

1 A bill to be entitled
2 An act relating to workforce retention; creating s.
3 559.953, F.S.; providing a short title; creating s.
4 559.9531, F.S.; providing definitions; creating s.
5 559.9532, 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 of time;
9 requiring the department to compile and publish a
10 semiannual list of employers that relocate out of
11 state or cease operation; creating s. 559.9533, F.S.;
12 providing that such employers are ineligible for state
13 grants, loans, or tax benefits for a specified period
14 of time; requiring such employers to remit certain
15 funds to the department under certain circumstances;
16 providing exceptions; creating s. 559.9534, F.S.;
17 requiring the head of each state agency to ensure that
18 certain services are performed by state contractors
19 within the state; requiring compliance by certain
20 contractors by a specified date; requiring certain
21 customer service employees to immediately be employed
22 within the state; creating s. 559.9535, F.S.;
23 providing construction; providing a directive to the
24 Division of Law Revision; providing an effective date.
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26 Be It Enacted by the Legislature of the State of Florida:

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 28 Section 1. Section 559.953, Florida Statutes, is created
 29 to read:

30 559.953 Short title.—Sections 559.953-559.9535 may be
 31 cited as the "Florida Jobs Retention Act of 2021."

32 Section 2. Section 559.9531, Florida Statutes, is created
 33 to read:

34 559.9531 Definitions.—As used in this act, the term:

35 (1) "Department" means the Department of Business and
 36 Professional Regulation.

37 (2) "Employer" means a business enterprise that:

38 (a) Has been in operation in this state for at least 6
 39 months;

40 (b) Employs 75 or more individuals who, in the aggregate,
 41 work at least 1,500 hours per week, not including hours of
 42 overtime, for the purpose of providing customer service or
 43 conducting back-office operations; and

44 (c) Receives any direct or indirect state grant, state-
 45 guaranteed loan, or state tax benefit.

46 Section 3. Section 559.9532, Florida Statutes, is created
 47 to read:

48 559.9532 Employers intending to relocate out of state or
 49 cease operation.—

50 (1) NOTICE REQUIREMENT.—An employer that intends to:

51 (a) Relocate a Florida business, or one or more facilities
 52 or operating units within such business comprising at least 30
 53 percent of the business's or operating unit's total volume when
 54 measured against the previous 12-month average volume of
 55 operations, out of the state; or

56 (b) Cease operation of such business, facilities, or
 57 operating units

58
 59 must notify the department at least 180 days before such
 60 relocation or cessation.

61 (2) LIST COMPILATION.—The department shall compile and
 62 publish on its website a semiannual list of all employers that
 63 relocate or cease operation as described in subsection (1).

64 Section 4. Section 559.9533, Florida Statutes, is created
 65 to read:

66 559.9533 Grants and guaranteed loans.—

67 (1) INELIGIBILITY.—Except as provided in subsection (3)
 68 and notwithstanding any other law, an employer included on the
 69 list described in s. 559.9532 is ineligible for any direct or
 70 indirect state grant, state-guaranteed loan, or state tax
 71 benefit for 5 years after the date such list is published.

72 (2) REVERSION.—Except as provided in subsection (3) and
 73 notwithstanding any other law, an employer included on the list
 74 described in s. 559.9532 shall remit to the department the
 75 remaining prorated value of any state grant, state-guaranteed

76 | loan, state tax benefit, or any other state governmental support
 77 | received on or after the effective date of this act.

78 | (3) EXCEPTIONS.—The department, in consultation with the
 79 | appropriate state agency providing a grant, loan, or tax
 80 | benefit, may waive the requirements of this section if the
 81 | employer applying for such grant, loan, or benefit demonstrates
 82 | that returning such grant, loan, or benefit would result in:

- 83 | (a) Substantial job loss in this state; or
- 84 | (b) Harm to the environment.

85 | Section 5. Section 559.9534, Florida Statutes, is created
 86 | to read:

87 | 559.9534 In-state procurement.—The head of each state
 88 | agency shall ensure that all state-business-related customer
 89 | service work is performed by state contractors or their agents
 90 | or subcontractors entirely within the state. A state contractor
 91 | who currently performs state-business-related customer service
 92 | work outside the state must comply with this act within 2 years
 93 | after the effective date of this act. If such a contractor hires
 94 | additional customer service employees who will perform work on
 95 | state agency contracts, those new employees must immediately be
 96 | employed within the state.

97 | Section 6. Section 559.9535, Florida Statutes, is created
 98 | to read:

99 | 559.9535 State benefits for workers.—This act may not be
 100 | construed to allow withholding or denial of payments,

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101 compensation, or benefits under any other state law, including
102 state unemployment compensation, disability payments, or worker
103 retraining or readjustment funds, to workers employed by
104 employers that relocate out of this state or that cease
105 operation.

106 Section 7. The Division of Law Revision is directed to
107 replace the phrase "the effective date of this act" wherever it
108 occurs in this act with the date the act becomes effective.

109 Section 8. This act shall take effect 240 days after
110 becoming a law.