

26 | the employee's child resulted in a stillbirth, as that term is
27 | defined in s. 382.002.

28 | Section 2. Section 112.0445, Florida Statutes, is created
29 | to read:

30 | 112.0445 Prohibited public employer activities related to
31 | wages and salary.-

32 | (1) For purposes of this section, the term:

33 | (a) "Employee" has the same meaning as in s.
34 | 112.044(2)(c).

35 | (b) "Employer" means the state or any county,
36 | municipality, or special district or any subdivision or agency
37 | thereof.

38 | (c) "Employment agency" has the same meaning as in s.
39 | 112.044(2)(b).

40 | (2) An employer or employment agency may not:

41 | (a) Seek, request, or require the wage or salary history
42 | from a current, former, or prospective employee, orally or in
43 | writing, as a condition of being interviewed, as a condition of
44 | continuing to be considered for an offer of employment, or as a
45 | condition of employment or promotion.

46 | (b) Seek, request, or require the wage or salary history
47 | of a current, former, or prospective employee, orally or in
48 | writing, from a current or former employer except as provided in
49 | subsection (4).

50 | (c) Retaliate against or refuse to interview, hire,

51 promote, or otherwise employ a current, former, or prospective
 52 employee:

53 1. Because the current, former, or prospective employee,
 54 in accordance with this section, did not provide his or her wage
 55 or salary history.

56 2. Because the current, former, or prospective employee
 57 filed a complaint alleging a violation of this section.

58 (3) This section does not prevent a current, former, or
 59 prospective employee from voluntarily disclosing his or her wage
 60 or salary history, including, but not limited to, for the
 61 purposes of negotiating wages or salary.

62 (4) An employer or employment agency may confirm a wage or
 63 salary history only if, at the time an offer of employment with
 64 compensation is made, the prospective employee responds to the
 65 offer by providing prior wage information to support a wage
 66 higher than that offered by the employer.

67 Section 3. Section 448.111, Florida Statutes, is created
 68 to read:

69 448.111 Prohibited employer activities related to wages
 70 and salary.-

71 (1) An employer may not:

72 (a) Seek, request, or require the wage or salary history
 73 from a current, former, or prospective employee, orally or in
 74 writing, as a condition of being interviewed, as a condition of
 75 continuing to be considered for an offer of employment, or as a

76 condition of employment or promotion.

77 (b) Seek, request, or require the wage or salary history
78 of a current, former, or prospective employee, orally or in
79 writing, from a current or former employer except as provided in
80 subsection (3).

81 (c) Retaliate against or refuse to interview, hire,
82 promote, or otherwise employ a current, former, or prospective
83 employee:

84 1. Because the current, former, or prospective employee,
85 in accordance with this section, did not provide his or her wage
86 or salary history.

87 2. Because the current, former, or prospective employee
88 filed a complaint alleging a violation of this section.

89 (2) This section does not prevent a current, former, or
90 prospective employee from voluntarily disclosing his or her wage
91 or salary history, including, but not limited to, for the
92 purposes of negotiating wages or salary.

93 (3) An employer may confirm a wage or salary history only
94 if, at the time an offer of employment with compensation is
95 made, the prospective employee responds to the offer by
96 providing prior wage information to support a wage higher than
97 that offered by the employer.

98 Section 4. This act shall take effect July 1, 2022.