

By the Committee on Commerce; and Senators Deutch, Aronberg,  
Rich, Margolis, Ring, Justice and Atwater

577-06943-08

2008572c1

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 terms "disability" and "sexual orientation"  
16 and deleting the definition of the term "handicap";  
17 amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29,  
18 F.S.; revising provisions to include sexual orientation,  
19 familial status, and marital status as impermissible  
20 grounds for discrimination; conforming terminology;  
21 amending ss. 760.31 and 760.50, F.S.; conforming  
22 terminology; amending s. 760.60, F.S.; revising provisions  
23 to include sexual orientation and familial status as  
24 impermissible grounds for discrimination; conforming  
25 terminology; amending s. 419.001, F.S.; conforming a  
26 cross-reference; providing an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:  
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577-06943-08

2008572c1

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

32 760.01 Purposes; construction; title.--

33 (2) The general purposes of the Florida Civil Rights Act of  
34 1992 are to secure for all individuals within the state freedom  
35 from discrimination because of race, color, religion, sex,  
36 national origin, age, disability, sexual orientation, familial  
37 status ~~handicap~~, or marital status and thereby to protect their  
38 interest in personal dignity, to make available to the state  
39 their full productive capacities, to secure the state against  
40 domestic strife and unrest, to preserve the public safety,  
41 health, and general welfare, and to promote the interests,  
42 rights, and privileges of individuals within the state.

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

45 760.02 Definitions.--For the purposes of ss. 760.01-760.11  
46 and 509.092, the term:

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

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

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

54 (4) "Disability" means:

55 (a) A physical or mental impairment that a person has, has  
56 a record of having, or is regarded as having and that  
57 substantially limits one or more major life activities; or

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

577-06943-08

2008572c1

59        (5)~~(4)~~ "Discriminatory practice" means any practice made  
60 unlawful by the Florida Civil Rights Act of 1992.

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

65        (7) "Employment agency" means any person regularly  
66 undertaking, with or without compensation, to procure employees  
67 for an employer or to procure for employees opportunities to work  
68 for an employer, and includes an agent of such a person.

69        (8) "Familial status" is established when an individual who  
70 has not attained the age of 18 years is domiciled with:

71        (a) A parent or other person having legal custody of such  
72 individual; or

73        (b) A designee of a parent or other person having legal  
74 custody, with the written permission of such parent or other  
75 person.

76        (9) "Florida Civil Rights Act of 1992" means ss. 760.01-  
77 760.11 and 509.092.

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

83        (11)~~(5)~~ "National origin" includes ancestry.

84        (12)~~(6)~~ "Person" includes an individual, association,  
85 corporation, joint apprenticeship committee, joint-stock company,  
86 labor union, legal representative, mutual company, partnership,  
87 receiver, trust, trustee in bankruptcy, or unincorporated

577-06943-08

2008572c1

88 organization; any other legal or commercial entity; the state; or  
89 any governmental entity or agency.

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

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

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

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

105 (13)~~(11)~~ "Public accommodations" means places of public  
106 accommodation, lodgings, facilities principally engaged in  
107 selling food for consumption on the premises, gasoline stations,  
108 places of exhibition or entertainment, and other covered  
109 establishments. Each of the following establishments which serves  
110 the public is a place of public accommodation within the meaning  
111 of this section:

112 (a) Any inn, hotel, motel, or other establishment which  
113 provides lodging to transient guests, other than an establishment  
114 located within a building which contains not more than four rooms  
115 for rent or hire and which is actually occupied by the proprietor  
116 of such establishment as his or her residence.

577-06943-08

2008572c1

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

122 (c) Any motion picture theater, theater, concert hall,  
123 sports arena, stadium, or other place of exhibition or  
124 entertainment.

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

130 (14) "Sexual orientation" means the condition of being  
131 heterosexual, homosexual, or bisexual.

