



HB 43, Engrossed 1

2016

1 A bill to be entitled
2 An act relating to churches or religious
3 organizations; creating s. 761.061, F.S.; providing
4 that churches or religious organizations, related
5 organizations, or certain individuals may not be
6 required to solemnize any marriage or provide
7 services, accommodations, facilities, goods, or
8 privileges for related purposes if such action would
9 violate a sincerely held religious belief; prohibiting
10 certain legal actions, penalties, or governmental
11 sanctions against such individuals or entities;
12 providing an effective date.

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

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16 Section 1. Section 761.061, Florida Statutes, is created
17 to read:

18 761.061 Rights of certain churches or religious
19 organizations or individuals.—

20 (1) The following individuals or entities may not be
21 required to solemnize any marriage or provide services,
22 accommodations, facilities, goods, or privileges for a purpose
23 related to the solemnization, formation, or celebration of any
24 marriage if such an action would cause the individual or entity
25 to violate a sincerely held religious belief of the individual
26 or entity:



- 27 | (a) A church;
 28 | (b) A religious organization;
 29 | (c) A religious corporation or association;
 30 | (d) A religious fraternal benefit society;
 31 | (e) A religious school or educational institution;
 32 | (f) An integrated auxiliary of a church;
 33 | (g) An individual employed by a church or religious
 34 | organization while acting in the scope of that employment;
 35 | (h) A clergy member; or
 36 | (i) A minister.
 37 | (2) A refusal to solemnize any marriage or provide
 38 | services, accommodations, facilities, goods, or privileges under
 39 | subsection (1) may not serve as the basis for:
 40 | (a) A civil cause of action against any entity or
 41 | individual protected under subsection (1); or
 42 | (b) A civil cause of action, criminal cause of action, or
 43 | any other action by this state or a political subdivision to
 44 | penalize or withhold benefits or privileges, including tax
 45 | exemptions or governmental contracts, grants, or licenses, from
 46 | any entity or individual protected under subsection (1).
 47 | Section 2. This act shall take effect July 1, 2016.