



401070

LEGISLATIVE ACTION

| Senate      | . | House |
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| Comm: UNFAV | . |       |
| 02/17/2016  | . |       |
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The Committee on Rules (Soto) recommended the following:

1           **Senate Substitute for Amendment (116098) (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Section 761.061, Florida Statutes, is created to  
7 read:

8           761.061 Rights of certain churches or religious  
9 organizations or individuals.—

10           (1) For the purposes of this section, the term "religious  
11 organization" means any religious corporation, association,



401070

12 educational institution, or society that limits opportunities in  
13 the area of employment or public accommodation to members of  
14 that religious corporation, association, educational  
15 institution, or society, or to persons who subscribe to its  
16 tenets or beliefs.

17 (2) A church or religious organization, an individual  
18 employed by a church or religious organization while acting  
19 within the scope of that employment, a clergy member or  
20 minister, or an individual providing a ministerial function may  
21 not be required to solemnize any marriage.

22 (3) A church or religious organization, an individual  
23 employed by a church or religious organization while acting  
24 within the scope of that employment, a clergy member or  
25 minister, or an individual providing a ministerial function may  
26 not be required to provide services, accommodations, facilities,  
27 goods, or privileges outside the meaning of s. 760.02(11) for a  
28 purpose related to the solemnization, formation, or celebration  
29 of any marriage if such an action would cause the church or  
30 religious organization, an individual employed by such an  
31 organization within the scope of that employment, a clergy  
32 member or minister acting within the scope of services or  
33 activities provided by such an organization, or an individual  
34 providing a ministerial function within the scope of services or  
35 activities provided by such an organization to violate a  
36 sincerely held religious belief of the entity or individual.

37 (4) The terms "services," "accommodations," "facilities,"  
38 "goods," or "privileges" as described in subsection (3) may not  
39 be interpreted to mean solemnization of marriage.

40 (5) A refusal to solemnize any marriage or provide



401070

41 services, accommodations, facilities, goods, or privileges under  
42 subsection (2) or subsection (3) may not serve as the basis for  
43 a civil cause of action by a private person or entity or a civil  
44 or criminal cause of action or any other action by this state or  
45 a political subdivision of this state to penalize or withhold  
46 benefits or privileges, including tax exemptions or governmental  
47 contracts, grants, or licenses, from any entity or individual  
48 protected under subsection (2) or subsection (3).

49 Section 2. This act shall take effect July 1, 2016.

50  
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete everything before the enacting clause  
54 and insert:

55 A bill to be entitled  
56 An act relating to churches or religious  
57 organizations; creating s. 761.061, F.S.; defining the  
58 term "religious organization"; providing that churches  
59 or religious organizations, related organizations, or  
60 certain individuals may not be required to solemnize  
61 any marriage or provide services, accommodations,  
62 facilities, goods, or privileges for related purposes  
63 if such action would violate a sincerely held  
64 religious belief; providing that certain terms do not  
65 include solemnization of marriage; prohibiting certain  
66 legal actions, penalties, or governmental sanctions  
67 against such individuals or entities; providing an  
68 effective date.