

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; prohibiting certain work-based
6 learning opportunities from lasting longer than a
7 specified amount of time; authorizing employees to
8 voluntarily opt out of the state minimum wage
9 requirements by signing a waiver; prohibiting an
10 employer from coercing an employee into opting out of
11 the state minimum wage; providing requirements in
12 order for the waiver to be effective for a minor
13 employee; requiring employers to pay an employee at or
14 above the federal minimum wage; providing that an
15 employee's waiver to opt out of the state minimum wage
16 is only valid for a specified timeframe; providing
17 severability; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 **Section 1. Subsection (3) of section 448.110, Florida**
22 **Statutes, is amended to read:**

23 448.110 State minimum wage; annual wage adjustment;
24 enforcement.—

25 (3) (a) Employers shall pay employees a minimum wage at an

hourly rate of \$6.15 for all hours worked in Florida. Only those individuals entitled to receive the federal minimum wage under the federal Fair Labor Standards Act, as amended, and its implementing regulations shall be eligible to receive the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section. The provisions of ss. 213 and 214 of the federal Fair Labor Standards Act, as interpreted by applicable federal regulations and implemented by the Secretary of Labor, are incorporated herein.

(b) An employer is not subject to the state minimum wage requirements of this section for an employee who is in a structured work-study, internship, preapprenticeship, or other similar work-based learning opportunity and who opts out of receiving the minimum wage. However, such work-based learning opportunity may not last longer than 9 months or two full-time semesters, consisting of at least 15 credit hours each.

(c) An employee may opt out of receiving the state minimum wage by voluntarily signing a waiver of his or her right to the state minimum wage established under this subsection. The waiver must state that the employee acknowledges his or her right to the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section and that the employee is knowingly and voluntarily choosing to receive a lesser amount for his or her work-based learning opportunity as described in paragraph (b). An employer may not coerce an employee to opt out of

51 receiving the state minimum wage. If the employee is younger
52 than 18 years of age, in order for the waiver to be effective,
53 the employee's parent or guardian must have agreed and signed
54 the waiver on behalf of the minor employee at the minor
55 employee's request.

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

59 (e) An employee's waiver to opt out of the state minimum
60 wage under this subsection is only valid for 9 months after the
61 date his or her employment with the employer begins. Thereafter,
62 the employee must be paid at or above the state minimum wage
63 regardless of his or her position or job title with the
64 employer.

65 (f) If any provision of this subsection or its application
66 to any person or circumstance is held invalid, that provision or
67 its application is severable and does not affect the validity of
68 the other provisions or applications of this subsection.

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