

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eskamani offered the following:

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3 **Amendment (with directory and title amendments)**

4 Remove lines 20-57 and insert:

5 218.077 Minimum wage ~~and employment benefits~~ requirements  
6 by political subdivisions; restrictions.-

7 (1) As used in this section, the term:

8 (a) "Employee" means any natural person who is entitled  
9 under ~~state or~~ federal law to receive a ~~state or~~ federal minimum  
10 wage.

11 (b) "Employer" means any person who is required under  
12 ~~state or~~ federal law to pay a ~~state or~~ federal minimum wage to  
13 the person's employees.

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14 (c) "Employer contracting to provide goods or services for  
15 the political subdivision" means a person contracting with the  
16 political subdivision to provide goods or services to, for the  
17 benefit of, or on behalf of, the political subdivision in  
18 exchange for valuable consideration, and includes a person  
19 leasing or subleasing real property owned by the political  
20 subdivision.

21 ~~(d) "Employment benefits" means anything of value that an~~  
22 ~~employee may receive from an employer in addition to wages and~~  
23 ~~salary. The term includes, but is not limited to, health~~  
24 ~~benefits; disability benefits; death benefits; group accidental~~  
25 ~~death and dismemberment benefits; paid or unpaid days off for~~  
26 ~~holidays, sick leave, vacation, and personal necessity;~~  
27 ~~retirement benefits; and profit-sharing benefits.~~

28 (d)(e) "Federal minimum wage" means a minimum wage  
29 required under federal law, including the federal Fair Labor  
30 Standards Act of 1938, as amended, 29 U.S.C. ss. 201 et seq.

31 (e)(f) "Political subdivision" means a county,  
32 municipality, department, commission, district, board, or other  
33 public body, whether corporate or otherwise, created by or under  
34 state law.

35 (f)(g) "Wage" means that compensation for employment to  
36 which any ~~state or~~ federal minimum wage applies.

37 (2) Except as otherwise provided in subsection (3), a  
38 political subdivision may not establish, mandate, or otherwise

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39 require an employer to pay a minimum wage, other than a ~~state or~~  
40 federal minimum wage, or to apply a ~~state or~~ federal minimum  
41 wage to wages exempt from a ~~state or~~ federal minimum wage, ~~or to~~  
42 ~~provide employment benefits not otherwise required by state or~~  
43 ~~federal law.~~

44 (3) This section does not:  
45 ~~(a)~~ limit the authority of a political subdivision to  
46 establish a minimum wage other than a ~~state or~~ federal minimum  
47 wage ~~or to provide employment benefits not otherwise required~~  
48 ~~under state or federal law:~~

49 (a)1. For the employees of the political subdivision;

50 (b)2. For the employees of an employer contracting to  
51 provide goods or services for the political subdivision, or for  
52 the employees of a subcontractor of such an employer, under the  
53 terms of a contract with the political subdivision; or

54 (c)3. For the employees of an employer receiving a direct  
55 tax abatement or subsidy from the political subdivision, as a  
56 condition of the direct tax abatement or subsidy.

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**D I R E C T O R Y A M E N D M E N T**

59 Remove lines 18-19 and insert:

60 Section 1. Subsections (1), (2), and (3) of section  
61 218.077, Florida Statutes, are amended to read:  
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**T I T L E   A M E N D M E N T**

Remove lines 3-9 and insert:  
amending s. 218.077, F.S.; revising definitions;  
revising prohibitions on a political subdivision  
relating to wage and employment benefits;