

By Senator Abruzzo

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1 A bill to be entitled
2 An act relating to prohibited discrimination;
3 providing a short title; amending s. 760.01, F.S.;
4 revising provisions to include sexual orientation and
5 gender identity or expression as impermissible grounds
6 for discrimination; conforming terminology; amending
7 s. 760.02, F.S.; defining additional terms; creating
8 s. 760.025, F.S.; specifying when an individual has an
9 impairment for certain purposes; amending ss. 760.05,
10 760.07, 760.08, and 760.10, F.S.; revising provisions
11 to include sexual orientation and gender identity or
12 expression as impermissible grounds for
13 discrimination; conforming terminology; amending s.
14 509.092, F.S.; revising provisions to include sexual
15 orientation and gender identity or expression as
16 impermissible grounds for discrimination in public
17 lodging establishments and public food service
18 establishments; amending s. 760.22, F.S.; defining
19 additional terms; deleting the definition of the term
20 "handicap"; creating s. 760.225, F.S.; specifying when
21 an individual has an impairment for certain purposes;
22 amending ss. 760.23, 760.24, 760.25, 760.26, and
23 760.29, F.S.; revising provisions to include sexual
24 orientation and gender identity or expression as
25 impermissible grounds for discrimination; conforming
26 terminology; amending ss. 760.31 and 760.50, F.S.;
27 conforming terminology; amending s. 760.60, F.S.;
28 revising provisions to include sexual orientation and
29 gender identity or expression as impermissible grounds

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30 for discrimination; conforming terminology; amending
31 s. 419.001, F.S.; conforming a cross-reference;
32 providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 Section 1. This act may be cited as the "Competitive
37 Workforce Act."

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

40 760.01 Purposes; construction; title.—

41 (2) The general purposes of the Florida Civil Rights Act of
42 1992 are to secure for all individuals within the state freedom
43 from discrimination because of race, color, religion, sex,
44 national origin, age, disability, sexual orientation, gender
45 identity or expression ~~handicap~~, or marital status and thereby
46 to protect their interest in personal dignity, to make available
47 to the state their full productive capacities, to secure the
48 state against domestic strife and unrest, to preserve the public
49 safety, health, and general welfare, and to promote the
50 interests, rights, and privileges of individuals within the
51 state.

52 Section 3. Section 760.02, Florida Statutes, is amended to
53 read:

54 760.02 Definitions.—For the purposes of ss. 760.01-760.11
55 and 509.092, the term:

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

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

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

63 (4) "Disability" means:

64 (a) A physical or mental impairment that substantially
65 limits one or more of the major life activities of the
66 individual;

67 (b) A record of such impairment;

68 (c) Being regarded as having such an impairment; or

69 (d) Having a developmental disability as defined in s.
70 393.063.

71 (5)~~(4)~~ "Discriminatory practice" means any practice made
72 unlawful by the Florida Civil Rights Act of 1992.

73 (6) "Employer" means a person employing 15 or more
74 employees for each working day in each of 20 or more calendar
75 weeks in the current or the previous calendar year, and any
76 agent of such a person.

77 (7) "Employment agency" means a person regularly
78 undertaking, with or without compensation, to procure employees
79 for an employer or to procure for employees opportunities to
80 work for an employer, and includes an agent of such a person.

81 (8) "Florida Civil Rights Act of 1992" means ss. 760.01-
82 760.11 and 509.092.

83 (9) "Gender identity or expression" means gender-related
84 identity, appearance, expression, or behavior of an individual,
85 regardless of the individual's assigned sex at birth.

86 (10) "Labor organization" means an organization that exists
87 for the purpose, in whole or in part, of collective bargaining

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88 or of dealing with employers concerning grievances, terms or
89 conditions of employment, or other mutual aid or protection in
90 connection with employment.

91 (11) "Major life activities" includes, but is not limited
92 to:

93 (a) Caring for oneself, performing manual tasks, and
94 functioning in a workplace environment.

95 (b) Major bodily functions, including, but not limited to,
96 visual, auditory, aural, and cognitive functions; functions of
97 the immune, digestive, neurological, respiratory, circulatory,
98 endocrine, and reproductive systems; normal cell growth; and
99 functions of the bowel, bladder, and brain.

