A bill to be entitled

An act relating to minimum wage requirements; amending s. 448.110, F.S.; providing that an employer is not subject to state minimum wage requirements for specified employees; authorizing employees to voluntarily opt out of the state minimum wage requirements by signing a waiver; prohibiting an employer from taking certain actions; requiring a parent or guardian to sign the waiver on the employee's behalf if the employee is a minor; requiring employers to pay an employee at or above the federal minimum wage; providing that an employee's waiver to opt out of the state minimum wage is only valid for a specified timeframe; providing severability; providing an effective date.

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

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

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

(3)(a) Employers shall pay employees a minimum wage at an hourly rate of $6.15 for all hours worked in Florida. Only those individuals entitled to receive the federal minimum wage under

the federal Fair Labor Standards Act, as amended, and its implementing regulations shall be eligible to receive the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section. The provisions of ss. 213 and 214 of the federal Fair Labor Standards Act, as interpreted by applicable federal regulations and implemented by the Secretary of Labor, are incorporated herein.

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

(c) An employee may opt out of receiving the state minimum wage by voluntarily signing a waiver of his or her right to the state minimum wage established under this subsection. The waiver must state that the employee acknowledges his or her right to the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section and that the employee is knowingly and voluntarily choosing to receive a lesser amount for his or her work-based learning opportunity as described in paragraph (b). An employer may not coerce an employee to opt out or condition an offer of employment on the employee's opting out. If the employee is younger than 18 years of age, the employee's parent or guardian must sign the waiver on behalf of the employee.

(d) Except as provided in paragraphs (b) and (c), an employer must pay an employee a wage at or above the federal minimum wage.

(e) An employee's waiver to opt out of the state minimum wage under this subsection is only valid for 12 months after the date his or her employment with the employer begins. Thereafter, the employee must be paid at or above the state minimum wage regardless of his or her position or job title with the employer.

(f) If any provision of this subsection or its application to any person or circumstance is held invalid, that provision or its application is severable and does not affect the validity of the other provisions or applications of this subsection.

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