

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Esposito offered the following:

Amendment to Amendment (846392) (with title amendment)

Remove line 52 of the amendment and insert:

Section 2. Effective September 30, 2026, subsection (2) and paragraph (a) of subsection (3) of section 218.077, Florida Statutes, are amended to read:

218.077 Wage and employment benefits requirements by political subdivisions; restrictions.-

(2)(a) Except as otherwise provided in subsection (3), a political subdivision may not establish, mandate, maintain, or otherwise require an employer to pay a minimum wage, other than a state or federal minimum wage, to apply a state or federal

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14 minimum wage to wages exempt from a state or federal minimum
15 wage, or to provide employment benefits not otherwise required
16 by state or federal law.

17 (b) A political subdivision may not through its purchasing
18 or contracting procedures seek to control or affect the wages or
19 employment benefits provided by its vendors, contractors,
20 service providers, or other parties doing business with the
21 political subdivision. However a local government may require
22 the coverage of health benefits but may not require or mandate a
23 level of coverage or benefits or cost-sharing obligation.

24 (c) A political subdivision may not through the use of
25 evaluation factors, qualification of bidders, or otherwise award
26 preferences on the basis of wages or employment benefits
27 provided by vendors, contractors, service providers, or other
28 parties doing business with the political subdivision.

29 (3) This section does not:

30 (a) Limit the authority of a political subdivision to
31 establish a minimum wage other than a state or federal minimum
32 wage or to provide employment benefits not otherwise required
33 under state or federal law:

- 34 1. For the employees of the political subdivision; or
35 ~~2. For the employees of an employer contracting to provide~~
36 ~~goods or services for the political subdivision, or for the~~
37 ~~employees of a subcontractor of such an employer, under the~~
38 ~~terms of a contract with the political subdivision; or~~

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39 ~~2.3.~~ For the employees of an employer receiving a direct
40 tax abatement or subsidy from the political subdivision, as a
41 condition of the direct tax abatement or subsidy.

42 Section 3. Section 448.077, Florida Statutes, is created
43 to read:

44 448.077 Preemption of Conditions of Employment.-

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

46 (a) "Local government" means a county, municipality,
47 special district, or other political subdivision of the state.

48 (b) "Conditions of employment" means personnel policies;
49 practices; employment screenings; period of employment; position
50 classifications; promotions; attire; position responsibilities;
51 hours of work; scheduling, including predictive scheduling;
52 location of employment; non-compete agreements; and termination
53 policies.

54 (2) A local government may not regulate the conditions of
55 employment established by a private employer through an
56 ordinance, a resolution, an order, a rule, a policy, or a
57 contract requirement unless expressly authorized or required by
58 state or federal law, rule, or regulation or pursuant to federal
59 grant requirements. Any ordinance, resolution, order, rule,
60 policy, or contract requirement adopted as authorized or
61 required by state or federal law may not exceed the requirements
62 of the state or federal law, rule, or regulation. An ordinance,
63 a resolution, an order, a rule, a policy, or a contract

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64 requirement that violates this section is void and
65 unenforceable.

66 Section 4. Except as otherwise provided, this act shall
67 take effect July 1, 2024.

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

71 Remove line 59 of the amendment and insert:
72 An act relating to employment regulations; amending s.
73 218.077, F.S.; prohibiting political subdivisions from
74 maintaining a minimum wage other than a state or
75 federal minimum wage; prohibiting political
76 subdivisions from controlling, affecting, or awarding
77 preferences based on the wages or employment benefits
78 of entities doing business with the political
79 subdivision; revising applicability; creating s.
80 448.077, F.S.; preempting the regulation of the
81 conditions of employment to the state; providing that,
82 unless expressly authorized, an ordinance, an order, a
83 rule, or a policy that exceeds or conflicts with state
84 or federal law relating to a condition of employment
85 is void and unenforceable; creating s.
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