100 (12)~~(5)~~ "National origin" includes ancestry.

101 (13)~~(6)~~ "Person" includes an individual, association,
102 corporation, joint apprenticeship committee, joint-stock
103 company, labor union, legal representative, mutual company,
104 partnership, receiver, trust, trustee in bankruptcy, or
105 unincorporated organization; any other legal or commercial
106 entity; the state; or any governmental entity or agency.

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

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

115 ~~(9) "Labor organization" means any organization which~~
116 ~~exists for the purpose, in whole or in part, of collective~~

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117 ~~bargaining or of dealing with employers concerning grievances,~~
118 ~~terms or conditions of employment, or other mutual aid or~~
119 ~~protection in connection with employment.~~

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

122 (14) ~~(11)~~ "Public accommodations" means places of public
123 accommodation, lodgings, facilities principally engaged in
124 selling food for consumption on the premises, gasoline stations,
125 places of exhibition or entertainment, and other covered
126 establishments. Each of the following establishments which
127 serves the public is a place of public accommodation within the
128 meaning of this section:

129 (a) An ~~Any~~ inn, hotel, motel, or other establishment that
130 ~~which~~ provides lodging to transient guests, other than an
131 establishment located within a building that ~~which~~ contains not
132 more than four rooms for rent or hire and that ~~which~~ is actually
133 occupied by the proprietor of such establishment as his or her
134 residence.

135 (b) A ~~Any~~ restaurant, cafeteria, lunchroom, lunch counter,
136 soda fountain, or other facility principally engaged in selling
137 food for consumption on the premises, including, but not limited
138 to, any such facility located on the premises of any retail
139 establishment, or any gasoline station.

140 (c) A ~~Any~~ motion picture theater, theater, concert hall,
141 sports arena, stadium, or other place of exhibition or
142 entertainment.

143 (d) An ~~Any~~ establishment that ~~which~~ is physically located
144 within the premises of any establishment otherwise covered by
145 this subsection, or within the premises of which is physically

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146 located any such covered establishment, and which holds itself
147 out as serving patrons of such covered establishment.

148 (15) "Sexual orientation" means an individual's actual or
149 perceived heterosexuality, homosexuality, or bisexuality.

150 Section 4. Section 760.025, Florida Statutes, is created to
151 read:

152 760.025 Impairment.—For purposes of this part, an
153 individual who has been subjected to an action prohibited under
154 this chapter because of an actual or perceived physical or
155 mental impairment, regardless of whether the impairment limits
156 or is perceived to limit a major life activity, has an
157 impairment. An impairment that limits one major life activity
158 may be considered a disability; however, a transitory or minor
159 impairment is not a disability. An impairment that is episodic
160 or in remission is considered to be a disability if it
161 substantially limits at least one major life activity when the
162 impairment is active or not in remission. The determination of
163 whether an impairment substantially limits at least one major
164 life activity must be made without regard to the ameliorative
165 effects of mitigating measures, such as medication; medical
166 supplies; equipment or appliances; low-vision devices, not
167 including ordinary eyeglasses or contact lenses; prosthetics,
168 including artificial limbs and devices, hearing aids and
169 cochlear implants or other implantable hearing devices, and
170 mobility devices; oxygen therapy equipment and supplies; use of
171 assistive technology; reasonable accommodations or auxiliary
172 aids or services, including qualified interpreters or other
173 effective measures of making aurally delivered materials
174 available to individuals with hearing impairments; qualified

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175 readers; taped texts or other effective methods of making
176 visually delivered materials available to individuals with
177 visual impairments; acquisition or modification of equipment and
178 devices and other similar services and actions; or learned
179 behavioral or adaptive neurological modifications.