132 Section 3. Section 760.05, Florida Statutes, is amended to  
133 read:

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

143 Section 4. Section 760.07, Florida Statutes, is amended to  
144 read:

145 760.07 Remedies for unlawful discrimination.--Any violation

577-06943-08

2008572c1

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

162 Section 5. Section 760.08, Florida Statutes, is amended to  
163 read:

164 760.08 Discrimination in places of public  
165 accommodation.--All persons shall be entitled to the full and  
166 equal enjoyment of the goods, services, facilities, privileges,  
167 advantages, and accommodations of any place of public  
168 accommodation, as defined in this chapter, without discrimination  
169 or segregation on the ground of race, color, national origin,  
170 sex, disability, sexual orientation ~~handicap~~, familial status,  
171 marital status, or religion.

172 Section 6. Subsections (1) and (2), paragraphs (a) and (b)  
173 of subsection (3), subsections (4), (5), and (6), and paragraph  
174 (a) of subsection (8) of section 760.10, Florida Statutes, are

577-06943-08

2008572c1

175 amended to read:

176 760.10 Unlawful employment practices.--

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

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

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

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

199 (3) It is an unlawful employment practice for a labor  
200 organization:

201 (a) To exclude or to expel from its membership, or  
202 otherwise to discriminate against, any individual because of  
203 race, color, religion, sex, national origin, age, disability,

577-06943-08

2008572c1

204 sexual orientation, familial status ~~handicap~~, or marital status.

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

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

223 (5) Whenever, in order to engage in a profession,  
224 occupation, or trade, it is required that a person receive a  
225 license, certification, or other credential, become a member or  
226 an associate of any club, association, or other organization, or  
227 pass any examination, it is an unlawful employment practice for  
228 any person to discriminate against any other person seeking such  
229 license, certification, or other credential, seeking to become a  
230 member or associate of such club, association, or other  
231 organization, or seeking to take or pass such examination,  
232 because of such other person's race, color, religion, sex,



577-06943-08

2008572c1

233 national origin, age, disability, sexual orientation, familial  
234 status ~~handicap~~, or marital status.

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

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

248 (a) Take or fail to take any action on the basis of  
249 religion, sex, national origin, age, disability, sexual  
250 orientation ~~handicap~~, or marital status in those certain  
251 instances in which religion, sex, national origin, age, absence  
252 of a particular disability, sexual orientation ~~handicap~~, or  
253 marital status is a bona fide occupational qualification  
254 reasonably necessary for the performance of the particular  
255 employment to which such action or inaction is related.

256 Section 7. Section 509.092, Florida Statutes, is amended to  
257 read:

258 509.092 Public lodging establishments and public food  
259 service establishments; rights as private enterprises.--Public  
260 lodging establishments and public food service establishments are  
261 private enterprises, and the operator has the right to refuse

577-06943-08

2008572c1

262 accommodations or service to any person who is objectionable or  
263 undesirable to the operator, but such refusal may not be based  
264 upon race, creed, color, sex, physical disability, sexual  
265 orientation, familial status, or national origin. A person  
266 aggrieved by a violation of this section or a violation of a rule  
267 adopted under this section has a right of action pursuant to s.  
268 760.11.

269 Section 8. Section 760.22, Florida Statutes, is amended to  
270 read:

271 760.22 Definitions.--As used in ss. 760.20-760.37, the  
272 term:

273 (1) "Commission" means the Florida Commission on Human  
274 Relations.

275 (2) "Covered multifamily dwelling" means:

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

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

280 (3) "Disability" means:

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

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

285 (4)~~(3)~~ "Discriminatory housing practice" means an act that  
286 is unlawful under the terms of ss. 760.20-760.37.

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

577-06943-08

2008572c1

291 construction or location on the land of any such building or  
292 structure, or portion thereof.

293 (6)~~(5)~~ "Familial status" is established when an individual  
294 who has not attained the age of 18 years is domiciled with:

295 (a) A parent or other person having legal custody of such  
296 individual; or

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

300 (7)~~(6)~~ "Family" includes a single individual.

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

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

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

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

313 (9) "Sexual orientation" means the condition of being  
314 heterosexual, homosexual, or bisexual.

315 (10)~~(9)~~ "Substantially equivalent" means an administrative  
316 subdivision of the State of Florida meeting the requirements of  
317 24 C.F.R. part 115, s. 115.6.

