



HB 0215

2003  
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CHAMBER ACTION

The Committee on State Administration recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Florida Civil Rights Act of 1992; creating s. 760.021, F.S.; authorizing the Attorney General to commence a civil action to obtain damages or other relief for a civil rights violation under certain circumstances; providing for attorney's fees and costs; amending s. 16.57, F.S.; authorizing the Attorney General to investigate violations under ch. 760, F.S.; amending s. 760.02, F.S.; changing the threshold for an employer subject to the Florida Civil Rights Act of 1992; providing an effective date.

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

Section 1. Section 760.021, Florida Statutes, is created to read:

760.021 Enforcement.--If the Attorney General has reasonable cause to believe that:



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28        (1) Any person or group of persons is engaged in a pattern  
29 or practice of discrimination as defined by the laws of this  
30 state; or

31        (2) Any person or group of persons has been discriminated  
32 against as defined by the laws of this state and such  
33 discrimination raises an issue of general public importance,  
34  
35 the Attorney General may commence a civil action in any  
36 appropriate court for damages, injunctive relief, civil  
37 penalties not to exceed \$10,000 per violation, and such other  
38 relief as may be appropriate under the circumstances. Any  
39 damages recovered under this section shall accrue to the injured  
40 person or group of persons. The Attorney General is entitled to  
41 an award of reasonable attorney's fees and costs if the  
42 Department of Legal Affairs prevails in an action brought under  
43 this section.

44        Section 2. Section 16.57, Florida Statutes, is amended to  
45 read:

46        16.57 Office of Civil Rights.--There is created in the  
47 Department of Legal Affairs an Office of Civil Rights. The  
48 office may investigate and initiate actions authorized by  
49 chapter 760 s. 760.51. In investigating violations of  
50 constitutional and statutory rights under chapter 760 s. 760.51,  
51 the Attorney General may administer oaths and affirmations,  
52 subpoena witnesses or matter, and collect evidence.

53        Section 3. Subsection (7) of section 760.02, Florida  
54 Statutes, is amended to read:



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55 |           760.02 Definitions.--For the purposes of ss. 760.01-760.11  
56 | and 509.092, the term:

57 |           (7) "Employer" means any person employing 10 ~~15~~ or more  
58 | employees for each working day in each of 20 or more calendar  
59 | weeks in the current or preceding calendar year, and any agent  
60 | of such a person.

61 |           Section 4. This act shall take effect upon becoming a law.  
62 |  
63 |