180 Section 5. Section 760.05, Florida Statutes, is amended to
181 read:

182 760.05 Functions of the commission.—The commission shall
183 promote and encourage fair treatment and equal opportunity for
184 all persons regardless of race, color, religion, sex, national
185 origin, age, disability, sexual orientation, gender identity or
186 expression ~~handicap~~, or marital status and mutual understanding
187 and respect among all members of society ~~all economic, social,~~
188 ~~racial, religious, and ethnic groups~~; and the commission shall
189 endeavor to eliminate discrimination against, and antagonism
190 between, persons on the basis of race, color, religion, sex,
191 national origin, age, disability, sexual orientation, gender
192 identity or expression, or marital status ~~religious, racial, and~~
193 ~~ethnic groups and their members.~~

194 Section 6. Section 760.07, Florida Statutes, is amended to
195 read:

196 760.07 Remedies for unlawful discrimination.—Any violation
197 of any Florida statute making unlawful discrimination because of
198 race, color, religion, gender, national origin, age, disability,
199 sexual orientation, gender identity or expression ~~handicap~~, or
200 marital status in the areas of education, employment, housing,
201 or public accommodations gives rise to a cause of action for all
202 relief and damages described in s. 760.11(5), unless greater
203 damages are expressly provided for. If the statute prohibiting

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204 unlawful discrimination provides an administrative remedy, the
205 action for equitable relief and damages provided for in this
206 section may be initiated only after the plaintiff has exhausted
207 his or her administrative remedy. The term "public
208 accommodations" does not include lodge halls or other similar
209 facilities of private organizations that ~~which~~ are made
210 available for public use occasionally or periodically. The right
211 to trial by jury is preserved in any case in which the plaintiff
212 is seeking actual or punitive damages.

213 Section 7. Section 760.08, Florida Statutes, is amended to
214 read:

215 760.08 Discrimination in places of public accommodation.—
216 All persons shall be entitled to the full and equal enjoyment of
217 the goods, services, facilities, privileges, advantages, and
218 accommodations of any place of public accommodation, as defined
219 in this chapter, without discrimination or segregation on the
220 ground of race, color, national origin, sex, disability, sexual
221 orientation, gender identity or expression ~~handicap~~, familial
222 status, or religion.

223 Section 8. Subsections (1) and (2), paragraphs (a) and (b)
224 of subsection (3), subsections (4), (5), and (6), and paragraph
225 (a) of subsection (8) of section 760.10, Florida Statutes, are
226 amended to read:

227 760.10 Unlawful employment practices.—

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

229 (a) To discharge or to fail or refuse to hire any
230 individual, or otherwise to discriminate against any individual
231 with respect to compensation, terms, conditions, or privileges
232 of employment, because of such individual's race, color,

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233 religion, sex, national origin, age, disability, sexual
234 orientation, gender identity or expression ~~handicap~~, or marital
235 status.

236 (b) To limit, segregate, or classify employees or
237 applicants for employment in any way which would deprive or tend
238 to deprive any individual of employment opportunities, or
239 adversely affect any individual's status as an employee, because
240 of such individual's race, color, religion, sex, national
241 origin, age, disability, sexual orientation, gender identity or
242 expression ~~handicap~~, or marital status.

243 (2) It is an unlawful employment practice for an employment
244 agency to fail or refuse to refer for employment, or otherwise
245 to discriminate against, an ~~any~~ individual because of race,
246 color, religion, sex, national origin, age, disability, sexual
247 orientation, gender identity or expression ~~handicap~~, or marital
248 status or to classify or refer for employment any individual on
249 the basis of race, color, religion, sex, national origin, age,
250 disability, sexual orientation, gender identity or expression
251 ~~handicap~~, or marital status.

252 (3) It is an unlawful employment practice for a labor
253 organization:

254 (a) To exclude or to expel from its membership, or
255 otherwise to discriminate against, any individual because of
256 race, color, religion, sex, national origin, age, disability,
257 sexual orientation, gender identity or expression ~~handicap~~, or
258 marital status.

259 (b) To limit, segregate, or classify its membership or
260 applicants for membership, or to classify or fail or refuse to
261 refer for employment any individual, in any way which would

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262 deprive or tend to deprive any individual of employment
263 opportunities, or adversely affect any individual's status as an
264 employee or as an applicant for employment, because of such
265 individual's race, color, religion, sex, national origin, age,
266 disability, sexual orientation, gender identity or expression
267 ~~handicap~~, or marital status.

