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LEGISLATIVE ACTION

Senate

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House

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03/07/2024 07:10 PM

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Senator Trumbull moved the following:

1           **Senate Amendment to Amendment (736582) (with title**  
2 **amendment)**

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4           Before line 5

5 insert:

6           Section 1. Section 448.106, Florida Statutes, is created to  
7 read:

8           448.106 Workplace heat exposure requirements.-

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

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



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

- 16       1. Employee monitoring and protection.  
17       2. Water consumption.  
18       3. Cooling measures.  
19       4. Acclimation and recovery periods or practices.  
20       5. Posting or distributing notices or materials that inform  
21 employees how to protect themselves from heat exposure.  
22       6. Implementation and maintenance of heat exposure programs  
23 or training.  
24       7. Appropriate first-aid measures or emergency responses  
25 related to heat exposure.  
26       8. Protections for employees who report that they have  
27 experienced excessive heat exposure.  
28       9. Reporting and recordkeeping requirements.

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

32       (2)(a) A political subdivision may not establish, mandate,  
33 or otherwise require an employer, including an employer  
34 contracting to provide goods or services to the political  
35 subdivision, to meet or provide heat exposure requirements not  
36 otherwise required under state or federal law.

37       (b) A political subdivision may not give preference in a  
38 competitive solicitation to an employer based on the employer's  
39 heat exposure requirements and may not consider or seek  
40 information relating to the employer's heat exposure



41 requirements.

42 (3) This section does not limit the authority of a  
43 political subdivision to establish or otherwise provide heat  
44 exposure requirements not otherwise required under state or  
45 federal law for direct employees of the political subdivision.

46 (4) This section does not apply if it is determined that  
47 compliance with this section will prevent the distribution of  
48 federal funds to a political subdivision or would otherwise be  
49 inconsistent with federal requirements pertaining to receiving  
50 federal funds, but only to the extent necessary to allow a  
51 political subdivision to receive federal funds or to eliminate  
52 inconsistency with federal requirements.

53  
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete line 91

57 and insert:

58 An act relating to employment; creating s. 448.106,  
59 F.S.; defining terms; prohibiting a political  
60 subdivision from requiring employers to meet or  
61 provide heat exposure requirements beyond those  
62 required by law; prohibiting a political subdivision  
63 from giving preference to or considering or seeking  
64 information from an employer in a competitive  
65 solicitation based on or relating to an employer's  
66 heat exposure requirements; providing construction;  
67 providing applicability; amending