

By Senator Gruters

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1 A bill to be entitled
2 An act relating to discrimination on the basis of
3 personal health information; creating s. 322.144,
4 F.S.; prohibiting business and governmental entities
5 that require individuals to present driver licenses
6 and identification cards for specified purposes from
7 taking certain actions on the basis of individuals'
8 vaccination status and proof of immunity from any
9 virus; providing construction; creating s. 760.70,
10 F.S.; prohibiting public accommodations from
11 discriminating against individuals on the basis of
12 vaccination or immunity status; providing
13 construction; providing an effective date.

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

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17 Section 1. Section 322.144, Florida Statutes, is created to
18 read:

19 322.144 Use of driver license or identification card in
20 connection with vaccination or immunity status prohibited.-

21 (1) A business entity or a governmental entity that
22 requires an individual to present a driver license or an
23 identification card for identification purposes or as proof of
24 driving or traveling privileges may not do any of the following:

25 (a) Connect an individual's vaccination status or proof of
26 immunity from any virus to his or her driver license or
27 identification card records.

28 (b) Require an individual to receive a vaccination or
29 provide proof of immunity from any virus.

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30 (c) Discriminate against, deny services or access for, or
31 otherwise penalize an individual for not receiving a vaccination
32 or providing proof of immunity from any virus.

33 (2) This section shall prevail over any conflicting
34 provisions in a general law, present or future, to the extent of
35 the conflict; but if any such general law contains a specific
36 exemption from this section, including a specific reference to
37 this section, such general law shall prevail, but only to the
38 extent of the exemption.

39 Section 2. Section 760.70, Florida Statutes, is created in
40 part III of chapter 760, Florida Statutes, to read:

41 760.70 Discrimination on the basis of vaccination or
42 immunity status prohibited.-

43 (1) A public accommodation may not discriminate against an
44 individual on the basis of his or her vaccination or immunity
45 status for any virus by doing any of the following:

46 (a) Providing any disposition, service, financial aid, or
47 benefit to an individual which is different from, or which is
48 provided in a different manner than, that provided to other
49 members of the general public.

50 (b) Subjecting an individual to segregation or separate
51 treatment in any matter related to his or her receipt of any
52 disposition, service, financial aid, or benefit provided to
53 other members of the general public.

54 (c) Restricting an individual in any way in the enjoyment
55 of any advantage or privilege enjoyed by others receiving any
56 disposition, service, financial aid, or benefit provided to
57 other members of the general public.

58 (d) Treating an individual differently from others in

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59 determining whether he or she satisfies any admission,
60 enrollment, quota, eligibility, membership, or other requirement
61 or condition that individuals must meet in order to be provided
62 any disposition, service, financial aid, function, or benefit
63 available to other members of the general public.

64 (e) Denying an individual the opportunity to participate in
65 a program through the provision of service or otherwise afford
66 that individual an opportunity to do so which is different from
67 that afforded to other members of the general public.

68 (2) This section prevails over any conflicting provisions
69 in general law, present or future, to the extent of the
70 conflict; but if any such general law contains a specific
71 exemption from this section, including a specific reference to
72 this section, such general law prevails, but only to the extent
73 of the exemption.

74 Section 3. This act shall take effect July 1, 2021.