

HB 47

2008

1 A bill to be entitled

2 An act relating to civil rights; amending s. 760.01, F.S.;
3 revising provisions to include sexual orientation and
4 familial status as impermissible grounds for
5 discrimination; conforming terminology; amending s.
6 760.02, F.S.; defining additional terms; amending ss.
7 760.05, 760.07, 760.08, and 760.10, F.S.; revising
8 provisions to include sexual orientation and familial
9 status as impermissible grounds for discrimination;
10 conforming terminology; amending s. 509.092, F.S.;
11 revising provisions to include sexual orientation and
12 familial status as impermissible grounds for
13 discrimination in public lodging establishments and public
14 food service establishments; amending s. 760.22, F.S.;
15 defining the term "disability" and deleting the definition
16 of the term "handicap"; amending ss. 760.23, 760.24,
17 760.25, 760.26, and 760.29, F.S.; revising provisions to
18 include sexual orientation, familial status, and marital
19 status as impermissible grounds for discrimination;
20 conforming terminology; amending ss. 760.31 and 760.50,
21 F.S.; conforming terminology; amending s. 760.60, F.S.;
22 revising provisions to include sexual orientation and
23 familial status as impermissible grounds for
24 discrimination; conforming terminology; amending s.
25 419.001, F.S.; conforming a cross-reference; providing an
26 effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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Section 1. Subsection (2) of section 760.01, Florida Statutes, is amended to read:

760.01 Purposes; construction; title.--

(2) The general purposes of the Florida Civil Rights Act of 1992 are to secure for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, disability, sexual orientation, familial status ~~handicap~~, or marital status and thereby to protect their interest in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights, and privileges of individuals within the state.

Section 2. Section 760.02, Florida Statutes, is amended to read:

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

(1) "Aggrieved person" means any person who files a complaint with the Florida Commission on Human Relations
~~"Florida Civil Rights Act of 1992" means ss. 760.01-760.11 and 509.092.~~

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

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

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

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

62 (6) "Employment agency" means any person regularly
 63 undertaking, with or without compensation, to procure employees
 64 for an employer or to procure for employees opportunities to
 65 work for an employer, and includes an agent of such a person.

66 (7) "Familial status" is established when an individual
 67 who has not attained the age of 18 years is domiciled with:

68 (a) A parent or other person having legal custody of such
 69 individual; or

70 (b) A designee of a parent or other person having legal
 71 custody, with the written permission of such parent or other
 72 person.

73 (8) "Florida Civil Rights Act of 1992" means ss. 760.01-
 74 760.11 and 509.092.

75 (9) "Labor organization" means any organization that
 76 exists for the purpose, in whole or in part, of collective
 77 bargaining or of dealing with employers concerning grievances,
 78 terms or conditions of employment, or other mutual aid or
 79 protection in connection with employment.

80 (10)-(5) "National origin" includes ancestry.

81 (11)-(6) "Person" includes an individual, association,
 82 corporation, joint apprenticeship committee, joint-stock
 83 company, labor union, legal representative, mutual company,

84 partnership, receiver, trust, trustee in bankruptcy, or
 85 unincorporated organization; any other legal or commercial
 86 entity; the state; or any governmental entity or agency.

87 ~~(7) "Employer" means any person employing 15 or more~~
 88 ~~employees for each working day in each of 20 or more calendar~~
 89 ~~weeks in the current or preceding calendar year, and any agent~~
 90 ~~of such a person.~~

91 ~~(8) "Employment agency" means any person regularly~~
 92 ~~undertaking, with or without compensation, to procure employees~~
 93 ~~for an employer or to procure for employees opportunities to~~
 94 ~~work for an employer, and includes an agent of such a person.~~

95 ~~(9) "Labor organization" means any organization which~~
 96 ~~exists for the purpose, in whole or in part, of collective~~
 97 ~~bargaining or of dealing with employers concerning grievancees,~~
 98 ~~terms or conditions of employment, or other mutual aid or~~
 99 ~~protection in connection with employment.~~

100 ~~(10) "Aggrieved person" means any person who files a~~
 101 ~~complaint with the Human Relations Commission.~~

102 (12)~~(11)~~ "Public accommodations" means places of public
 103 accommodation, lodgings, facilities principally engaged in
 104 selling food for consumption on the premises, gasoline stations,
 105 places of exhibition or entertainment, and other covered
 106 establishments. Each of the following establishments which
 107 serves the public is a place of public accommodation within the
 108 meaning of this section:

109 (a) Any inn, hotel, motel, or other establishment which
 110 provides lodging to transient guests, other than an
 111 establishment located within a building which contains not more

112 than four rooms for rent or hire and which is actually occupied
 113 by the proprietor of such establishment as his or her residence.

