

1                                   A bill to be entitled  
2       An act relating to the Department of Labor; creating  
3       s. 20.71, F.S.; creating the Department of Labor as a  
4       new department of state government; providing for the  
5       secretary of the department to be appointed by the  
6       Governor and confirmed by the Senate; authorizing the  
7       secretary to establish divisions and regional offices  
8       of the department; providing the purpose of the  
9       department; authorizing the department to adopt rules;  
10      amending s. 448.109, F.S.; revising requirements for  
11      notifying employees of certain rights; conforming  
12      provisions to changes made by the act; amending s.  
13      448.110, F.S.; designating the Department of Labor as  
14      the state Agency for Workforce Innovation for purposes  
15      of implementing s. 24, Art. X of the State  
16      Constitution; providing definitions; revising the  
17      protected rights of an employee; creating a rebuttable  
18      presumption and burden of proof for an employer;  
19      revising the process for filing a complaint for a  
20      violation of protected rights; prohibiting a person or  
21      entity from entering into certain contracts;  
22      authorizing and providing the department certain  
23      powers to conduct investigations, issue citations,  
24      enforce and collect judgments by certain means, and  
25      partner with other entities for enforcement and

education outreach; providing for injunctive relief under certain circumstances; providing a process for review of a citation, levy, or stop-order issued by the department; providing penalties; tolling the statute of limitations during an investigation; providing liability; requiring certain records be maintained for a specified length of time; creating s. 448.112, F.S.; creating the Department of Labor Community Advisory Board within the Department of Labor; providing for membership, meetings, and duties of the advisory board; requiring an annual report to the Secretary of the Department of Labor, the Governor, and the Legislature by a specified date; providing an effective date.

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

**Section 1. Section 20.71, Florida Statutes, is created to read:**

20.71 Department of Labor; creation; powers and duties.—

(1) There is created the Department of Labor.

(2) The head of the department is the Secretary of Labor, who shall be appointed by the Governor, subject to confirmation by the Senate. The secretary shall serve at the pleasure of and report to the Governor.

51       (3) The secretary may create divisions within the  
52 department and allocate various functions of the department  
53 among such divisions.

54       (4) (a) The headquarters of the department shall be located  
55 in Tallahassee. However, the department may establish regional  
56 offices throughout this state as the secretary deems necessary  
57 for the efficient operation of the department in accomplishing  
58 its purpose.

59       (b) The purpose of the department is to enforce s. 24,  
60 Art. X of the State Constitution, s. 448.110, and any other law  
61 that the department has enforcement authority over as designated  
62 by the Legislature.

63       (5) The department may adopt rules as necessary to carry  
64 out the functions and purposes of the department.

65       **Section 2. Paragraph (a) of subsection (3) of section**  
66 **448.109, Florida Statutes, is amended to read:**

67       448.109 Notification of the state minimum wage.—

68       (3) (a) Each year the Department of Labor ~~Department of~~  
69 ~~Commerce~~ shall, on or before December 1, create and make  
70 available to employers a poster in English, ~~and in Spanish,~~ and  
71 any other languages, as necessary. The poster must give notice  
72 of all of the following:

73       1. The right to the minimum wage as provided by s. 24,  
74 Art. X of the State Constitution and s. 448.110.

75       2. The right to be protected from retaliation for

76 exercising in good faith any right protected under s. 24, Art. X  
77 of the State Constitution and s. 448.110.

78 3. The right to file a complaint with the Department of  
79 Labor or bring a civil action in a court of competent  
80 jurisdiction for a violation of s. 24, Art. X of the State  
81 Constitution or s. 448.110. ~~which reads substantially as~~  
82 follows:

83 ~~NOTICE TO EMPLOYEES~~

84 ~~The Florida minimum wage is \$ ...(amount)... per hour, with a~~  
85 ~~minimum wage of at least \$ ...(amount)... per hour for tipped~~  
86 ~~employees, in addition to tips, for January 1, ...(year)...,~~  
87 ~~through December 31, ...(year)....~~

88 ~~The rate of the minimum wage is recalculated yearly on September~~  
89 ~~30, based on the Consumer Price Index. Every year on January 1~~  
90 ~~the new Florida minimum wage takes effect.~~

91 ~~An employer may not retaliate against an employee for exercising~~  
92 ~~his or her right to receive the minimum wage. Rights protected~~  
93 ~~by the State Constitution include the right to:~~

94 ~~1. File a complaint about an employer's alleged~~  
95 ~~noncompliance with lawful minimum wage requirements.~~

