

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.; defining terms; requiring an employer
5 to sign an agreement with the Department of Commerce
6 before becoming eligible for an economic development
7 incentive; specifying the provisions of the agreement;
8 providing applicability; authorizing persons and
9 entities to report a suspected violation to the
10 Attorney General within a specified timeframe;
11 requiring the Attorney General to determine whether a
12 violation has occurred; requiring the Attorney General
13 to request certain information from the employer
14 alleged to be in violation; providing that refusal of
15 such employer to provide such information is in
16 violation of the agreement; requiring the Attorney
17 General to deliver his or her findings to such
18 employer within a specified timeframe; requiring the
19 Attorney General to initiate proceedings to recover
20 funds awarded to the employer if the employer is found
21 to have violated the agreement; providing that the
22 Attorney General's findings are final; requiring the
23 department to execute a separate written agreement
24 with the recipient of the economic development
25 incentive before the department awards the incentive;

26 specifying the contents of the separate agreement;
27 providing the effective periods of the separate
28 agreement; providing applicability; providing an
29 effective date.
30

31 WHEREAS, the state has the right to set terms and
32 conditions in connection with the awarding of economic
33 development incentives as part of its economic development
34 policy, and

35 WHEREAS, the state seeks to play an integral role in the
36 formulation of economic opportunities, conditions of grants, and
37 general management of compliance with such awards for moneys,
38 and

39 WHEREAS, the state may, as part of awarding economic
40 development incentives, oversee compliance with land use
41 regulations, including management of the subdivision of
42 property, offer and provide water and wastewater services,
43 require fire protection systems and mechanical systems for
44 buildings and structures, approve capital grants, and ensure
45 such moneys are approved by the Department of Commerce, and

46 WHEREAS, the state may, as part of awarding economic
47 development incentives, also require a private business to hire
48 a certain number of new full-time employees, require a specific
49 amount of company investment, and ensure workers obtain certain
50 skills and knowledge, and

51 WHEREAS, the state has a vested interest in seeking to
52 advance and preserve its own interest in projects receiving
53 economic development incentives as a financier of projects
54 contributing to the state's overall economic health, and

55 WHEREAS, it is the intent of the Legislature, as part of
56 its economic development policy, that whenever state funds or
57 benefits are sought by a private business that such benefits are
58 conditioned on the private business agreeing not to waive its
59 employees' right to a secret ballot election when recognizing a
60 labor organization as a bargaining unit, or requiring
61 subcontractors to waive their employees' right to a secret
62 ballot election, and

63 WHEREAS, it is the intent of the Legislature that whenever
64 state funds or benefits are provided or awarded to a private
65 business, the private business working on a project receiving
66 state funds or benefits, may not voluntarily disclose employee
67 personal contact information to a labor organization without an
68 employee's prior consent, waive their right to speak to their
69 employees, or require subcontractors to voluntarily disclose
70 employee personal contact information to a labor organization
71 without an employee's prior consent or waive the subcontractor's
72 right to speak to the subcontractor's employees, NOW, THEREFORE,

73
74 Be It Enacted by the Legislature of the State of Florida:
75

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

78 **Section 2.** **Section 288.0615, Florida Statutes, is created**
79 **to read:**

80 288.0615 Employee protections in economic development
81 contracts.-

82 (1) As used in this section, the term:

83 (a) "Contract" means an agreement:

84 1. Between an employer and the state; or

85 2. Between an employer and a labor organization.

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

90 (c) "Employee" means an individual who performs services
91 for an employer for wages that are subject to withholding
92 requirements under 26 U.S.C. s. 3402.

93 (d) "Employer" means a business entity that voluntarily
94 pursues economic development incentives authorized under this
95 section or enters into an agreement with the department for the
96 purpose of receiving those incentives.

97 (e) "Labor organization" means any organization of any
98 kind, or any agency or employee representation committee or
99 plan, in which employees participate and which exists for the
100 purpose, in whole or in part, of dealing with employers

101 concerning grievances, labor disputes, wages, hours of
102 employment, or conditions of work.

103 (f) "Neutrality agreement" means an agreement signed with
104 a labor organization wherein the employer agrees to conditions
105 including, but not limited to, not speaking to employees about
106 labor organization issues.

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

110 (h) "Secret ballot election" means a process conducted by
111 the National Labor Relations Board in which an employee casts a
112 secret ballot for or against labor organization representation.

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

115 (2) (a) To be eligible for an economic development
116 incentive, an employer must sign an agreement with the
117 department stating that it will not do any of the following:

118 1. Grant union recognition rights for employees solely on
119 the basis of signed labor organization authorization cards if
120 the selection of a bargaining representative may instead be
121 conducted through a secret ballot election conducted by the
122 National Labor Relations Board.

123 2. Voluntarily disclose an employee's personal contact
124 information to a labor organization, or a third party acting on
125 behalf of a labor organization, without the employee's written

126 consent, unless otherwise required by state or federal law.

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

128 4. Require a subcontractor performing work for or
129 providing services to the employer to engage in activities
130 prohibited in this paragraph.

131 (b) The prohibitions in paragraph (a) apply to any work or
132 service provided to the employer on the project for which the
133 economic development incentive is awarded.

134 (3)(a) A person or an entity may report, based upon a
135 reasonable belief, a violation of paragraph (2)(a) to the
136 Attorney General, provided that such report is made during the
137 term of the separate agreement entered into by the department
138 and the employer in subsection (4).

139 (b) Upon receiving the report, the Attorney General shall
140 determine whether a violation has occurred. The Attorney General
141 shall request from the employer a copy of the written agreement
142 signed pursuant to paragraph (2)(a). If the employer refuses to
143 provide the Attorney General with the written agreement, the
144 employer is in violation of the agreement entered into between
145 the employer and the department. The Attorney General must
146 deliver in writing his or her findings to the employer alleged
147 to be in violation within 60 days. If the Attorney General finds
148 that an employer has violated the written agreement signed
149 pursuant to paragraph (2)(a), he or she shall initiate
150 proceedings to recover funds awarded to the employer. The

151 Attorney General's findings are final.

152 (4) Notwithstanding any other law to the contrary, before
153 contracting to award an economic development incentive, the
154 department must execute a separate written agreement with the
155 recipient of the economic development incentive which reserves
156 the right of the department to recover the amount of money,
157 grants, funds, or other incentives disbursed by the department
158 if the recipient benefiting from such money, grants, funds, or
159 other incentives fails to comply with this section. This
160 agreement is effective for either:

161 (a) The duration of the project, to be determined by the
162 department, for an economic development incentive award of less
163 than \$5 million; or

164 (b) No longer than 5 years, for an economic development
165 incentive award of \$5 million or more.

166 (5) This section does not apply to:

167 (a) A contract between the state and an employer executed
168 before July 1, 2026; or

169 (b) A contract between an employer and a labor
170 organization executed before July 1, 2026.

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