268 (4) It is an unlawful employment practice for any employer,
269 labor organization, or joint labor-management committee
270 controlling apprenticeship or other training or retraining,
271 including on-the-job training programs, to discriminate against
272 any individual because of race, color, religion, sex, national
273 origin, age, disability, sexual orientation, gender identity or
274 expression ~~handicap~~, or marital status in admission to, or
275 employment in, any program established to provide apprenticeship
276 or other training.

277 (5) Whenever, in order to engage in a profession,
278 occupation, or trade, it is required that a person receive a
279 license, certification, or other credential, become a member or
280 an associate of any club, association, or other organization, or
281 pass any examination, it is an unlawful employment practice for
282 any person to discriminate against any other person seeking such
283 license, certification, or other credential, seeking to become a
284 member or associate of such club, association, or other
285 organization, or seeking to take or pass such examination,
286 because of such other person's race, color, religion, sex,
287 national origin, age, disability, sexual orientation, gender
288 identity or expression ~~handicap~~, or marital status.

289 (6) It is an unlawful employment practice for an employer,
290 labor organization, employment agency, or joint labor-management

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291 committee to print, or cause to be printed or published, any
292 notice or advertisement relating to employment, membership,
293 classification, referral for employment, or apprenticeship or
294 other training, indicating any preference, limitation,
295 specification, or discrimination, based on race, color,
296 religion, sex, national origin, age, absence of disability,
297 sexual orientation, gender identity or expression handicap, or
298 marital status.

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

303 (a) Take or fail to take any action on the basis of
304 religion, sex, national origin, age, disability, sexual
305 orientation, gender identity or expression handicap, or marital
306 status in those certain instances in which religion, sex,
307 national origin, age, absence of a particular disability, sexual
308 orientation, gender identity or expression handicap, or marital
309 status is a bona fide occupational qualification reasonably
310 necessary for the performance of the particular employment to
311 which such action or inaction is related.

312 Section 9. Section 509.092, Florida Statutes, is amended to
313 read:

314 509.092 Public lodging establishments and public food
315 service establishments; rights as private enterprises.—Public
316 lodging establishments and public food service establishments
317 are private enterprises, and the operator has the right to
318 refuse accommodations or service to any person who is
319 objectionable or undesirable to the operator, but such refusal

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320 may not be based upon race, creed, color, sex, ~~physical~~
321 disability, sexual orientation, gender identity or expression,
322 or national origin. A person aggrieved by a violation of this
323 section or a violation of a rule adopted under this section has
324 a right of action pursuant to s. 760.11.

325 Section 10. Section 760.22, Florida Statutes, is amended to
326 read:

327 760.22 Definitions.—As used in ss. 760.20-760.37, the term:

328 (1) "Commission" means the Florida Commission on Human
329 Relations.

330 (2) "Covered multifamily dwelling" means:

331 (a) A building that ~~which~~ consists of four or more units
332 and has an elevator; or

333 (b) The ground floor units of a building that ~~which~~
334 consists of four or more units and does not have an elevator.

335 (3) "Disability" has the same meaning as provided in s.
336 760.02.

337 (4)~~(3)~~ "Discriminatory housing practice" means an act that
338 is unlawful under the terms of ss. 760.20-760.37.

339 (5)~~(4)~~ "Dwelling" means any building or structure, or
340 portion thereof, which is occupied as, or designed or intended
341 for occupancy as, a residence by one or more families, and any
342 vacant land that ~~which~~ is offered for sale or lease for the
343 construction or location on the land of any such building or
344 structure, or portion thereof.

345 (6)~~(5)~~ "Familial status" is established when an individual
346 who has not attained the age of 18 years is domiciled with:

347 (a) A parent or other person having legal custody of such
348 individual; or

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349 (b) A designee of a parent or other person having legal
350 custody, with the written permission of such parent or other
351 person.

352 (7)~~(6)~~ "Family" includes a single individual.

353 (8) "Gender identity or expression" has the same meaning as
354 provided in s. 760.02.