96 ~~2. Inform any person about an employer's alleged~~  
97 ~~noncompliance with lawful minimum wage requirements.~~

98 ~~3. Inform any person of his or her potential rights under~~  
99 ~~Section 24, Article X of the State Constitution and to~~  
100 ~~assist him or her in asserting such rights.~~

~~An employee who has not received the lawful minimum wage after notifying his or her employer and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in a court of law against an employer to recover back wages plus damages and attorney's fees.~~

~~An employer found liable for intentionally violating minimum wage requirements is subject to a fine of \$1,000 per violation, payable to the state.~~

~~The Attorney General or other official designated by the Legislature may bring a civil action to enforce the minimum wage.~~

~~For details see Section 24, Article X of the State Constitution.~~

**Section 3. Section 448.110, Florida Statutes, is amended to read:**

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

(1) This section may be cited as the "Florida Minimum Wage Act."

(2) The purpose of this section is to provide measures appropriate for the implementation of s. 24, Art. X of the State Constitution, in accordance with authority granted to the Legislature under ~~pursuant to~~ s. 24(f), Art. X of the State Constitution. To implement s. 24, Art. X of the State Constitution, the Department of Labor ~~Department of Commerce~~ is designated as the state Agency for Workforce Innovation.

126        (3) As used in this section, the term:

127        (a) "Adverse action" means the discharge, suspension,  
128 transfer, or demotion of an employee; the withholding of wage,  
129 bonuses, benefits, or workable hours; filing, or threatening to  
130 file, a false report with a government agency or engaging in  
131 unfair immigration-related practices; or any other adverse  
132 action taken against an employee within the terms and conditions  
133 of employment by an employer.

134        (b) "Client employer" means a business entity, regardless  
135 of its form, that obtains or is provided employees to perform  
136 labor within its usual course of business from a labor  
137 contractor. The term does not include:

138        1. A business entity with a workforce of 25 or fewer  
139 employees, including those hired directly by the client employer  
140 and those obtained from or provided by a labor contractor.

141        2. A business entity with a workforce of five or fewer  
142 employees supplied by a labor contractor to the client employer  
143 at any given time.

144        3. This state or a political subdivision of this state.

145        (c) "Department" means the Department of Labor.

146        (d) "Employee" has the same meaning as established under  
147 the federal Fair Labor Standards Act and its implementing  
148 regulations in effect on July 1, 2026.

149        (e) "Employer" has the same meaning as established under  
150 the federal Fair Labor Standards Act and its implementing

151 regulations in effect on July 1, 2026.

152 (f) "Judgment debtor" means each person who is liable on a  
153 judgment or order to pay a sum of money that remains  
154 unsatisfied.

155 (g) "Labor contractor" means a person or entity that  
156 supplies, with or without a contract, a client employer with  
157 employees to perform labor within the client employer's usual  
158 course of business. The term does not include a bona fide  
159 nonprofit, community-based organization that provides services  
160 to employees or a labor organization or apprenticeship program  
161 operating under a collective bargaining agreement.

162 (h) "Secretary" means the secretary of the department.

163 (i) "Usual course of business" means the regular and  
164 customary work of a business performed within or upon the  
165 premises or worksite of the client employer.

166 (4) ~~(3)~~ Employers shall pay employees a minimum wage at an  
167 hourly rate of \$6.15 for all hours worked in Florida. Only those  
168 individuals entitled to receive the federal minimum wage under  
169 the federal Fair Labor Standards Act, as amended, and its  
170 implementing regulations shall be eligible to receive the state  
171 minimum wage under ~~pursuant to~~ s. 24, Art. X of the State  
172 Constitution and this section. Sections 213 and 214 ~~The~~  
173 ~~provisions of ss. 213 and 214~~ of the federal Fair Labor  
174 Standards Act, as interpreted by applicable federal regulations  
175 and implemented by the Secretary of Labor, are incorporated

herein.

(5) (a) ~~(4) (a)~~ Beginning September 30, 2005, and annually on September 30 thereafter, the department ~~of Commerce~~ shall calculate an adjusted state minimum wage rate by increasing the state minimum wage by the rate of inflation for the 12 months prior to September 1. In calculating the adjusted state minimum wage, the department ~~of Commerce~~ shall use the Consumer Price Index for Urban Wage Earners and Clerical Workers, not seasonally adjusted, for the South Region or a successor index as calculated by the United States Department of Labor. Each adjusted state minimum wage rate shall take effect on the following January 1, with the initial adjusted minimum wage rate to take effect on January 1, 2006.