114 (b) Any restaurant, cafeteria, lunchroom, lunch counter,
 115 soda fountain, or other facility principally engaged in selling
 116 food for consumption on the premises, including, but not limited
 117 to, any such facility located on the premises of any retail
 118 establishment, or any gasoline station.

119 (c) Any motion picture theater, theater, concert hall,
 120 sports arena, stadium, or other place of exhibition or
 121 entertainment.

122 (d) Any establishment which is physically located within
 123 the premises of any establishment otherwise covered by this
 124 subsection, or within the premises of which is physically
 125 located any such covered establishment, and which holds itself
 126 out as serving patrons of such covered establishment.

127 (13) "Sexual orientation" means the condition of being
 128 heterosexual, homosexual, or bisexual.

129 Section 3. Section 760.05, Florida Statutes, is amended to
 130 read:

131 760.05 Functions of the commission.--The commission shall
 132 promote and encourage fair treatment and equal opportunity for
 133 all persons regardless of race, color, religion, sex, national
 134 origin, age, disability, sexual orientation, familial status
 135 ~~handicap~~, or marital status and mutual understanding and respect
 136 among all members of all economic, social, racial, religious,
 137 and ethnic groups; and shall endeavor to eliminate
 138 discrimination against, and antagonism between, religious,
 139 racial, and ethnic groups and their members.

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140 Section 4. Section 760.07, Florida Statutes, is amended to
141 read:

142 760.07 Remedies for unlawful discrimination.--Any
143 violation of any Florida statute making unlawful discrimination
144 because of race, color, religion, gender, national origin, age,
145 disability, sexual orientation, familial status ~~handicap~~, or
146 marital status in the areas of education, employment, housing,
147 or public accommodations gives rise to a cause of action for all
148 relief and damages described in s. 760.11(5), unless greater
149 damages are expressly provided for. If the statute prohibiting
150 unlawful discrimination provides an administrative remedy, the
151 action for equitable relief and damages provided for in this
152 section may be initiated only after the plaintiff has exhausted
153 his or her administrative remedy. The term "public
154 accommodations" does not include lodge halls or other similar
155 facilities of private organizations which are made available for
156 public use occasionally or periodically. The right to trial by
157 jury is preserved in any case in which the plaintiff is seeking
158 actual or punitive damages.

159 Section 5. Section 760.08, Florida Statutes, is amended to
160 read:

161 760.08 Discrimination in places of public
162 accommodation.--All persons shall be entitled to the full and
163 equal enjoyment of the goods, services, facilities, privileges,
164 advantages, and accommodations of any place of public
165 accommodation, as defined in this chapter, without
166 discrimination or segregation on the ground of race, color,

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167 national origin, sex, disability, sexual orientation ~~handicap~~,
 168 familial status, marital status, or religion.

169 Section 6. Subsections (1) and (2), paragraphs (a) and (b)
 170 of subsection (3), subsections (4), (5), and (6), and paragraph
 171 (a) of subsection (8) of section 760.10, Florida Statutes, are
 172 amended to read:

173 760.10 Unlawful employment practices.--

174 (1) It is an unlawful employment practice for an employer:

175 (a) To discharge or to fail or refuse to hire any
 176 individual, or otherwise to discriminate against any individual
 177 with respect to compensation, terms, conditions, or privileges
 178 of employment, because of such individual's race, color,
 179 religion, sex, national origin, age, disability, sexual
 180 orientation, familial status ~~handicap~~, or marital status.

181 (b) To limit, segregate, or classify employees or
 182 applicants for employment in any way which would deprive or tend
 183 to deprive any individual of employment opportunities, or
 184 adversely affect any individual's status as an employee, because
 185 of such individual's race, color, religion, sex, national
 186 origin, age, disability, sexual orientation, familial status
 187 ~~handicap~~, or marital status.