355 (9) "Major life activities" has the same meaning as
356 provided in s. 760.02.

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

358 ~~(a) A person has a physical or mental impairment which~~
359 ~~substantially limits one or more major life activities, or he or~~
360 ~~she has a record of having, or is regarded as having, such~~
361 ~~physical or mental impairment; or~~

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

364 (10)~~(8)~~ "Person" includes one or more individuals,
365 corporations, partnerships, associations, labor organizations,
366 legal representatives, mutual companies, joint-stock companies,
367 trusts, unincorporated organizations, trustees, trustees in
368 bankruptcy, receivers, and fiduciaries.

369 (11) "Sexual orientation" has the same meaning as provided
370 in s. 760.02.

371 (12)~~(9)~~ "Substantially equivalent" means an administrative
372 subdivision of the State of Florida meeting the requirements of
373 24 C.F.R. part 115, s. 115.6.

374 (13) "Substantially limits" means to materially restrict an
375 individual's ability.

376 (14)~~(10)~~ "To rent" includes to lease, to sublease, to let,
377 and otherwise to grant for a consideration the right to occupy

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378 premises not owned by the occupant.

379 (15) "Transitory or minor impairment" means any impairment
380 having an actual, apparent, or expected duration of 6 months or
381 less.

382 Section 11. Section 760.225, Florida Statutes, is created
383 to read:

384 760.225 Impairment.—For purposes of this part, an
385 individual who has been subjected to an action prohibited under
386 this chapter because of an actual or perceived physical or
387 mental impairment, regardless of whether the impairment limits
388 or is perceived to limit a major life activity, has an
389 impairment. An impairment that limits one major life activity
390 may be considered a disability; however, a transitory or minor
391 impairment is not a disability. An impairment that is episodic
392 or in remission is considered a disability if it substantially
393 limits at least one major life activity when the impairment is
394 active or not in remission. The determination of whether an
395 impairment substantially limits a major life activity must be
396 made without regard to the ameliorative effects of mitigating
397 measures, such as medication; medical supplies; equipment or
398 appliances; low-vision devices, not including ordinary
399 eyeglasses or contact lenses; prosthetics, including artificial
400 limbs and devices, hearing aids and cochlear implants or other
401 implantable hearing devices, and mobility devices; oxygen
402 therapy equipment and supplies; use of assistive technology;
403 reasonable accommodations or auxiliary aids or services,
404 including qualified interpreters or other effective measures of
405 making aurally delivered materials available to individuals with
406 hearing impairments; qualified readers; taped texts or other

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407 effective methods of making visually delivered materials
408 available to individuals with visual impairments; acquisition or
409 modification of equipment and devices and other similar services
410 and actions; or learned behavioral or adaptive neurological
411 modifications.

412 Section 12. Subsections (1), (2), (3), (4), (5), (7), and
413 (8), paragraph (a) of subsection (9), and paragraphs (a) and (d)
414 of subsection (10) of section 760.23, Florida Statutes, are
415 amended to read:

416 760.23 Discrimination in the sale or rental of housing and
417 other prohibited practices.—

418 (1) It is unlawful to refuse to sell or rent after the
419 making of a bona fide offer, to refuse to negotiate for the sale
420 or rental of, or otherwise to make unavailable or deny a
421 dwelling to any person because of race, color, national origin,
422 sex, disability, sexual orientation, gender identity or
423 expression ~~handicap~~, familial status, or religion.

424 (2) It is unlawful to discriminate against any person in
425 the terms, conditions, or privileges of sale or rental of a
426 dwelling, or in the provision of services or facilities in
427 connection therewith, because of race, color, national origin,
428 sex, disability, sexual orientation, gender identity or
429 expression ~~handicap~~, familial status, or religion.

430 (3) It is unlawful to make, print, or publish, or cause to
431 be made, printed, or published, any notice, statement, or
432 advertisement with respect to the sale or rental of a dwelling
433 that indicates any preference, limitation, or discrimination
434 based on race, color, national origin, sex, disability, sexual
435 orientation, gender identity or expression ~~handicap~~, familial

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436 status, or religion or an intention to make any such preference,
437 limitation, or discrimination.