(b) The Department of Revenue and the department ~~of Commerce~~ shall annually publish the amount of the adjusted state minimum wage and the effective date. Publication shall occur by posting the adjusted state minimum wage rate and the effective date on the Internet home pages of the department ~~of Commerce~~ and the Department of Revenue by October 15 of each year. In addition, to the extent funded in the General Appropriations Act, the department ~~of Commerce~~ shall provide written notice of the adjusted rate and the effective date of the adjusted state minimum wage to all employers registered in the most current reemployment assistance database. Such notice shall be mailed by November 15 of each year using the addresses included in the



201 database. Employers are responsible for maintaining current  
202 address information in the reemployment assistance database. The  
203 department ~~of Commerce~~ is not responsible for failure to provide  
204 notice due to incorrect or incomplete address information in the  
205 database. The department ~~of Commerce~~ shall provide the  
206 Department of Revenue with the adjusted state minimum wage rate  
207 information and effective date in a timely manner.

208 (6) (a) ~~(5)~~ It ~~is~~ shall be unlawful for an employer or any  
209 other party to discriminate in any manner or take adverse action  
210 against any person in retaliation for exercising rights  
211 protected under ~~pursuant to~~ s. 24, Art. X of the State  
212 Constitution or this section.

213 (b) Rights protected under s. 24, Art. X of the State  
214 Constitution and this section include, but are not limited to:

215 1. The right to ~~file a complaint or~~ inform any person of  
216 his or her potential rights under ~~pursuant to~~ s. 24, Art. X of  
217 the State Constitution or this section and to assist him or her  
218 in asserting such rights.

219 2. The right to inform a person's employer, union or other  
220 similar organization, legal counsel, or any other person about  
221 an alleged violation of s. 24, Art. X of the State Constitution  
222 or this section.

223 3. The right to file a complaint with the department or  
224 file a civil action in a court of competent jurisdiction for an  
225 alleged violation of s. 24, Art. X of the State Constitution or

226 this section.

227 4. The right to cooperate with any investigation conducted  
228 under this section and to testify in any proceeding or action  
229 brought under this section.

230 5. The right to refuse to participate in an activity that  
231 violates city, state, or federal law.

232 6. The right to oppose any policy, practice, or act that  
233 violates s. 24, Art. X of the State Constitution or this  
234 section.

235 (c) There is a rebuttable presumption that an employer has  
236 violated s. 24, Art. X of the State Constitution or this section  
237 if the employer takes adverse action against an employee within  
238 90 days after the employee exercises a right under paragraph  
239 (b). If an employee is a seasonal worker and his or her work  
240 ended before the end of the 90-day period, the rebuttable  
241 presumption applies if the employer fails to rehire the seasonal  
242 worker in the same position at the next opportunity. The  
243 rebuttable presumption may be overcome by clear and convincing  
244 evidence.

245 (d) The protections provided under this section apply to  
246 any employee who alleges a violation of s. 24, Art. X of the  
247 State Constitution or this section in good faith. Any complaint  
248 or other communication by an employee alleging a violation of s.  
249 24, Art. X of the State Constitution or this section triggers  
250 the protections under this section even if the complaint or

251 communication does not specifically reference this section.

252 (e) An employee who believes he or she has been  
253 discriminated or retaliated against for exercising a right under  
254 s. 24, Art. X of the State Constitution or this section may file  
255 a complaint with the department or a civil action in a court of  
256 competent jurisdiction within 4 years after the alleged  
257 violation or, in the case of a willful violation, within 5 years  
258 after the alleged violation.

259 (7) An employer has the burden of proving that a person is  
260 an independent contractor and not an employee. A person who  
261 receives remuneration for services provided is considered an  
262 employee unless the employer proves:

263 (a) The person is free from control or direction by the  
264 employer over the performance of such service.

265 (b) The service provided by the person is outside the  
266 usual course of business of the employer.

267 (c) The person is customarily engaged in an independently  
268 established trade, occupation, profession, or business.

269 (8) A person or entity may not enter into a contract or  
270 agreement with an independent contractor for labor or services  
271 if the person or entity knows or should know that the contract  
272 or agreement does not include funds sufficient to allow the  
273 independent contractor to comply with all applicable local,  
274 state, and federal laws or regulations governing the labor or  
275 services to be provided.

276        (9) (a) The department may commence investigations,  
277        actions, and proceedings necessary to enforce this section. The  
278        department has the sole discretion whether to investigate an  
279        employer to determine if a violation of this section has  
280        occurred.

