
112 wherever it occurs in this act with the date the act becomes
113 effective.

114 Section 8. This act shall take effect 180 days after
115 becoming a law.