

1 A bill to be entitled
2 An act relating to minimum wage requirements; amending
3 s. 448.110, F.S.; providing that an employer is not
4 subject to state minimum wage requirements for
5 specified employees; authorizing employees to
6 voluntarily opt out of the state minimum wage
7 requirements by signing a waiver; prohibiting an
8 employer from taking certain actions; requiring a
9 parent or guardian to sign the waiver on the
10 employee's behalf if the employee is a minor;
11 requiring employers to pay an employee at or above the
12 federal minimum wage; providing that an employee's
13 waiver to opt out of the state minimum wage is only
14 valid for a specified timeframe; providing
15 severability; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:
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19 **Section 1. Subsection (3) of section 448.110, Florida**
20 **Statutes, is amended to read:**

21 448.110 State minimum wage; annual wage adjustment;
22 enforcement.—

23 (3) (a) Employers shall pay employees a minimum wage at an
24 hourly rate of \$6.15 for all hours worked in Florida. Only those
25 individuals entitled to receive the federal minimum wage under

26 the federal Fair Labor Standards Act, as amended, and its
27 implementing regulations shall be eligible to receive the state
28 minimum wage pursuant to s. 24, Art. X of the State Constitution
29 and this section. The provisions of ss. 213 and 214 of the
30 federal Fair Labor Standards Act, as interpreted by applicable
31 federal regulations and implemented by the Secretary of Labor,
32 are incorporated herein.

33 (b) An employer is not subject to the state minimum wage
34 requirements of this section for an employee who is in a
35 structured work-study, internship, preapprenticeship, or other
36 similar work-based learning opportunity and who opts out of
37 receiving the minimum wage.

38 (c) An employee may opt out of receiving the state minimum
39 wage by voluntarily signing a waiver of his or her right to the
40 state minimum wage established under this subsection. The waiver
41 must state that the employee acknowledges his or her right to
42 the state minimum wage pursuant to s. 24, Art. X of the State
43 Constitution and this section and that the employee is knowingly
44 and voluntarily choosing to receive a lesser amount for his or
45 her work-based learning opportunity as described in paragraph
46 (b). An employer may not coerce an employee to opt out or
47 condition an offer of employment on the employee's opting out.
48 If the employee is younger than 18 years of age, the employee's
49 parent or guardian must sign the waiver on behalf of the
50 employee.

51 (d) Except as provided in paragraphs (b) and (c), an
52 employer must pay an employee a wage at or above the federal
53 minimum wage.

54 (e) An employee's waiver to opt out of the state minimum
55 wage under this subsection is only valid for 12 months after the
56 date his or her employment with the employer begins. Thereafter,
57 the employee must be paid at or above the state minimum wage
58 regardless of his or her position or job title with the
59 employer.

60 (f) If any provision of this subsection or its application
61 to any person or circumstance is held invalid, that provision or
62 its application is severable and does not affect the validity of
63 the other provisions or applications of this subsection.

64 **Section 2.** This act shall take effect July 1, 2025.