281        (b) In order to encourage a person or organization to  
282        report a suspected violation of this section, the department:

283            1. Must keep the name and other identifying information  
284        about the reporter confidential to the extent permitted by law.  
285        The department may disclose the reporter's name or  
286        identification with the written consent of the reporter.

287            2. Must provide a notice form to an employer being  
288        investigated, which must be posted in a conspicuous and  
289        accessible location at the workplace, notifying the employees  
290        that the department is conducting an investigation under this  
291        section. The notice form must be in English and any other  
292        language that is the primary language of a majority of the  
293        employees in the workplace. If display of the notice form is not  
294        feasible, the employer must provide it to each employee through  
295        electronic means and also provide each employee a physical copy  
296        of the notice form.

297            3. May certify the eligibility of a person for a visa  
298        under 8 U.S.C. s. 1184(p) and 8 U.S.C. s. 1101(a) (15) (U),  
299        subject to applicable federal law and regulations, and other  
300        rules issued by the department.

301       (10) (a) During an investigation under this section, the  
302       department has the power to:

303       1. Enter and inspect the workplace.

304       2. Inspect and make copies of papers, books, accounts,  
305       records, payroll, and other documents necessary to further its  
306       investigation.

307       3. Question witnesses under oath and in a private  
308       location.

309       4. Issue subpoenas to compel the attendance and testimony  
310       of witnesses and the production of papers, books, accounts,  
311       records, payroll, and other documents necessary to further its  
312       investigation.

313       5. Take depositions and affidavits.

314       6. Investigate any facts, conditions, practices, or  
315       matters as the department deems appropriate to determine whether  
316       a violation of this section has occurred.

317       (b) If an employer fails to comply with a lawfully issued  
318       subpoena or if a witness refuses to testify or be questioned,  
319       the department may request that the court compel compliance by  
320       initiating a proceeding for contempt. The court shall take  
321       judicial notice under s. 90.202(13) of the department's seal,  
322       "Department of Labor-State of Florida," and shall enforce any  
323       subpoena issued by the secretary or his or her representative  
324       under such seal.

325       (c) During an administrative or civil proceeding under

326 this section, an employer may not introduce any documentation as  
327 evidence that was not provided to the department.

328 (11) (a) During the course of an investigation under this  
329 section, the department or the Attorney General may seek  
330 injunctive relief upon a finding of reasonable cause that a  
331 violation has occurred.

332 (b) When determining whether injunctive relief is  
333 appropriate, the court shall consider any direct harm to an  
334 employee from a violation of this section and the chilling  
335 effect on other employees attempting to assert their rights  
336 under this section. Reasonable cause exists for a court to issue  
337 an injunction if an employee has faced adverse action for  
338 asserting his or her rights under this section.

339 (c) A temporary injunction remains in effect until the  
340 department issues a citation to the employer or until the  
341 completion of an administrative hearing, whichever is longer, or  
342 until a time certain set by the court. A temporary injunction  
343 does not prohibit an employer from taking adverse action against  
344 an employee for conduct unrelated to an alleged violation of  
345 this section.

346 (d) The court may issue a preliminary or permanent  
347 injunction if it determines such injunction is just and proper.

348 (12) (a) If a violation of this section is found during an  
349 investigation and the violation has not been remedied by the end  
350 of the investigation, the department must issue a citation to

351 the employer. The citation must be in writing and describe the  
352 nature of the violation and include any and all appropriate  
353 relief. Appropriate relief includes requiring an employer to  
354 cease and desist; to take any action necessary to remedy the  
355 violation, such as rehiring or reinstating an employee,  
356 reimbursing lost wages, or paying liquidated damages or other  
357 finances and penalties; to take training classes relating to  
358 compliance with this section; or to submit to compliance  
359 monitoring by the department. The department shall serve the  
360 citation in a manner provided by the Florida Rules of Civil  
361 Procedure. The citation must advise the employer of his or her  
362 right to an administrative hearing to have the citation  
363 reviewed.

364 (b) Within 30 days after service of a citation, an  
365 employer must comply with all appropriate relief specified in  
366 the citation or may obtain review of the citation by providing a  
367 written request for review to the office of the secretary. Upon  
368 receipt of a written request for review, the secretary shall  
369 assign the citation to an administrative law judge to conduct a  
370 hearing and issue a written decision. Hearings conducted under  
371 this subsection are governed by the department and the rules of  
372 practice and procedure adopted by the department.

