

1 A bill to be entitled
 2 An act relating to state economic development
 3 contracts; providing a short title; creating s.
 4 288.0615, F.S.; providing definitions; providing the
 5 requirements for an employer to be eligible for an
 6 economic development incentive; providing procedures
 7 for handling suspected violations of specified
 8 provisions and for the recovery of funds upon a
 9 finding of violation; providing applicability;
 10 requiring that the Department of Commerce enter into a
 11 separate agreement with the recipient of an economic
 12 development incentive to allow the department to
 13 recover funds if the recipient fails to comply with
 14 the section; providing requirements for such
 15 agreements; providing an effective date.

16
 17 WHEREAS, the state has the right to set terms and
 18 conditions in connection with the awarding of economic
 19 development incentives as part of its economic development
 20 policy, and

21 WHEREAS, the state seeks to play an integral role in the
 22 formulation of economic opportunities, conditions of grants, and
 23 general management of compliance with such awards for moneys,
 24 and

25 WHEREAS, the state may, as part of awarding economic

26 | development incentives, oversee compliance with land use
27 | regulations, including management of the subdivision of
28 | property, offer and provide water and wastewater services,
29 | require fire protection systems and mechanical systems for
30 | buildings and structures, approve capital grants, and ensure
31 | such moneys are approved by the Department of Commerce, and

32 | WHEREAS, the state may, as part of awarding economic
33 | development incentives, also require a private business to hire
34 | a certain number of new full-time employees, require a specific
35 | amount of company investment, and ensure workers obtain certain
36 | skills and knowledge, and

37 | WHEREAS, the state has a vested interest in seeking to
38 | advance and preserve its own interest in projects receiving
39 | economic development incentives as a financier of projects
40 | contributing to the state's overall economic health, and

41 | WHEREAS, it is the intent of the Legislature, as part of
42 | its economic development policy, that whenever state funds or
43 | benefits are sought by a private business that such benefits are
44 | conditioned on the private business agreeing not to waive its
45 | employees' right to a secret ballot election when recognizing a
46 | labor organization as a bargaining unit, or requiring
47 | subcontractors to waive their employees' right to a secret
48 | ballot election, and

49 | WHEREAS, it is the intent of the Legislature that whenever
50 | state funds or benefits are provided or awarded to a private

51 business, the private business working on a project receiving
 52 state funds or benefits, may not voluntarily disclose employee
 53 personal contact information to a labor organization without an
 54 employee's prior consent, waive their right to speak to their
 55 employees, or require subcontractors to voluntarily disclose
 56 employee personal contact information to a labor organization
 57 without an employee's prior consent or waive the subcontractor's
 58 right to speak to the subcontractor's employees, NOW, THEREFORE,
 59

60 Be It Enacted by the Legislature of the State of Florida:
 61

62 **Section 1.** This act may be cited as the "Taxpayer Dollars
 63 Protect Workers Act."

64 **Section 2. Section 288.0615, Florida Statutes, is created**
 65 **to read:**

66 288.0615 Employee protections in economic development
 67 contracts.—

68 (1) For the purposes of this section, the term:

69 (a) "Contract" means an agreement between an employer and
 70 the state, or an agreement between an employer and a labor
 71 organization. The term includes a memorandum of understanding
 72 mutually accepted by the Department of Commerce and an employer
 73 before the effective date of this act, including a legally
 74 binding agreement subsequent and subject to the memorandum of
 75 understanding.

76 (b) "Economic development incentive" means a state grant,
77 authorized under this chapter for the purposes of economic
78 development, provided to an employer to attract or retain the
79 employer's physical presence in this state.

80 (c) "Employee" means a person who performs services for an
81 employer for wages that are subject to a federal income tax.

82 (d) "Employer" means a business entity that voluntarily
83 pursues economic development incentives authorized under this
84 chapter or enters into an agreement with the state for the
85 purpose of receiving those incentives.

86 (e) "Labor organization" means any organization of any
87 kind, or any agency or employee representation committee or
88 plan, in which employees participate and which exists for the
89 purpose, in whole or in part, of dealing with employers
90 concerning grievances, labor disputes, wages, hours of
91 employment, or conditions of work.

92 (f) "Neutrality agreement" means an agreement signed with
93 a labor organization wherein the employer agrees to conditions
94 including, but not limited to, not speaking to employees about
95 labor organization issues.

96 (g) "Personal contact information" means an employee's
97 home address, home or personal cellular telephone number, or
98 personal e-mail address.

99 (h) "Secret ballot election" means a process conducted by
100 the National Labor Relations Board (NLRB) in which an employee

101 casts a secret ballot for or against labor organization
102 representation.

103 (i) "Subcontractor" means a person or entity that has
104 contracted with an employer to perform work or provide services.

105 (2) (a) To be eligible for an economic development
106 incentive, an employer may not:

107 1. Grant recognition rights for employees solely and
108 exclusively on the basis of signed labor organization
109 authorization cards if the selection of a bargaining
110 representative may instead be conducted through a secret ballot
111 election by the NLRB.

112 2. Voluntarily disclose an employee's personal contact
113 information to a labor organization, or a third party acting on
114 behalf of a labor organization, without the employee's prior
115 written consent, unless otherwise required by state or federal
116 law.

117 3. Sign a neutrality agreement with a labor organization.

118 4. Require a subcontractor to engage in activities
119 prohibited in this paragraph.

120 (b) Paragraph (a) applies to any work or service for an
121 employer on a project for which an economic development
122 incentive is provided.

123 (3) A person or entity may report, based upon a reasonable
124 belief, a suspected violation of paragraph (2) (a) to the
125 department. The report must be made during the term of the

126 separate agreement entered into by the department and the
127 employer pursuant to subsection (5). Upon receiving a report,
128 the department shall determine whether a violation has occurred.
129 It is a breach of the separate agreement entered into between
130 the department and the employer pursuant to subsection (5) for
131 the employer to refuse to provide the written statement. If the
132 department finds that an employer has violated paragraph (2) (a),
133 the department shall deliver written notice of its findings to
134 the employer informing the employer and to the Office of the
135 Attorney General to initiate proceedings to recover funds.

136 (4) (a) This section applies prospectively and excludes:

137 1. A contract between the state and an employer executed
138 before July 1, 2026; or

139 2. A contract between an employer and a labor organization
140 executed before July 1, 2026.

141 (b) Notwithstanding paragraph (4) (a), this section shall
142 apply to any agreement, contract, or memorandum of understanding
143 between an employer and a labor organization or the state
144 executed, renewed, or modified on or after July 1, 2026.

145 (5) Notwithstanding another law to the contrary, before
146 contracting to award an economic development incentive, the
147 department must execute a separate agreement with the recipient
148 of the incentive that reserves the right of the department to
149 recover the amount of money, grants, funds, or other incentives
150 disbursed by the department if the recipient benefitting from

151 such money, grants, funds, or other incentives fails to comply
152 with this section. The separate agreement must have a term of
153 not less than:

154 (a) The term the department would require for an agreement
155 executed pursuant to this chapter, for an economic development
156 incentive of less than \$5 million; or

157 (b) Twenty years for an economic development incentive of
158 \$5 million or more.

159 **Section 3.** This act shall take effect July 1, 2026.