

By the Committee on Commerce and Tourism; and Senator Trumbull

577-02407-24

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1 A bill to be entitled
2 An act relating to employment regulations; creating s.
3 448.106, F.S.; defining terms; prohibiting a political
4 subdivision from requiring employers to meet or
5 provide heat exposure requirements beyond those
6 required by law; prohibiting a political subdivision
7 from giving preference to or considering or seeking
8 information from an employer in a competitive
9 solicitation based on or relating to an employer's
10 heat exposure requirements; providing construction;
11 providing applicability; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Section 448.106, Florida Statutes, is created to
16 read:

17 448.106 Workplace heat exposure requirements.—

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

19 (a) "Competitive solicitation" means an invitation to bid,
20 a request for proposals, or an invitation to negotiate.

21 (b) "Heat exposure requirement" means a standard to control
22 an employee's exposure to heat or sun, or to otherwise address
23 or moderate the effects of such exposure. The term includes, but
24 is not limited to, standards relating to any of the following:

25 1. Employee monitoring and protection.

26 2. Water consumption.

27 3. Cooling measures.

28 4. Acclimation and recovery periods or practices.

29 5. Posting or distributing notices or materials that inform

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30 employees how to protect themselves from heat exposure.

31 6. Implementation and maintenance of heat exposure programs
32 or training.

33 7. Appropriate first-aid measures or emergency responses
34 related to heat exposure.

35 8. Protections for employees who report that they have
36 experienced excessive heat exposure.

37 9. Reporting and recordkeeping requirements.

38 (c) "Political subdivision" means a county, municipality,
39 department, commission, district, board, or other public body,
40 whether corporate or otherwise, created by or under state law.

41 (2) (a) A political subdivision may not establish, mandate,
42 or otherwise require an employer, including an employer
43 contracting to provide goods or services to the political
44 subdivision, to meet or provide heat exposure requirements not
45 otherwise required under state or federal law.

46 (b) A political subdivision may not give preference in a
47 competitive solicitation to an employer based on the employer's
48 heat exposure requirements and may not consider or seek
49 information relating to the employer's heat exposure
50 requirements.

51 (3) This section does not limit the authority of a
52 political subdivision to establish or otherwise provide heat
53 exposure requirements not otherwise required under state or
54 federal law for direct employees of the political subdivision.

55 (4) This section does not apply if it is determined that
56 compliance with this section will prevent the distribution of
57 federal funds to a political subdivision or would otherwise be
58 inconsistent with federal requirements pertaining to receiving

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59 federal funds, but only to the extent necessary to allow a
60 political subdivision to receive federal funds or to eliminate
61 inconsistency with federal requirements.

62 Section 2. This act shall take effect July 1, 2024.