

## CHAPTER 2022-99

### Senate Bill No. 542

An act relating to evidentiary standards for actions arising during an emergency; creating s. 448.111, F.S.; providing a definition; providing that specified actions taken by a business during certain declared emergencies may not be used as evidence in certain civil causes of action; providing an effective date.

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

Section 1. Section 448.111, Florida Statutes, is created to read:

448.111 Evidentiary standards for actions of a business during an emergency.—

(1) For purposes of this section, the term “engaged individual” means an individual who provides a good or service to a business or on behalf of a business and who is remunerated for the good or service regardless of the individual’s classification as an employee or independent contractor.

(2) Notwithstanding any other law, the following actions of a business, if taken during a public health emergency declared by the State Health Officer under s. 381.00315 or a state of emergency declared by the Governor under s. 252.36, may not be used as evidence in a civil cause of action brought under s. 440.10, s. 440.192, s. 440.38, s. 440.381, s. 448.103, s. 448.110, s. 448.25, chapter 532, or s. 717.115, or in a civil cause of action, as provided for under general law, to recover lost wages, salary, employment benefits, or other compensation, because an individual has not been properly classified as an employee:

(a) Providing financial assistance to previously engaged individuals who are unable to work because of health and safety concerns.

(b) Directly providing benefits that are related to the health and safety of engaged individuals, including medical or cleaning supplies, personal protective equipment, health checks, or medical testing.

(c) Providing training or information related to the health and safety of engaged individuals or the public.

(d) Taking any action, including action required or suggested by any federal, state, or local law, ordinance, order, or directive which is intended to protect public health and safety.

Section 2. This act shall take effect July 1, 2022.

Approved by the Governor May 10, 2022.

Filed in Office Secretary of State May 10, 2022.