373 (c) An administrative hearing must commence within 90 days  
374 after receipt of a timely submitted request for review. The  
375 administrative law judge must render a written decision within

376 90 days after the conclusion of the hearing. The decision must  
377 include a statement of findings, conclusions of law, and a  
378 recommended order that specifies all appropriate relief as  
379 authorized under paragraph (a), including the amount required  
380 for an appeal bond should the employer choose to obtain review  
381 of the order issued under this paragraph. The decision must be  
382 served on all parties in a manner provided by the Florida Rules  
383 of Civil Procedure. If the recommended order includes a monetary  
384 remedy, the amount is due 45 days after the written decision is  
385 properly served on the employer.

386 (d)1. An employer may obtain review of the written  
387 decision and order issued under paragraph (c) by filing a  
388 petition for a writ of mandamus to a court having jurisdiction  
389 within 45 days after the written decision is properly served on  
390 the employer. If a petition for a writ of mandamus is not filed  
391 within the appropriate time, the recommended order in the  
392 written decision becomes final.

393 2. Before an employer may obtain review of the decision,  
394 he or she must post an appeal bond, in the amount specified in  
395 the recommended order, issued by a licensed surety or as a cash  
396 deposit with the court. The employer shall provide written  
397 notice to the department and any other parties of the posting of  
398 the appeal bond.

399 3. A court may overturn a decision based on abuse of  
400 discretion. An employer establishes an abuse of discretion if he



401 or she alleges that the findings are not supported by the  
402 evidence and the court determines that the findings are not  
403 supported by substantial evidence when looking at the entire  
404 record.

405 4. If the court issues an order in favor of the aggrieved  
406 party or if the appeal is withdrawn or dismissed without entry  
407 of judgment, the employer is liable for the relief specified in  
408 the written decision from the administrative hearing, unless the  
409 parties execute a settlement agreement, in which case the  
410 employer is liable for the relief specified in the settlement  
411 agreement. If the written decision from the administrative  
412 hearing or the settlement agreement provide for monetary relief,  
413 and the employer fails to pay the amount owed within 10 days  
414 after entry of a judgment, dismissal or withdrawal of the  
415 appeal, or the execution of a settlement agreement, a portion of  
416 the appeal bond equal to the amount owed, or the entire appeal  
417 bond if the amount owed exceeds the amount of the bond, must be  
418 paid to the aggrieved party.

419 5. If the employer does not request review of the citation  
420 under paragraph (b), file a writ of mandamus under subparagraph  
421 1., or post the appeal bond as required in subparagraph 2., and  
422 the time to do so has expired, or if the petition for a writ of  
423 mandamus is dismissed or withdrawn without entry of judgment,  
424 the clerk of the court must certify a copy of the citation or  
425 written decision and order issued by the department or by the

426 administrative law judge, respectively, and enter judgment for  
427 this state or an aggrieved party. The judgment has the same  
428 force and effect as a judgment entered in a civil action and may  
429 be enforced in the same manner as any other judgment of the  
430 court. The court shall give priority to petitions to enforce a  
431 judgment entered under this section.

432 6. If an employer fails to comply with a citation or final  
433 order, whether issued by the department, administrative law  
434 judge, or court, and has exhausted all reviews or appeals or the  
435 time to file a review or appeal has expired, the department or  
436 the Attorney General may commence and prosecute a civil action  
437 to recover unpaid wages, including interest, fines, or  
438 penalties; equitable relief; or liquidated damages owed to an  
439 aggrieved person. The prevailing party is entitled to applicable  
440 fines or civil penalties and reasonable attorney fees and costs.

441 ~~(6) (a) Any person aggrieved by a violation of this section~~  
442 ~~may bring a civil action in a court of competent jurisdiction~~  
443 ~~against an employer violating this section or a party violating~~  
444 ~~subsection (5). However, prior to bringing any claim for unpaid~~  
445 ~~minimum wages pursuant to this section, the person aggrieved~~  
446 ~~shall notify the employer alleged to have violated this section,~~  
447 ~~in writing, of an intent to initiate such an action. The notice~~  
448 ~~must identify the minimum wage to which the person aggrieved~~  
449 ~~claims entitlement, the actual or estimated work dates and hours~~  
450 ~~for which payment is sought, and the total amount of alleged~~

unpaid wages through the date of the notice.