438 (4) It is unlawful to represent to any person because of
439 race, color, national origin, sex, disability, sexual
440 orientation, gender identity or expression ~~handicap~~, familial
441 status, or religion that any dwelling is not available for
442 inspection, sale, or rental when such dwelling is in fact so
443 available.

444 (5) It is unlawful, for profit, to induce or attempt to
445 induce any person to sell or rent any dwelling by a
446 representation regarding the entry or prospective entry into the
447 neighborhood of a person or persons of a particular race, color,
448 national origin, sex, disability, sexual orientation, gender
449 identity or expression ~~handicap~~, familial status, or religion.

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

453 (a) That buyer or renter;

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

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

457 (8) It is unlawful to discriminate against any person in
458 the terms, conditions, or privileges of sale or rental of a
459 dwelling, or in the provision of services or facilities in
460 connection with such dwelling, because of a disability ~~handicap~~
461 of:

462 (a) That buyer or renter;

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

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

466 (9) For purposes of subsections (7) and (8), discrimination
467 includes:

468 (a) A refusal to permit, at the expense of the ~~handicapped~~
469 person who has a disability, reasonable modifications of
470 existing premises occupied or to be occupied by such person if
471 such modifications may be necessary to afford such person full
472 enjoyment of the premises; or

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

480 (a) The public use and common use portions of such
481 dwellings are readily accessible to and usable by ~~handicapped~~
482 persons who have disabilities.

483 (d) Compliance with the appropriate requirements of the
484 American National Standards Institute for buildings and
485 facilities providing accessibility and usability for ~~physically~~
486 ~~handicapped~~ people who have physical disabilities, commonly
487 cited as ANSI A117.1-1986, suffices to satisfy the requirements
488 of paragraph (c).

489
490 State agencies with building construction regulation
491 responsibility or local governments, as appropriate, shall
492 review the plans and specifications for the construction of
493 covered multifamily dwellings to determine consistency with the

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494 requirements of this subsection.

495 Section 13. Section 760.24, Florida Statutes, is amended to
496 read:

497 760.24 Discrimination in the provision of brokerage
498 services.—It is unlawful to deny any person access to, or
499 membership or participation in, any multiple-listing service,
500 real estate brokers' organization, or other service,
501 organization, or facility relating to the business of selling or
502 renting dwellings, or to discriminate against him or her in the
503 terms or conditions of such access, membership, or
504 participation, on account of race, color, national origin, sex,
505 disability, sexual orientation, gender identity or expression
506 ~~handicap~~, familial status, or religion.

507 Section 14. Subsection (1) and paragraph (a) of subsection
508 (2) of section 760.25, Florida Statutes, are amended to read:

509 760.25 Discrimination in the financing of housing or in
510 residential real estate transactions.—

511 (1) It is unlawful for any bank, building and loan
512 association, insurance company, or other corporation,
513 association, firm, or enterprise the business of which consists
514 in whole or in part of the making of commercial real estate
515 loans to deny a loan or other financial assistance to a person
516 applying for the loan for the purpose of purchasing,
517 constructing, improving, repairing, or maintaining a dwelling,
518 or to discriminate against him or her in the fixing of the
519 amount, interest rate, duration, or other term or condition of
520 such loan or other financial assistance, because of the race,
521 color, national origin, sex, disability, sexual orientation,
522 gender identity or expression ~~handicap~~, familial status, or

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523 religion of such person or of any person associated with him or
524 her in connection with such loan or other financial assistance
525 or the purposes of such loan or other financial assistance, or
526 because of the race, color, national origin, sex, disability,
527 sexual orientation, gender identity or expression ~~handicap,~~
528 familial status, or religion of the present or prospective
529 owners, lessees, tenants, or occupants of the dwelling or
530 dwellings in relation to which such loan or other financial
531 assistance is to be made or given.

532 (2) (a) It is unlawful for any person or entity whose
533 business includes engaging in residential real estate
534 transactions to discriminate against any person in making
535 available such a transaction, or in the terms or conditions of
536 such a transaction, because of race, color, national origin,
537 sex, disability, sexual orientation, gender identity or
538 expression ~~handicap,~~ familial status, or religion.

