

By the Committee on Community Affairs; and Senator Bracy

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1                   A bill to be entitled  
2       An act relating to prohibited discrimination;  
3       providing a short title; amending s. 420.516, F.S.;  
4       providing that it is unlawful for sponsors under the  
5       Florida Housing Finance Corporation Act to  
6       discriminate against any person or family because of  
7       traits historically associated with race; reordering  
8       and amending s. 760.02, F.S.; defining the terms  
9       "protective hairstyle" and "race"; amending s.  
10      1000.21, F.S.; defining the terms "protective  
11      hairstyle" and "race"; reenacting s. 420.5087(6)(i),  
12      F.S., relating to the State Apartment Incentive Loan  
13      Program, to incorporate the amendments made to s.  
14      420.516, F.S.; providing an effective date.

15  
16           WHEREAS, the history of our nation has been riddled with  
17   laws and societal norms that equated "blackness" and its  
18   associated physical traits as inferior to European physical  
19   features, and

20           WHEREAS, this idea also permeates a societal understanding  
21   of professionalism that was, and still is, closely linked to  
22   European features and mannerisms and which entails that those  
23   who do not naturally conform to Eurocentric norms must alter  
24   their appearance to meet such norms and be considered  
25   professional, and

26           WHEREAS, hair has been, and remains, a rampant source of  
27   racial discrimination that has caused serious economic and  
28   health ramifications, and

29           WHEREAS, workplace and school dress code policies that

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30 prohibit natural hair, including afros, and certain hairstyles,  
31 such as braids, twists, and locks, have a disparate impact on  
32 black individuals as these policies are more likely to burden or  
33 punish black employees and students compared to other groups,  
34 and

35 WHEREAS, federal courts accept that Title VII of the Civil  
36 Rights Act of 1964 prohibits discrimination based on race, and  
37 therefore protects against discrimination against afros, and

38 WHEREAS, afros are not the only natural presentation of  
39 black hair because black hair can also be naturally presented in  
40 styles such as braids, twists, and locks, NOW, THEREFORE,

41  
42 Be It Enacted by the Legislature of the State of Florida:

43  
44 Section 1. This act may be cited as the "Creating a  
45 Respectful and Open World for Natural Hair Act" or "CROWN Act."

46 Section 2. Section 420.516, Florida Statutes, is amended to  
47 read:

48 420.516 Discrimination prohibited.—It is an unlawful  
49 practice for a sponsor, while bonds are outstanding for the  
50 purpose of funding or financing the sponsor's project, to  
51 discriminate against any person or family because of race as  
52 defined in s. 760.02, color, religion, sex, national origin, or  
53 marital status.

54 Section 3. Section 760.02, Florida Statutes, is reordered  
55 and amended to read:

56 760.02 Definitions.—For the purposes of ss. 760.01-760.11,  
57 760.23, 760.25, and 509.092, the term:

58 (7)~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-

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59 760.11 and 509.092.

60 (2) "Commission" means the Florida Commission on Human  
61 Relations created by s. 760.03.

62 (3) "Commissioner" or "member" means a member of the  
63 commission.

64 (4) "Discriminatory practice" means any practice made  
65 unlawful by the Florida Civil Rights Act of 1992.

66 (9)~~(5)~~ "National origin" includes ancestry.

67 (10)~~(6)~~ "Person" includes an individual, association,  
68 corporation, joint apprenticeship committee, joint-stock  
69 company, labor union, legal representative, mutual company,  
70 partnership, receiver, trust, trustee in bankruptcy, or  
71 unincorporated organization; any other legal or commercial  
72 entity; the state; or any governmental entity or agency.

73 (5)~~(7)~~ "Employer" means any person employing 15 or more  
74 employees for each working day in each of 20 or more calendar  
75 weeks in the current or preceding calendar year, and any agent  
76 of such a person.

77 (6)~~(8)~~ "Employment agency" means any person regularly  
78 undertaking, with or without compensation, to procure employees  
79 for an employer or to procure for employees opportunities to  
80 work for an employer, and includes an agent of such a person.

81 (11) "Protective hairstyle" includes, but is not limited  
82 to, hairstyles such as braids, locks, or twists.

83 (8)~~(9)~~ "Labor organization" means any organization that  
84 ~~which~~ exists for the purpose, in whole or in part, of collective  
85 bargaining or of dealing with employers concerning grievances,  
86 terms or conditions of employment, or other mutual aid or  
87 protection in connection with employment.

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88        (1)~~(10)~~ "Aggrieved person" means any person who files a  
89 complaint with the Florida Commission on Human Relations  
90 Commission.

91        (13) "Race" is inclusive of traits historically associated  
92 with race, including, but not limited to, hair texture, hair  
93 type, and protective hairstyles.

94        (12)~~(11)~~ "Public accommodations" means places of public  
95 accommodation, lodgings, facilities principally engaged in  
96 selling food for consumption on the premises, gasoline stations,  
97 places of exhibition or entertainment, and other covered  
98 establishments. Each of the following establishments which  
99 serves the public is a place of public accommodation within the  
100 meaning of this section:

101        (a) Any inn, hotel, motel, or other establishment that  
102 ~~which~~ provides lodging to transient guests, other than an  
103 establishment located within a building that ~~which~~ contains not  
104 more than four rooms for rent or hire and that ~~which~~ is actually  
105 occupied by the proprietor of such establishment as his or her  
106 residence.

107        (b) Any restaurant, cafeteria, lunchroom, lunch counter,  
108 soda fountain, or other facility principally engaged in selling  
109 food for consumption on the premises, including, but not limited  
110 to, any such facility located on the premises of any retail  
111 establishment, or any gasoline station.

112        (c) Any motion picture theater, theater, concert hall,  
113 sports arena, stadium, or other place of exhibition or  
114 entertainment.

115        (d) Any establishment that ~~which~~ is physically located  
116 within the premises of any establishment otherwise covered by

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117 this subsection, or within the premises of which is physically  
118 located any such covered establishment, and that ~~which~~ holds  
119 itself out as serving patrons of such covered establishment.

120 Section 4. Subsections (9) and (10) are added to section  
121 1000.21, Florida Statutes, to read:

122 1000.21 Systemwide definitions.—As used in the Florida K-20  
123 Education Code:

124 (9) "Protective hairstyle" includes, but is not limited to,  
125 hairstyles such as braids, locks, or twists.

126 (10) "Race" is inclusive of traits historically associated  
127 with race, including, but not limited to, hair texture, hair  
128 type, and protective hairstyles.

129 Section 5. For the purpose of incorporating the amendment  
130 made by this act to section 420.516, Florida Statutes, in a  
131 reference thereto, paragraph (i) of subsection (6) of section  
132 420.5087, Florida Statutes, is reenacted to read:

133 420.5087 State Apartment Incentive Loan Program.—There is  
134 hereby created the State Apartment Incentive Loan Program for  
135 the purpose of providing first, second, or other subordinated  
136 mortgage loans or loan guarantees to sponsors, including for-  
137 profit, nonprofit, and public entities, to provide housing  
138 affordable to very-low-income persons.

139 (6) On all state apartment incentive loans, except loans  
140 made to housing communities for the elderly to provide for  
141 lifesafety, building preservation, health, sanitation, or  
142 security-related repairs or improvements, the following  
143 provisions shall apply:

144 (i) The discrimination provisions of s. 420.516 shall apply  
145 to all loans.

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Section 6. This act shall take effect July 1, 2020.