~~(b) The employer shall have 15 calendar days after receipt of the notice to pay the total amount of unpaid wages or otherwise resolve the claim to the satisfaction of the person aggrieved. The statute of limitations for bringing an action pursuant to this section shall be tolled during this 15-day period. If the employer fails to pay the total amount of unpaid wages or otherwise resolve the claim to the satisfaction of the person aggrieved, then the person aggrieved may bring a claim for unpaid minimum wages, the terms of which must be consistent with the contents of the notice.~~

(13) (a) 1. Upon prevailing in a civil ~~an~~ action brought under paragraph (6) (e) ~~pursuant to this section~~, aggrieved persons shall recover the full amount of any unpaid back wages, plus interest, unlawfully withheld plus up to two times the unpaid wages ~~the same amount~~ as liquidated damages and shall be awarded reasonable attorney ~~attorney's~~ fees and costs. Additionally, As provided under the federal Fair Labor Standards Act, pursuant to s. 11 of the Portal-to-Portal Act of 1947, 29 U.S.C. s. 260, if the employer proves by a preponderance of the evidence that the act or omission giving rise to such action was in good faith and that the employer had reasonable grounds for believing that his or her act or omission was not a violation of s. 24, Art. X of the State Constitution, the court may, in its sound discretion, award no liquidated damages or award any

476 ~~amount thereof not to exceed an amount equal to the amount of~~  
477 ~~unpaid minimum wages. The court shall not award any economic~~  
478 ~~damages on a claim for unpaid minimum wages not expressly~~  
479 ~~authorized in this section.~~

480 ~~2. Upon prevailing in an action brought pursuant to this~~  
481 ~~section,~~ aggrieved persons are ~~shall also be~~ entitled to such  
482 legal or equitable relief as may be appropriate to remedy the  
483 violation, including, without limitation, reinstatement in  
484 employment and injunctive relief. However, any entitlement to  
485 legal or equitable relief in an action brought under s. 24, Art.  
486 X of the State Constitution or this section may ~~shall~~ not  
487 include punitive damages.

488 (b) If an employer is found to have willfully violated  
489 this section, the department, administrative law judge, or court  
490 may impose a fine of \$1,000 per violation payable to this state.

491 (c) Any employer or other person found to have hindered,  
492 prevented, impeded, or interfered with the department or  
493 administrative hearing body in the performance of their duties  
494 is subject to a civil penalty of not less than \$1,000 and not  
495 more than \$5,000, which may be assessed by the department,  
496 administrative law judge, or court.

497 (d) If the department, administrative law judge, or court  
498 finds that an employer took adverse action or retaliated against  
499 an employee in violation of subsection (6):

500 1. The department, administrative law judge, or court may

501 order reinstatement of the aggrieved party, front pay in lieu of  
502 reinstatement, backpay, liquidated damages up to two times the  
503 amount of the unpaid wages, and other compensatory damages as  
504 appropriate.

505 2. The department, administrative law judge, or court may  
506 impose an administrative penalty not to exceed \$5,000 payable to  
507 the aggrieved party.

508 (e)(d) Any civil action brought under s. 24, Art. X of the  
509 State Constitution and this section is ~~shall be~~ subject to s.  
510 768.79.

511 ~~(7) The Attorney General may bring a civil action to~~  
512 ~~enforce this section. The Attorney General may seek injunctive~~  
513 ~~relief. In addition to injunctive relief, or in lieu thereof,~~  
514 ~~for any employer or other person found to have willfully~~  
515 ~~violated this section, the Attorney General may seek to impose a~~  
516 ~~fine of \$1,000 per violation, payable to the state.~~

517 (14)(8) The statute of limitations for an action brought  
518 under ~~pursuant to~~ this section is ~~shall be for~~ the period of  
519 time specified in s. 95.11 beginning on the date the alleged  
520 violation occurred. The statute of limitations applicable to an  
521 action under this section is tolled during the department's  
522 investigation and any administrative enforcement under this  
523 section.

524 (15)(9) Actions brought under ~~pursuant to~~ this section may  
525 be brought as a class action pursuant to Rule 1.220, Florida

Rules of Civil Procedure. In any class action brought under  
~~pursuant to~~ this section, the plaintiffs must ~~shall~~ prove, by a  
preponderance of the evidence, the individual identity of each  
class member and the individual damages of each class member.

~~(16)(10)~~ This section is ~~shall constitute~~ the exclusive  
remedy under state law for violations of s. 24, Art. X of the  
State Constitution.