318 (11)~~(10)~~ "To rent" includes to lease, to sublease, to let,  
319 and otherwise to grant for a consideration the right to occupy

577-06943-08

2008572c1

320 premises not owned by the occupant.

321 Section 9. Subsections (1), (2), (3), (5), (7), (8), and  
322 (9) and paragraphs (a) and (d) of subsection (10) of section  
323 760.23, Florida Statutes, are amended to read:

324 760.23 Discrimination in the sale or rental of housing and  
325 other prohibited practices.--

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

332 (2) It is unlawful to discriminate against any person in  
333 the terms, conditions, or privileges of sale or rental of a  
334 dwelling, or in the provision of services or facilities in  
335 connection therewith, because of race, color, national origin,  
336 sex, disability, sexual orientation ~~handicap~~, familial status,  
337 marital status, or religion.

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

346 (5) It is unlawful, for profit, to induce or attempt to  
347 induce any person to sell or rent any dwelling by a  
348 representation regarding the entry or prospective entry into the

577-06943-08

2008572c1

349 neighborhood of a person or persons of a particular race, color,  
350 national origin, sex, disability, sexual orientation ~~handicap~~,  
351 familial status, marital status, or religion.

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

355 (a) That buyer or renter;

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

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

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

364 (a) That buyer or renter;

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

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

368 (9) For purposes of subsections (7) and (8), discrimination  
369 includes:

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

375 (b) A refusal to make reasonable accommodations in rules,  
376 policies, practices, or services, when such accommodations may be  
377 necessary to afford such person equal opportunity to use and

577-06943-08

2008572c1

378 | enjoy a dwelling.

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

386 |       (a) The public use and common use portions of such  
387 | dwellings are readily accessible to and usable by disabled  
388 | ~~handicapped~~ persons.

389 |       (d) Compliance with the appropriate requirements of the  
390 | American National Standards Institute for buildings and  
391 | facilities providing accessibility and usability for physically  
392 | disabled ~~handicapped~~ people, commonly cited as ANSI A117.1-1986,  
393 | suffices to satisfy the requirements of paragraph (c).

394 |  
395 | State agencies with building construction regulation  
396 | responsibility or local governments, as appropriate, shall review  
397 | the plans and specifications for the construction of covered  
398 | multifamily dwellings to determine consistency with the  
399 | requirements of this subsection.

400 |       Section 10. Section 760.24, Florida Statutes, is amended to  
401 | read:

402 |       760.24 Discrimination in the provision of brokerage  
403 | services.--It is unlawful to deny any person access to, or  
404 | membership or participation in, any multiple-listing service,  
405 | real estate brokers' organization, or other service,  
406 | organization, or facility relating to the business of selling or

577-06943-08

2008572c1

407 | renting dwellings, or to discriminate against him or her in the  
408 | terms or conditions of such access, membership, or participation,  
409 | on account of race, color, national origin, sex, disability,  
410 | sexual orientation ~~handicap~~, familial status, marital status, or  
411 | religion.

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

414 |       760.25 Discrimination in the financing of housing or in  
415 | residential real estate transactions.--

416 |       (1) It is unlawful for any bank, building and loan  
417 | association, insurance company, or other corporation,  
418 | association, firm, or enterprise the business of which consists  
419 | in whole or in part of the making of commercial real estate loans  
420 | to deny a loan or other financial assistance to a person applying  
421 | for the loan for the purpose of purchasing, constructing,  
422 | improving, repairing, or maintaining a dwelling, or to  
423 | discriminate against him or her in the fixing of the amount,  
424 | interest rate, duration, or other term or condition of such loan  
425 | or other financial assistance, because of the race, color,  
426 | national origin, sex, disability, sexual orientation ~~handicap~~,  
427 | familial status, marital status, or religion of such person or of  
428 | any person associated with him or her in connection with such  
429 | loan or other financial assistance or the purposes of such loan  
430 | or other financial assistance, or because of the race, color,  
431 | national origin, sex, disability, sexual orientation ~~handicap~~,  
432 | familial status, marital status, or religion of the present or  
433 | prospective owners, lessees, tenants, or occupants of the  
434 | dwelling or dwellings in relation to which such loan or other  
435 | financial assistance is to be made or given.

