

By the Committee on Commerce and Tourism; and Senator Martin

577-02256-25

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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 certain minimum wage requirements for
5 specified employees; authorizing employees to opt out
6 of the minimum wage requirements in a specified
7 manner; requiring that the parent or guardian of an
8 employee who is younger than 18 years of age sign such
9 waiver on behalf of the employee; providing
10 severability; providing an effective date.

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

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14 Section 1. Subsection (3) of section 448.110, Florida
15 Statutes, is amended to read:

16 448.110 State minimum wage; annual wage adjustment;
17 enforcement.—

18 (3) (a) Employers shall pay employees a minimum wage at an
19 hourly rate of \$6.15 for all hours worked in Florida. Only those
20 individuals entitled to receive the federal minimum wage under
21 the federal Fair Labor Standards Act, as amended, and its
22 implementing regulations shall be eligible to receive the state
23 minimum wage pursuant to s. 24, Art. X of the State Constitution
24 and this section. The provisions of ss. 213 and 214 of the
25 federal Fair Labor Standards Act, as interpreted by applicable
26 federal regulations and implemented by the Secretary of Labor,
27 are incorporated herein.

28 (b) An employer is not subject to the minimum wage
29 requirements of this section for an employee who is in a

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30 structured work-study, internship, preapprenticeship, or
31 apprenticeship program or other similar work-based learning
32 opportunity and such employee opts out of receiving the minimum
33 wage.

34 (c) An employee may opt out of receiving the minimum wage
35 by signing a waiver of his or her right to the minimum wage
36 established under this section. The waiver must state that the
37 employee acknowledges his or her right to the state minimum wage
38 pursuant to s. 24, Art. X of the State Constitution and this
39 section and that he or she is knowingly and voluntarily choosing
40 to receive a lesser amount for his or her work-based learning
41 opportunity as described in paragraph (b). If the employee is
42 younger than 18 years of age, the employee's parent or guardian
43 must sign the waiver on behalf of the employee.

44 (d) If any provision of this section or its application to
45 any person or circumstance is held invalid, that provision or
46 its application is severable and does not affect the validity of
47 other provisions or applications of this section.

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