By Senator Torres

	15-01446-19 20191474
1	A bill to be entitled
2	An act relating to workforce retention; creating s.
3	559.952, F.S.; providing a short title; creating s.
4	559.9521, F.S.; providing definitions; creating s.
5	559.9522, F.S.; requiring certain employers that
6	intend to relocate out of state or cease operation to
7	notify the Department of Business and Professional
8	Regulation within a specified period; providing a
9	civil penalty; requiring the department to compile a
10	semiannual list of employers that relocate out of
11	state or cease operation; creating s. 559.9523, F.S.;
12	providing that such employers are ineligible for state
13	grants, loans, or tax benefits for a specified period;
14	requiring such employers to remit certain funds to the
15	department under certain circumstances; providing
16	exceptions; creating s. 559.9524, F.S.; requiring the
17	head of each state agency to ensure that certain
18	services are performed by state contractors within the
19	state; requiring compliance by certain contractors by
20	a specified date; creating s. 559.9525, F.S.;
21	providing construction; providing a directive to the
22	Division of Law Revision; providing an effective date.
23	
24	Be It Enacted by the Legislature of the State of Florida:
25	
26	Section 1. Section 559.952, Florida Statutes, is created to
27	read:
28	559.952 Short titleSections 559.952-559.9525 may be cited
29	as the "Florida Jobs Retention Act of 2019."
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30Section 2. Section 559.9521, Florida Statutes, is created31to read:32559.9521 DefinitionsAs used in this act, the term:33(1) "Employer" means a business enterprise that:34(a) Has been in operation in this state for at least 635months;36(b) Employs 75 or more individuals who, in the aggregate,37work at least 1,500 hours per week, not including hours of38overtime, for the purpose of providing customer service or39conducting back-office operations; and40(c) Receives any direct or indirect state grant, state-41guaranteed loan, or state tax benefit.42(2) "Department" means the Department of Business and44Professional Regulation.45to read:46559.9522 Employers intending to relocate out of state or47cease operation48(1) NOTICE REQUIREMENTAn employer that intends to:49(a) Relocate a Florida business, or one or more facilities50or operating units within such business comprising at least 3051percent of the business's or operating unit's total volume when52operations, out of the state; or53(b) Cease operation of such business, facilities, or54(b) Cease operation of such business, facilities, or55operating units56must notify the department at least 180 days before such57must notify the department at least 180 days before such58relocation or cessation.		15-01446-19 20191474
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 (2) PENALTYAn employer that violates subsection (1) is subject to a civil penalty of up to \$10,000 per day for each day the employer failed to provide the notice required under subsection (1). However, the department may reduce the penalty amount if just cause is shown. (3) LIST COMPILATIONThe department shall compile and publish on its website a semiannual list of all employers that relocate or cease operation as described in subsection (1). Section 4. Section 559.9523, Florida Statutes, is created to read: <u>559.9523 Grants and guaranteed loans</u> (1) INELIGIBILITYExcept as provided in subsection (3) and notwithstanding any other law, an employer included on the list described in s. 559.9522 is ineligible for any direct or indirect state grant, state-guaranteed loan, or state tax benefit for 5 years after the date such list is published. (2) REVERSIONExcept as provided in subsection (3) and notwithstanding any other law, an employer included on the list described in s. 559.9522 shall remit to the department the remaining prorated value of any state grant, state-guaranteed loan, state tax benefit, or any other state governmental support received on or after the effective date of this act. (3) EXCEPTIONSThe department, in consultation with the appropriate state agency providing a loan, grant, or tax benefit, may waive the requirements of this section if the employer applying for such loan, grant, or benefit demonstrates that returning such loan, grant, or benefit would result in: (a) Substantial job loss in this state; or 		15-01446-19 20191474
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76 notwithstanding any other law, an employer included on the list 77 described in s. 559.9522 shall remit to the department the 78 remaining prorated value of any state grant, state-guaranteed 79 loan, state tax benefit, or any other state governmental support 80 received on or after the effective date of this act. 81 (3) EXCEPTIONSThe department, in consultation with the 82 appropriate state agency providing a loan, grant, or tax 83 benefit, may waive the requirements of this section if the 84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in:	74	benefit for 5 years after the date such list is published.
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78 remaining prorated value of any state grant, state-guaranteed 10an, state tax benefit, or any other state governmental support 80 received on or after the effective date of this act. 81 (3) EXCEPTIONSThe department, in consultation with the 82 appropriate state agency providing a loan, grant, or tax 83 benefit, may waive the requirements of this section if the 84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in:	76	notwithstanding any other law, an employer included on the list
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 81 (3) EXCEPTIONS.—The department, in consultation with the 82 appropriate state agency providing a loan, grant, or tax 83 benefit, may waive the requirements of this section if the 84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in: 	79	loan, state tax benefit, or any other state governmental support
82 appropriate state agency providing a loan, grant, or tax 83 benefit, may waive the requirements of this section if the 84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in:	80	received on or after the effective date of this act.
83 benefit, may waive the requirements of this section if the 84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in:	81	(3) EXCEPTIONSThe department, in consultation with the
<pre>84 employer applying for such loan, grant, or benefit demonstrates 85 that returning such loan, grant, or benefit would result in:</pre>	82	appropriate state agency providing a loan, grant, or tax
85 that returning such loan, grant, or benefit would result in:	83	benefit, may waive the requirements of this section if the
	84	employer applying for such loan, grant, or benefit demonstrates
86 (a) Substantial job loss in this state; or	85	that returning such loan, grant, or benefit would result in:
	86	(a) Substantial job loss in this state; or
87 (b) Harm to the environment.	87	(b) Harm to the environment.

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88	Section 5. Section 559.9524, Florida Statutes, is created
89	to read:
90	559.9524 In-state procurementThe head of each state
91	agency shall ensure that all state-business-related customer
92	service work is performed by state contractors or their agents
93	or subcontractors entirely within the state. A state contractor
94	who currently performs state-business-related customer service
95	work outside the state must comply with this act within 2 years
96	after the effective date of this act. If such a contractor hires
97	additional customer service employees who will perform work on
98	state agency contracts, those new employees must immediately be
99	employed within the state.
100	Section 6. Section 559.9525, Florida Statutes, is created
101	to read:
102	559.9525 State benefits for workersThis act may not be
103	construed to allow withholding or denial of payments,
104	compensation, or benefits under any other state law, including
105	state unemployment compensation, disability payments, or worker
106	retraining or readjustment funds, to workers employed by
107	employers that relocate out of this state or that cease
108	operation.
109	Section 7. The Division of Law Revision is directed to
110	replace the phrase "the effective date of this act" wherever it
111	occurs in this act with the date the act becomes effective.
112	Section 8. This act shall take effect 240 days after
113	becoming a law.

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