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## POLICY SPOTLIGHT

# Bringing Portable Benefits to Florida's Independent Workforce: Overview

Modernizing benefit laws could empower three million Florida workers

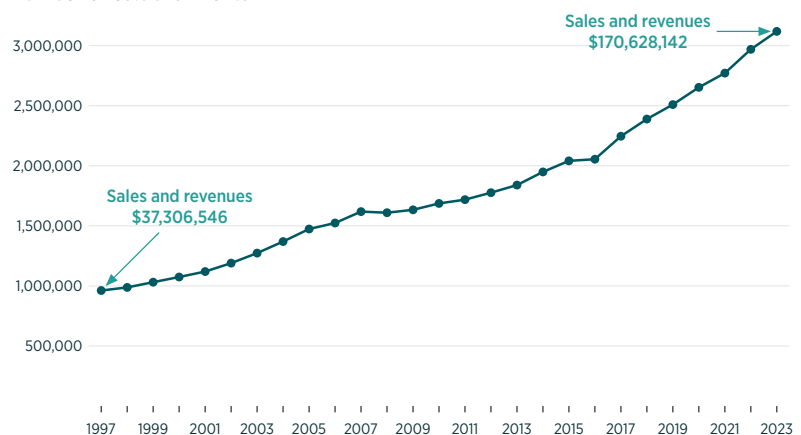
LIYA PALAGASHVILI | JUNE 2025

In today's economy, over three million Florida residents are freelancers, contractors, or self-employed workers. They include rideshare and delivery drivers, truckers, freelance creatives, real estate agents, hairstylists, childcare providers, professional consultants, and countless other occupations. US Census Bureau data shows that this is a growing workforce, one that generates more than \$170 billion annually in revenue or sales for the state (figure 1).<sup>1</sup>

Yet, these workers operate outside traditional employment relationships and often lack access to job-based benefits such as health insurance, retirement plans, and paid leave. This is not necessarily because companies do not want to offer benefits, but because outdated laws, written nearly a century ago, prohibit providing benefits to non-employees without risking legal consequences. Offering benefits to an independent worker can trigger legal reclassification of the worker as an "employee" under Florida law.

FIGURE 1. Growth in self-employment in Florida, 1997 to 2023

Number of establishments



Source: US Census Bureau, *Nonemployer Statistics (NES)*, last modified May 9, 2024, <https://www.census.gov/programs-surveys/nonemployer-statistics.html>.

<sup>1</sup> For full references supporting this analysis, please scan the QR code or go to the online version of this policy brief.



For more information or to meet with the scholar, contact  
Mercatus Outreach, 703-993-4930, [dschroeder@mercatus.gmu.edu](mailto:dschroeder@mercatus.gmu.edu) or [mercatusoutreach@mercatus.gmu.edu](mailto:mercatusoutreach@mercatus.gmu.edu)  
Mercatus Center at George Mason University, 3434 Washington Blvd., 4th Floor, Arlington, Virginia 22201

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Many self-employed workers could gain access to benefits if companies were legally permitted to contribute to portable benefit plans on their behalf.

### What Are Portable Benefits?

Portable benefits are a solution designed for today's flexible workforce. Tied to the individual worker—not a job or employer—portable benefits allow independent workers to receive contributions from multiple companies into a single worker-owned account managed by a bank or third-party platform. These accounts can support health insurance premiums, paid time off, retirement savings, and more.

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### Momentum Across the States

Several states are leading the way:

- **Pennsylvania, Georgia, and Maryland:** Supported a pilot program launched by DoorDash and managed by Stride, with backing from the governors
- **Utah:** Passed the first voluntary portable benefits law in 2023; Target and Lyft launched a pilot program
- **Alabama and Tennessee:** Enacted laws in April 2025 similar to Utah's 2023 portable benefits law, removing legal barriers for companies to offer benefits to independent workers

### The Worker's Case for Portable Benefits

- **Preference for independent work:** According to the Bureau of Labor Statistics, 80.3 percent of independent workers prefer to stay independent; only 8.2 percent prefer W-2 work.
- **Support for benefits:** 80.1 percent of self-employed workers want access to portable benefits
- **Desire for balance:** Workers want security without sacrificing flexibility and independence

### The Business Case for Portable Benefits

- **Workforce stability:** Helps attract and retain a more reliable and engaged independent workforce
- **Legal clarity:** Enables companies to offer benefits without fearing legal backlash
- **Operational flexibility:** The voluntary, opt-in model avoids mandates for resource-constrained businesses, while empowering better-resourced companies to support their independent workers

### Policy Recommendation for Florida

Florida can join the national movement by allowing workers to create portable benefits accounts and companies to contribute to portable benefits funds without triggering worker reclassification rules. In doing so, Florida can support a modern, inclusive economy that aligns with how people actually work today—empowering businesses to innovate and enabling workers to thrive.