

1 A bill to be entitled
 2 An act relating to encouragement of nondiscriminatory
 3 practices in certain clubs; amending s. 760.60, F.S.;
 4 providing for clubs to voluntarily elect to be subject to
 5 specified nondiscrimination requirements without meeting
 6 the membership or meal service thresholds for the
 7 requirements; providing for application of laws,
 8 ordinances, and regulations concerning buildings or zoning
 9 to such clubs; providing an effective date.

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

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13 Section 1. Subsection (4) is added to section 760.60,
 14 Florida Statutes, to read:

15 760.60 Discriminatory practices of certain clubs
 16 prohibited; remedies; voluntary compliance.--

17 (1) It is unlawful for a person to discriminate against
 18 any individual because of race, color, religion, gender,
 19 national origin, handicap, age above the age of 21, or marital
 20 status in evaluating an application for membership in a club
 21 that has more than 400 members, that provides regular meal
 22 service, and that regularly receives payment for dues, fees, use
 23 of space, facilities, services, meals, or beverages directly or
 24 indirectly from nonmembers for business purposes. It is unlawful
 25 for a person, on behalf of such a club, to publish, circulate,
 26 issue, display, post, or mail any advertisement, notice, or
 27 solicitation that contains a statement to the effect that the
 28 accommodations, advantages, facilities, membership, or

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29 | privileges of the club are denied to any individual because of
30 | race, color, religion, gender, national origin, handicap, age
31 | above the age of 21, or marital status. This subsection does not
32 | apply to fraternal or benevolent organizations, ethnic clubs, or
33 | religious organizations where business activity is not
34 | prevalent.

35 | (4) A club may elect to satisfy the nondiscrimination
36 | requirements of subsection (1) regardless of whether the club
37 | exceeds the membership threshold or provides meal service. If a
38 | club elects to satisfy such requirements, or is required to
39 | satisfy such requirements, then the club shall be permitted to
40 | operate in any location in a municipality or county in which the
41 | services that the club provides to its members are permitted,
42 | regardless of whether the services are provided in a club
43 | setting. All laws, ordinances, and regulations concerning
44 | buildings or zoning shall be construed and applied with
45 | reference to the underlying nature and use of the property,
46 | regardless of whether the property is used in a club form,
47 | provided that the club satisfies the nondiscrimination
48 | requirements of subsection (1).

49 | Section 2. This act shall take effect July 1, 2005.