188 (2) It is an unlawful employment practice for an
 189 employment agency to fail or refuse to refer for employment, or
 190 otherwise to discriminate against, any individual because of
 191 race, color, religion, sex, national origin, age, disability,
 192 sexual orientation, familial status ~~handicap~~, or marital status
 193 or to classify or refer for employment any individual on the
 194 basis of race, color, religion, sex, national origin, age,

195 disability, sexual orientation, familial status ~~handicap~~, or
 196 marital status.

197 (3) It is an unlawful employment practice for a labor
 198 organization:

199 (a) To exclude or to expel from its membership, or
 200 otherwise to discriminate against, any individual because of
 201 race, color, religion, sex, national origin, age, disability,
 202 sexual orientation, familial status ~~handicap~~, or marital status.

203 (b) To limit, segregate, or classify its membership or
 204 applicants for membership, or to classify or fail or refuse to
 205 refer for employment any individual, in any way which would
 206 deprive or tend to deprive any individual of employment
 207 opportunities, or adversely affect any individual's status as an
 208 employee or as an applicant for employment, because of such
 209 individual's race, color, religion, sex, national origin, age,
 210 disability, sexual orientation, familial status ~~handicap~~, or
 211 marital status.

212 (4) It is an unlawful employment practice for any
 213 employer, labor organization, or joint labor-management
 214 committee controlling apprenticeship or other training or
 215 retraining, including on-the-job training programs, to
 216 discriminate against any individual because of race, color,
 217 religion, sex, national origin, age, disability, sexual
 218 orientation, familial status ~~handicap~~, or marital status in
 219 admission to, or employment in, any program established to
 220 provide apprenticeship or other training.

221 (5) Whenever, in order to engage in a profession,
 222 occupation, or trade, it is required that a person receive a

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223 license, certification, or other credential, become a member or
224 an associate of any club, association, or other organization, or
225 pass any examination, it is an unlawful employment practice for
226 any person to discriminate against any other person seeking such
227 license, certification, or other credential, seeking to become a
228 member or associate of such club, association, or other
229 organization, or seeking to take or pass such examination,
230 because of such other person's race, color, religion, sex,
231 national origin, age, disability, sexual orientation, familial
232 status ~~handicap~~, or marital status.

233 (6) It is an unlawful employment practice for an employer,
234 labor organization, employment agency, or joint labor-management
235 committee to print, or cause to be printed or published, any
236 notice or advertisement relating to employment, membership,
237 classification, referral for employment, or apprenticeship or
238 other training, indicating any preference, limitation,
239 specification, or discrimination, based on race, color,
240 religion, sex, national origin, age, absence of disability,
241 sexual orientation, familial status ~~handicap~~, or marital status.

242 (8) Notwithstanding any other provision of this section,
243 it is not an unlawful employment practice under ss. 760.01-
244 760.10 for an employer, employment agency, labor organization,
245 or joint labor-management committee to:

246 (a) Take or fail to take any action on the basis of
247 religion, sex, national origin, age, disability, sexual
248 orientation ~~handicap~~, or marital status in those certain
249 instances in which religion, sex, national origin, age, absence
250 of a particular disability, sexual orientation ~~handicap~~, or

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251 marital status is a bona fide occupational qualification
 252 reasonably necessary for the performance of the particular
 253 employment to which such action or inaction is related.

254 Section 7. Section 509.092, Florida Statutes, is amended
 255 to read:

256 509.092 Public lodging establishments and public food
 257 service establishments; rights as private enterprises.--Public
 258 lodging establishments and public food service establishments
 259 are private enterprises, and the operator has the right to
 260 refuse accommodations or service to any person who is
 261 objectionable or undesirable to the operator, but such refusal
 262 may not be based upon race, creed, color, sex, physical
 263 disability, sexual orientation, familial status, or national
 264 origin. A person aggrieved by a violation of this section or a
 265 violation of a rule adopted under this section has a right of
 266 action pursuant to s. 760.11.

267 Section 8. Section 760.22, Florida Statutes, is amended to
 268 read:

269 760.22 Definitions.--As used in ss. 760.20-760.37, the
 270 term:

271 (1) "Commission" means the Florida Commission on Human
 272 Relations.