539 Section 15. Section 760.26, Florida Statutes, is amended to
540 read:

541 760.26 Prohibited discrimination in land use decisions and
542 in permitting of development.—It is unlawful to discriminate in
543 land use decisions or in the permitting of development based on
544 race, color, national origin, sex, sexual orientation, gender
545 identity or expression, disability, familial status, religion,
546 or, except as otherwise provided by law, the source of financing
547 of a development or proposed development.

548 Section 16. Paragraph (a) of subsection (5) of section
549 760.29, Florida Statutes, is amended to read:

550 760.29 Exemptions.—

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

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552 (a) Prohibits a person engaged in the business of
553 furnishing appraisals of real property from taking into
554 consideration factors other than race, color, national origin,
555 sex, disability, sexual orientation, gender identity or
556 expression ~~handicap~~, familial status, or religion.

557 Section 17. Subsection (5) of section 760.31, Florida
558 Statutes, is amended to read:

559 760.31 Powers and duties of commission.—The commission
560 shall:

561 (5) Adopt rules necessary to implement ss. 760.20-760.37
562 and govern the proceedings of the commission in accordance with
563 chapter 120. Commission rules shall clarify terms used with
564 regard to ~~handicapped~~ accessibility for persons with
565 disabilities, exceptions from accessibility requirements based
566 on terrain or site characteristics, and requirements related to
567 housing for older persons. Commission rules shall specify the
568 fee and the forms and procedures to be used for the registration
569 required by s. 760.29(4)(e).

570 Section 18. Subsection (2) of section 760.50, Florida
571 Statutes, is amended to read:

572 760.50 Discrimination on the basis of AIDS, AIDS-related
573 complex, and HIV prohibited.—

574 (2) Any person with or perceived as having acquired immune
575 deficiency syndrome, acquired immune deficiency syndrome related
576 complex, or human immunodeficiency virus shall have every
577 protection made available to ~~handicapped~~ persons with
578 disabilities.

579 Section 19. Subsection (1) of section 760.60, Florida
580 Statutes, is amended to read:

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581 760.60 Discriminatory practices of certain clubs
582 prohibited; remedies.—

583 (1) It is unlawful for a person to discriminate against any
584 individual because of race, color, religion, gender, national
585 origin, disability, sexual orientation, gender identity or
586 expression ~~handicap~~, age above the age of 21, or marital status
587 in evaluating an application for membership in a club that has
588 more than 400 members, that provides regular meal service, and
589 that regularly receives payment for dues, fees, use of space,
590 facilities, services, meals, or beverages directly or indirectly
591 from nonmembers for business purposes. It is unlawful for a
592 person, on behalf of such a club, to publish, circulate, issue,
593 display, post, or mail any advertisement, notice, or
594 solicitation that contains a statement to the effect that the
595 accommodations, advantages, facilities, membership, or
596 privileges of the club are denied to any individual because of
597 race, color, religion, gender, national origin, disability,
598 sexual orientation, gender identity or expression ~~handicap~~, age
599 above the age of 21, or marital status. This subsection does not
600 apply to fraternal or benevolent organizations, ethnic clubs, or
601 religious organizations where business activity is not
602 prevalent.

603 Section 20. Paragraph (e) of subsection (1) of section
604 419.001, Florida Statutes, is amended to read:

605 419.001 Site selection of community residential homes.—

606 (1) For the purposes of this section, the term:

607 (e) "Resident" means any of the following: a frail elder as
608 defined in s. 429.65; a person who has a physical disability
609 ~~handicap~~ as defined in s. 760.22 ~~760.22(7)(a)~~; a person who has

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610 a developmental disability as defined in s. 393.063; a
611 nondangerous person who has a mental illness as defined in s.
612 394.455; or a child who is found to be dependent as defined in
613 s. 39.01 or s. 984.03, or a child in need of services as defined
614 in s. 984.03 or s. 985.03.

615 Section 21. This act shall take effect July 1, 2013.