

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Melo offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 448.111, Florida Statutes, is created
6 to read:

7 448.111 Evidentiary standards for actions of a business
8 during an emergency.-

9 (1) For purposes of this section, the term "engaged
10 individual" means an individual who provides a good or service
11 to a business or on behalf of a business and who is remunerated
12 for the good or service regardless of the individual's
13 classification as an employee or independent contractor.

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14 (2) Notwithstanding any other law, the following actions
15 of a business, if taken during a public health emergency
16 declared by the State Health Officer under s. 381.00315 or a
17 state of emergency declared by the Governor under s. 252.36, may
18 not be used as evidence in a civil cause of action brought under
19 s. 440.10, s. 440.192, s. 440.38, s. 440.381, s. 448.103, s.
20 448.110, s. 448.25, chapter 532, or s. 717.115, or in a civil
21 cause of action, as provided for under general law, to recover
22 lost wages, salary, employment benefits, or other compensation,
23 because an individual has not been properly classified as an
24 employee:

25 (a) Providing financial assistance to previously engaged
26 individuals who are unable to work because of health and safety
27 concerns.

28 (b) Directly providing benefits that are related to the
29 health and safety of engaged individuals, including medical or
30 cleaning supplies, personal protective equipment, health checks,
31 or medical testing.

32 (c) Providing training or information related to the
33 health and safety of engaged individuals or the public.

34 (d) Taking any action, including action required or
35 suggested by any federal, state, or local law, ordinance, order,
36 or directive which is intended to protect public health and
37 safety.

38 Section 2. This act shall take effect July 1, 2022.

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to evidentiary standards for actions arising during an emergency; creating s. 448.111, F.S.; providing a definition; providing that specified actions taken by a business during certain declared emergencies may not be used as evidence in certain civil causes of action; providing an effective date.