

By Senator Torres

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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.; defining terms; creating s. 559.9532,
5 F.S.; requiring certain employers that intend to
6 relocate out of state or cease operation to notify the
7 Department of Business and Professional Regulation
8 within a specified timeframe; requiring the department
9 to compile and publish a semiannual list of employers
10 that relocate out of state or cease operation;
11 creating s. 559.9533, F.S.; providing that such
12 employers are ineligible for state grants, loans, or
13 tax benefits for a specified timeframe; requiring such
14 employers to remit certain funds to the department
15 under certain circumstances; providing exceptions;
16 creating s. 559.9534, F.S.; requiring the head of each
17 state agency to ensure that certain services are
18 performed by state contractors within the state;
19 requiring compliance by certain contractors by a
20 specified date; requiring certain customer service
21 employees to immediately be employed within the state;
22 creating s. 559.9535, F.S.; providing construction;
23 providing a directive to the Division of Law Revision;
24 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 to
29 read:

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30 559.953 Short title.—Sections 559.953-559.9535 may be cited
31 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

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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) and
68 notwithstanding any other law, an employer included on the list
69 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 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

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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,
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.