

By the Committees on Governmental Oversight and Accountability;
and Commerce and Tourism; and Senator Martin

585-02831-25

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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 an exception to the
4 requirement that an employee be paid the state minimum
5 wage; providing that an employer is not subject to
6 certain minimum wage requirements for specified
7 employees; authorizing employees to opt out of the
8 minimum wage requirements in a specified manner;
9 requiring that the parent or guardian of an employee
10 who is younger than 18 years of age sign such waiver
11 on behalf of the employee; providing severability;
12 providing an effective date.

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

18 448.110 State minimum wage; annual wage adjustment;
19 enforcement.—

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

585-02831-25

2025676c2

30 any regulations or interpretations regarding an employee's
31 voluntary waiver of his or her right to receive the state
32 minimum wage do not apply.

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

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

49 (d) If any provision of this section or its application to
50 any person or circumstance is held invalid, that provision or
51 its application is severable and does not affect the validity of
52 other provisions or applications of this section.

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