577-06943-08

2008572c1

436 (2) (a) It is unlawful for any person or entity whose  
437 business includes engaging in residential real estate  
438 transactions to discriminate against any person in making  
439 available such a transaction, or in the terms or conditions of  
440 such a transaction, because of race, color, national origin, sex,  
441 disability, sexual orientation ~~handicap~~, familial status, marital  
442 status, or religion.

443 Section 12. Section 760.26, Florida Statutes, is amended to  
444 read:

445 760.26 Prohibited discrimination in land use decisions and  
446 in permitting of development.--It is unlawful to discriminate in  
447 land use decisions or in the permitting of development based on  
448 race, color, national origin, sex, sexual orientation,  
449 disability, marital status, familial status, religion, or, except  
450 as otherwise provided by law, the source of financing of a  
451 development or proposed development.

452 Section 13. Paragraph (a) of subsection (5) of section  
453 760.29, Florida Statutes, is amended to read:

454 760.29 Exemptions.--

455 (5) Nothing in ss. 760.20-760.37:

456 (a) Prohibits a person engaged in the business of  
457 furnishing appraisals of real property from taking into  
458 consideration factors other than race, color, national origin,  
459 sex, disability, sexual orientation ~~handicap~~, familial status,  
460 marital status, or religion.

461 Section 14. Subsection (5) of section 760.31, Florida  
462 Statutes, is amended to read:

463 760.31 Powers and duties of commission.--The commission  
464 shall:



577-06943-08

2008572c1

465 (5) Adopt rules necessary to implement ss. 760.20-760.37  
466 and govern the proceedings of the commission in accordance with  
467 chapter 120. Commission rules shall clarify terms used with  
468 regard to disabled ~~handicapped~~ accessibility, exceptions from  
469 accessibility requirements based on terrain or site  
470 characteristics, and requirements related to housing for older  
471 persons. Commission rules shall specify the fee and the forms and  
472 procedures to be used for the registration required by s.  
473 760.29(4)(e).

474 Section 15. Subsection (2) of section 760.50, Florida  
475 Statutes, is amended to read:

476 760.50 Discrimination on the basis of AIDS, AIDS-related  
477 complex, and HIV prohibited.--

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

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

484 760.60 Discriminatory practices of certain clubs  
485 prohibited; remedies.--

486 (1) It is unlawful for a person to discriminate against any  
487 individual because of race, color, religion, gender, national  
488 origin, disability, sexual orientation, familial status ~~handicap~~,  
489 age above the age of 21, or marital status in evaluating an  
490 application for membership in a club that has more than 400  
491 members, that provides regular meal service, and that regularly  
492 receives payment for dues, fees, use of space, facilities,  
493 services, meals, or beverages directly or indirectly from

577-06943-08

2008572c1

494 nonmembers for business purposes. It is unlawful for a person, on  
495 behalf of such a club, to publish, circulate, issue, display,  
496 post, or mail any advertisement, notice, or solicitation that  
497 contains a statement to the effect that the accommodations,  
498 advantages, facilities, membership, or privileges of the club are  
499 denied to any individual because of race, color, religion,  
500 gender, national origin, disability, sexual orientation, familial  
501 status ~~handicap~~, age above the age of 21, or marital status. This  
502 subsection does not apply to fraternal or benevolent  
503 organizations, ethnic clubs, or religious organizations where  
504 business activity is not prevalent.

505 Section 17. Paragraph (d) of subsection (1) of section  
506 419.001, Florida Statutes, is amended to read:

507 419.001 Site selection of community residential homes.--

508 (1) For the purposes of this section, the following  
509 definitions shall apply:

510 (d) "Resident" means any of the following: a frail elder as  
511 defined in s. 429.65; a physically disabled or handicapped person  
512 as defined in s. 760.22(3)(a) ~~s. 760.22(7)(a)~~; a developmentally  
513 disabled person as defined in s. 393.063; a nondangerous mentally  
514 ill person as defined in s. 394.455(18); or a child who is found  
515 to be dependent or a child in need of services as defined in s.  
516 39.01(14), s. 984.03(9) or (12), or s. 985.03.

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