(17) The department shall make reasonable efforts to  
ensure that judgments against an employer are satisfied and may  
use any remedy that is available to a judgment creditor to  
collect an unsatisfied judgment. The department may collect  
wages, damages, and other monetary remedies on behalf of an  
employee. The department acts as the trustee of any unsatisfied  
judgment it collects and shall deposit such wages, damages, or  
other monetary remedy in the appropriate fund as provided by  
rule. The department shall conduct a diligent search for any  
employee for whom it collects an unsatisfied judgment.

(18) (a) Beginning on the 20th day after a judgment is  
entered by the clerk of the court under paragraph (12) (d) or  
otherwise by a court of competent jurisdiction in favor of this  
state or an aggrieved party, the department may issue a notice  
of levy on all persons having in their possession or under their  
control any credits, money, or property belonging to the  
judgment debtor. If the levy is made on credits, money, or  
property in the possession or under the control of a bank,

551 savings and loan association, or other financial institution as  
552 defined in 42 U.S.C. s. 669a(d)(1), the notice of levy may be  
553 mailed or hand-delivered to a centralized location designated by  
554 the bank, savings and loan association, or other financial  
555 institution.

556 (b) Any person who receives a notice of levy shall  
557 surrender the credits, money, or property to the department or  
558 pay to the department the amount of any debt owed within 10 days  
559 after service of the levy. Any person who surrenders to the  
560 department any credits, money, or property of the judgment  
561 debtor is discharged from any obligation or liability to the  
562 judgment debtor relating to the amount paid to the department.

563 (c) Any person who receives a notice of levy from the  
564 department and fails or refuses to surrender any credits, money,  
565 or property of the judgment debtor is liable to the department  
566 for the amount specified in the notice of levy.

567 (d) Any fees, commissions, expenses, or costs associated  
568 with the sale of property levied under this subsection are the  
569 obligation of the judgment debtor and may be collected by virtue  
570 of the levy or in any other manner as though the fees,  
571 commissions, expenses, or costs were part of the judgment.

572 (e) The department may create a lien on any real or  
573 personal property of an employer found in violation of s. 24,  
574 Art. X of the State Constitution or this section. The department  
575 must release the lien upon final satisfaction of any judgment

576 entered in favor of an aggrieved party or the department, or  
577 upon adjudication of the claim in favor of the employer. A lien  
578 created under this paragraph lasts 10 years after the date it is  
579 created unless the lien is satisfied or released. A lien created  
580 under this paragraph is in addition to any other rights  
581 available to an aggrieved party or the department.

582 (19) (a) If a citation issued by the department, written  
583 decision and order issued by an administrative law judge, or  
584 final judgment awarded under this section remains unsatisfied 30  
585 days after all reviews and appeals have been exhausted or the  
586 time to request a review or file an appeal has expired, the  
587 department may issue a stop-order prohibiting the employer from  
588 conducting business in this state using employee labor,  
589 including conducting business using the labor of another  
590 business, contractor, or subcontractor instead of the labor of  
591 an employee, until the judgment is satisfied. The stop-order is  
592 effective upon receipt of the order and the employer must pay  
593 employees up to 10 days of lost wages due to the stop-order.

594 (b) An employer may appeal the stop-order by filing,  
595 within 20 days after receipt of the stop-order, a written  
596 request with the department for an administrative hearing. The  
597 hearing must be held within 5 days after receipt of the written  
598 request, at which time the stop-order must be affirmed or  
599 dismissed and the department shall mail a written notice of  
600 findings by United States mail to all parties within 24 hours



601 after the conclusion of the hearing. A party may appeal the  
602 written notice of findings to a court of competent jurisdiction  
603 within 45 days after the notice is mailed. The department may  
604 seek injunctive or other appropriate relief to enforce the stop-  
605 order and is entitled to attorney fees and costs if the  
606 department prevails.

607 (c) An employer, an owner, a director, an officer, or a  
608 managing agent of an employer who fails to comply with a stop-  
609 order issued under this subsection is guilty of a misdemeanor of  
610 the second degree, punishable as provided in s. 775.082 or s.  
611 775.083.

612 (d) This subsection does not apply if the stop-order would  
613 compromise public safety or the life, health, and care of a  
614 vulnerable person as defined in s. 435.02.

615 (20) If a citation issued by the department, written  
616 decision and order issued by an administrative law judge, or  
617 final judgment awarded under this section remains unsatisfied 30  
618 days after all reviews or appeals have been exhausted or the  
619 time to request a review or file an appeal has expired, the  
620 department may request that the appropriate state agency, and  
621 the state agency is authorized to, deny, suspend, or revoke any  
622 license held by the employer until such time as the judgment is  
623 satisfied.

