

By Senator Miller

21-310-01

1 A bill to be entitled
2 An act relating to civil rights; amending
3 760.11, F.S., pertaining to administrative and
4 civil remedies for violations of ss.
5 760.01-760.10, F.S., the "Florida Civil Rights
6 Act of 1992"; revising procedures for filing
7 complaints; providing an effective date.

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

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11 Section 1. Subsection (1) of section 760.11, Florida
12 Statutes, is amended to read:

13 760.11 Administrative and civil remedies;
14 construction.--

15 (1) Any person aggrieved by a violation of ss.
16 760.01-760.10 may file a complaint with the commission within
17 365 days of the alleged violation, naming the employer,
18 employment agency, labor organization, or joint
19 labor-management committee, or, in the case of an alleged
20 violation of s. 760.10(5), the person responsible for the
21 violation and describing the violation. Any person aggrieved
22 by a violation of s. 509.092 may file a complaint with the
23 commission within 365 days of the alleged violation naming the
24 person responsible for the violation and describing the
25 violation. The commission, a commissioner, or the Attorney
26 General may in like manner file such a complaint. On the same
27 day the complaint is filed with the commission, the commission
28 shall clearly stamp on the face of the complaint the date the
29 complaint was filed with the commission. In addition, the
30 complaint may be filed with the Equal Employment Opportunity
31 Commission or with any unit of government of the state which

1 is a fair-employment-practice agency under section 706 of the
2 Civil Rights Act of 1964 (Pub. L. No. 88-352), as amended, 42
3 U.S.C. s. 2000e-5. The Equal Employment Opportunity Commission
4 or the local section 706 agency shall clearly stamp on the
5 face of the complaint the date the complaint was filed with
6 the commission. The date of filing with the commission is the
7 earliest date of filing with the Equal Employment Opportunity
8 Commission, the local section 706 agency, or the commission.
9 The complaint shall contain a short and plain statement of the
10 facts describing the violation and the relief sought. The
11 commission may require additional information to be in the
12 complaint. The commission, within 5 days of the complaint
13 being filed, shall by registered mail send a copy of the
14 complaint to the person who allegedly committed the violation.
15 The person who allegedly committed the violation may file an
16 answer to the complaint within 25 days of the date the
17 complaint was filed with the commission. Any answer filed
18 shall be mailed to the aggrieved person by the person filing
19 the answer. Both the complaint and the answer shall be
20 verified.

21 Section 2. This act shall take effect upon becoming a
22 law.

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25 SENATE SUMMARY

26 Revises procedures for filing complaints seeking
27 administrative and civil remedies for violations of the
28 "Florida Civil Rights Act of 1992," ss. 760.01-760.10,
29 F.S.
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