273 (2) "Covered multifamily dwelling" means:

274 (a) A building which consists of four or more units and
 275 has an elevator; or

276 (b) The ground floor units of a building which consists of
 277 four or more units and does not have an elevator.

278 (3) "Disability" means:

279 (a) A physical or mental impairment that a person has, has
 280 a record of having, or is regarded as having, that substantially
 281 limits one or more major life activities; or

282 (b) A developmental disability as defined in s. 393.063.

283 ~~(4)(3)~~ "Discriminatory housing practice" means an act that
 284 is unlawful under the terms of ss. 760.20-760.37.

285 ~~(5)(4)~~ "Dwelling" means any building or structure, or
 286 portion thereof, which is occupied as, or designed or intended
 287 for occupancy as, a residence by one or more families, and any
 288 vacant land which is offered for sale or lease for the
 289 construction or location on the land of any such building or
 290 structure, or portion thereof.

291 ~~(6)(5)~~ "Familial status" is established when an individual
 292 who has not attained the age of 18 years is domiciled with:

293 (a) A parent or other person having legal custody of such
 294 individual; or

295 (b) A designee of a parent or other person having legal
 296 custody, with the written permission of such parent or other
 297 person.

298 ~~(7)(6)~~ "Family" includes a single individual.

299 ~~(7)~~ "Handicap" means:

300 ~~(a) A person has a physical or mental impairment which~~
 301 ~~substantially limits one or more major life activities, or he or~~
 302 ~~she has a record of having, or is regarded as having, such~~
 303 ~~physical or mental impairment; or~~

304 ~~(b) A person has a developmental disability as defined in~~
 305 ~~s. 393.063.~~

306 (8) "Person" includes one or more individuals,
307 corporations, partnerships, associations, labor organizations,
308 legal representatives, mutual companies, joint-stock companies,
309 trusts, unincorporated organizations, trustees, trustees in
310 bankruptcy, receivers, and fiduciaries.

311 (9) "Substantially equivalent" means an administrative
312 subdivision of the State of Florida meeting the requirements of
313 24 C.F.R. part 115, s. 115.6.

314 (10) "To rent" includes to lease, to sublease, to let, and
315 otherwise to grant for a consideration the right to occupy
316 premises not owned by the occupant.

317 Section 9. Subsections (1), (2), (3), (5), (7), and (8),
318 paragraph (a) of subsection (9), and paragraphs (a) and (d) of
319 subsection (10) of section 760.23, Florida Statutes, are amended
320 to read:

321 760.23 Discrimination in the sale or rental of housing and
322 other prohibited practices.--

323 (1) It is unlawful to refuse to sell or rent after the
324 making of a bona fide offer, to refuse to negotiate for the sale
325 or rental of, or otherwise to make unavailable or deny a
326 dwelling to any person because of race, color, national origin,
327 sex, disability, sexual orientation ~~handicap~~, familial status,
328 marital status, or religion.

329 (2) It is unlawful to discriminate against any person in
330 the terms, conditions, or privileges of sale or rental of a
331 dwelling, or in the provision of services or facilities in
332 connection therewith, because of race, color, national origin,

333 sex, disability, sexual orientation ~~handicap~~, familial status,
 334 marital status, or religion.

335 (3) It is unlawful to make, print, or publish, or cause to
 336 be made, printed, or published, any notice, statement, or
 337 advertisement with respect to the sale or rental of a dwelling
 338 that indicates any preference, limitation, or discrimination
 339 based on race, color, national origin, sex, disability, sexual
 340 orientation ~~handicap~~, familial status, marital status, or
 341 religion or an intention to make any such preference,
 342 limitation, or discrimination.

343 (5) It is unlawful, for profit, to induce or attempt to
 344 induce any person to sell or rent any dwelling by a
 345 representation regarding the entry or prospective entry into the
 346 neighborhood of a person or persons of a particular race, color,
 347 national origin, sex, disability, sexual orientation ~~handicap~~,
 348 familial status, marital status, or religion.