624 (21) Any person acting on behalf of an employer may be  
625 held liable as the employer for a violation of s. 24, Art. X of

626 the State Constitution or this section. A client employer is  
627 jointly and severally liable with a labor contractor for the  
628 payment of unpaid wages, interest, liquidated damages, fines, or  
629 penalties awarded under this section.

630 (22) All employers, client employers, and labor  
631 contractors shall create records documenting compliance with s.  
632 24, Art. X of the State Constitution and this section in  
633 accordance with department rules. Records must be maintained for  
634 a minimum of 5 years after an employee leaves the employment of  
635 the employer or client employer, or is no longer working with a  
636 labor contractor. An employer, client employer, or labor  
637 contractor must allow the department reasonable access to the  
638 records when requested. If an employee, or other authorized  
639 person or entity, alleges a violation of s. 24, Art. X of the  
640 State Constitution or this section and the employer, client  
641 employer, or labor contractor has not created and maintained  
642 records as required under this subsection, there is a rebuttable  
643 presumption that the employer, client employer, or labor  
644 contractor is in violation of the law. The employer, client  
645 employer, or labor contractor can overcome this presumption with  
646 clear and convincing evidence.

647 (23) The department may enter into agreements with local,  
648 state, or federal agencies to assist in the administration and  
649 enforcement of this section.

650 (24) Subject to appropriation of funds by the Legislature,

651 the department shall establish and maintain an outreach and  
652 education partnership program to promote awareness of, and  
653 compliance with, s. 24, Art. X of the State Constitution and  
654 this section. The department shall pursue partnerships with  
655 community-based organizations and unions through a competitive  
656 request for proposals. Duties of the outreach and education  
657 partnership program may include:

658 (a) Disseminating information and conducting outreach and  
659 training to educate employees about their rights.

660 (b) Conducting educational training for employers about  
661 their obligations.

662 (c) Assisting employees with filing a claim for a  
663 violation under s. 24, Art. X of the State Constitution or this  
664 section.

665 (d) Assisting the department in conducting investigations  
666 under this section, including the collection of evidence and  
667 enforcement of a judgment.

668 (e) Monitoring compliance with s. 24, Art. X of the State  
669 Constitution and this section.

670 (f) Establishing networks for education, communication,  
671 and participation in the workplace and community.

672 (g) Producing and disseminating training materials to  
673 employers and employees.

674 (25) ~~(11)~~ Except for calculating the adjusted state minimum  
675 wage and publishing the initial state minimum wage and any

676 annual adjustments thereto, the authority of the department ~~of~~  
677 ~~Commerce~~ in implementing s. 24, Art. X of the State  
678 Constitution, pursuant to this section, is ~~shall be~~ limited to  
679 that authority expressly granted by the Legislature.

680 **Section 4. Section 448.112, Florida Statutes, is created**  
681 **to read:**

682 448.112 Department of Labor Community Advisory Board.—The  
683 Department of Labor Community Advisory Board is established  
684 within the Department of Labor.

685 (1) The advisory board shall consist of the following  
686 members who must be approved by the Secretary of the Department  
687 of Labor:

688 (a) A representative from the Department of Labor.

689 (b) A representative from the Department of Commerce.

690 (c) A representative from the Department of Education.

691 (d) A representative from the Florida Chamber of Commerce.

692 (e) A representative from a small business as defined in  
693 s. 288.703.

694 (f) Four representatives from labor organizations as  
695 defined in s. 447.02(1) throughout this state.

696 (2) Members of the advisory board shall be appointed for  
697 2-year terms, which shall be staggered.

698 (3) Members of the advisory board shall serve without  
699 compensation and are not entitled to receive reimbursement for  
700 per diem or travel expenses.

701        (4) The advisory board shall meet at least three times a  
702 year in order to review reports and projects of the Department  
703 of Labor. Meetings of the advisory board must be open to the  
704 public and provide the opportunity for public comment.

705        (5) The advisory board shall submit an annual report to  
706 the Secretary of the Department of Labor recommending changes to  
707 existing state policies and programs to ensure worker safety and  
708 equity, with particular emphasis on racial equity and low-wage  
709 and migrant workers.

710        (6) By January 1, 2027, and annually thereafter, the  
711 Secretary of the Department of Labor shall submit the annual  
712 report to the Governor, the President of the Senate, and the  
713 Speaker of the House of Representatives.

714        **Section 5.** This act shall take effect July 1, 2026.