349 (7) It is unlawful to discriminate in the sale or rental
 350 of, or to otherwise make unavailable or deny, a dwelling to any
 351 buyer or renter because of a disability ~~handicap~~ of:

352 (a) That buyer or renter;

353 (b) A person residing in or intending to reside in that
 354 dwelling after it is sold, rented, or made available; or

355 (c) Any person associated with the buyer or renter.

356 (8) It is unlawful to discriminate against any person in
 357 the terms, conditions, or privileges of sale or rental of a
 358 dwelling, or in the provision of services or facilities in
 359 connection with such dwelling, because of a disability ~~handicap~~
 360 of:

361 (a) That buyer or renter;

362 (b) A person residing in or intending to reside in that
 363 dwelling after it is sold, rented, or made available; or

364 (c) Any person associated with the buyer or renter.

365 (9) For purposes of subsections (7) and (8),
 366 discrimination includes:

367 (a) A refusal to permit, at the expense of the disabled
 368 ~~handicapped~~ person, reasonable modifications of existing
 369 premises occupied or to be occupied by such person if such
 370 modifications may be necessary to afford such person full
 371 enjoyment of the premises; or

372 (10) Covered multifamily dwellings as defined herein which
 373 are intended for first occupancy after March 13, 1991, shall be
 374 designed and constructed to have at least one building entrance
 375 on an accessible route unless it is impractical to do so because
 376 of the terrain or unusual characteristics of the site as
 377 determined by commission rule. Such buildings shall also be
 378 designed and constructed in such a manner that:

379 (a) The public use and common use portions of such
 380 dwellings are readily accessible to and usable by disabled
 381 ~~handicapped~~ persons.

382 (d) Compliance with the appropriate requirements of the
 383 American National Standards Institute for buildings and
 384 facilities providing accessibility and usability for physically
 385 disabled ~~handicapped~~ people, commonly cited as ANSI A117.1-1986,
 386 suffices to satisfy the requirements of paragraph (c).

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388 State agencies with building construction regulation
 389 responsibility or local governments, as appropriate, shall
 390 review the plans and specifications for the construction of
 391 covered multifamily dwellings to determine consistency with the
 392 requirements of this subsection.

393 Section 10. Section 760.24, Florida Statutes, is amended
 394 to read:

395 760.24 Discrimination in the provision of brokerage
 396 services.--It is unlawful to deny any person access to, or
 397 membership or participation in, any multiple-listing service,
 398 real estate brokers' organization, or other service,
 399 organization, or facility relating to the business of selling or
 400 renting dwellings, or to discriminate against him or her in the
 401 terms or conditions of such access, membership, or
 402 participation, on account of race, color, national origin, sex,
 403 disability, sexual orientation ~~handicap~~, familial status,
 404 marital status, or religion.

405 Section 11. Subsection (1) and paragraph (a) of subsection
 406 (2) of section 760.25, Florida Statutes, are amended to read:

407 760.25 Discrimination in the financing of housing or in
 408 residential real estate transactions.--

409 (1) It is unlawful for any bank, building and loan
 410 association, insurance company, or other corporation,
 411 association, firm, or enterprise the business of which consists
 412 in whole or in part of the making of commercial real estate
 413 loans to deny a loan or other financial assistance to a person
 414 applying for the loan for the purpose of purchasing,
 415 constructing, improving, repairing, or maintaining a dwelling,

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416 or to discriminate against him or her in the fixing of the
 417 amount, interest rate, duration, or other term or condition of
 418 such loan or other financial assistance, because of the race,
 419 color, national origin, sex, disability, sexual orientation
 420 ~~handicap~~, familial status, marital status, or religion of such
 421 person or of any person associated with him or her in connection
 422 with such loan or other financial assistance or the purposes of
 423 such loan or other financial assistance, or because of the race,
 424 color, national origin, sex, disability, sexual orientation
 425 ~~handicap~~, familial status, marital status, or religion of the
 426 present or prospective owners, lessees, tenants, or occupants of
 427 the dwelling or dwellings in relation to which such loan or
 428 other financial assistance is to be made or given.

429 (2) (a) It is unlawful for any person or entity whose
 430 business includes engaging in residential real estate
 431 transactions to discriminate against any person in making
 432 available such a transaction, or in the terms or conditions of
 433 such a transaction, because of race, color, national origin,
 434 sex, disability, sexual orientation ~~handicap~~, familial status,
 435 marital status, or religion.

436 Section 12. Section 760.26, Florida Statutes, is amended
 437 to read:

438 760.26 Prohibited discrimination in land use decisions and
 439 in permitting of development.--It is unlawful to discriminate in
 440 land use decisions or in the permitting of development based on
 441 race, color, national origin, sex, sexual orientation,
 442 disability, marital status, familial status, religion, or,

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443 | except as otherwise provided by law, the source of financing of
 444 | a development or proposed development.

445 | Section 13. Paragraph (a) of subsection (5) of section
 446 | 760.29, Florida Statutes, is amended to read:

447 | 760.29 Exemptions.--

448 | (5) Nothing in ss. 760.20-760.37:

449 | (a) Prohibits a person engaged in the business of
 450 | furnishing appraisals of real property from taking into
 451 | consideration factors other than race, color, national origin,
 452 | sex, disability, sexual orientation ~~handicap~~, familial status,
 453 | marital status, or religion.

454 | Section 14. Subsection (5) of section 760.31, Florida
 455 | Statutes, is amended to read:

456 | 760.31 Powers and duties of commission.--The commission
 457 | shall:

458 | (5) Adopt rules necessary to implement ss. 760.20-760.37
 459 | and govern the proceedings of the commission in accordance with
 460 | chapter 120. Commission rules shall clarify terms used with
 461 | regard to disabled ~~handicapped~~ accessibility, exceptions from
 462 | accessibility requirements based on terrain or site
 463 | characteristics, and requirements related to housing for older
 464 | persons. Commission rules shall specify the fee and the forms
 465 | and procedures to be used for the registration required by s.
 466 | 760.29(4)(e).

467 | Section 15. Subsection (2) of section 760.50, Florida
 468 | Statutes, is amended to read:

469 | 760.50 Discrimination on the basis of AIDS, AIDS-related
 470 | complex, and HIV prohibited.--

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471 (2) Any person with or perceived as having acquired immune
472 deficiency syndrome, acquired immune deficiency syndrome related
473 complex, or human immunodeficiency virus shall have every
474 protection made available to disabled ~~handicapped~~ persons.

475 Section 16. Subsection (1) of section 760.60, Florida
476 Statutes, is amended to read:

477 760.60 Discriminatory practices of certain clubs
478 prohibited; remedies.--

479 (1) It is unlawful for a person to discriminate against
480 any individual because of race, color, religion, gender,
481 national origin, disability, sexual orientation, familial status
482 ~~handicap~~, age above the age of 21, or marital status in
483 evaluating an application for membership in a club that has more
484 than 400 members, that provides regular meal service, and that
485 regularly receives payment for dues, fees, use of space,
486 facilities, services, meals, or beverages directly or indirectly
487 from nonmembers for business purposes. It is unlawful for a
488 person, on behalf of such a club, to publish, circulate, issue,
489 display, post, or mail any advertisement, notice, or
490 solicitation that contains a statement to the effect that the
491 accommodations, advantages, facilities, membership, or
492 privileges of the club are denied to any individual because of
493 race, color, religion, gender, national origin, disability,
494 sexual orientation, familial status ~~handicap~~, age above the age
495 of 21, or marital status. This subsection does not apply to
496 fraternal or benevolent organizations, ethnic clubs, or
497 religious organizations where business activity is not
498 prevalent.

499 Section 17. Paragraph (d) of subsection (1) of section
 500 419.001, Florida Statutes, is amended to read:

501 419.001 Site selection of community residential homes.--

502 (1) For the purposes of this section, the following
 503 definitions shall apply:

504 (d) "Resident" means any of the following: a frail elder
 505 as defined in s. 429.65; a physically disabled ~~or handicapped~~
 506 person as defined in s. 760.22 (3) ~~(7)~~ (a); a developmentally
 507 disabled person as defined in s. 393.063; a nondangerous
 508 mentally ill person as defined in s. 394.455(18); or a child who
 509 is found to be dependent or a child in need of services as
 510 defined in s. 39.01(14), s. 984.03(9) or (12), or s. 985.03.

511 Section 18. This act shall take effect July 1, 2008.