

By Senator Pizzo

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1 A bill to be entitled
2 An act relating to COVID-19 mandates; repealing ss.
3 112.0441, 381.00317, 381.00318, and 381.00319, F.S.,
4 relating to a prohibition on public employee COVID-19
5 vaccination mandates, a prohibition on private
6 employer COVID-19 vaccination mandates, a public
7 records exemption for complaints and investigations
8 regarding private employer COVID-19 vaccination
9 mandates, and a prohibition on COVID-19 vaccination
10 mandates for students, respectively; amending s.
11 1002.20, F.S.; deleting a prohibition on certain
12 facial covering and quarantine mandates in K-12
13 schools; deleting a related right of action for
14 parents and certain students; providing an effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 112.0441, Florida Statutes, is repealed.

20 Section 2. Section 381.00317, Florida Statutes, is
21 repealed.

22 Section 3. Section 381.00318, Florida Statutes, is
23 repealed.

24 Section 4. Section 381.00319, Florida Statutes, is
25 repealed.

26 Section 5. Paragraph (n) of subsection (3) of section
27 1002.20, Florida Statutes, is amended to read:

28 1002.20 K-12 student and parent rights.—Parents of public
29 school students must receive accurate and timely information

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30 regarding their child's academic progress and must be informed
31 of ways they can help their child to succeed in school. K-12
32 students and their parents are afforded numerous statutory
33 rights including, but not limited to, the following:

34 (3) HEALTH ISSUES.—

35 ~~(n) Face covering mandates and quarantine mandates in~~
36 ~~response to COVID-19.—~~

37 ~~1. A district school board, a district school~~
38 ~~superintendent, an elected or appointed local official, or any~~
39 ~~district school board employee may not:~~

40 ~~a. Require a student to wear a face mask, a face shield, or~~
41 ~~any other facial covering that fits over the mouth or nose.~~
42 ~~However, a parent, at the parent's sole discretion, may allow~~
43 ~~his or her child to wear a face mask, a face shield, or any~~
44 ~~other facial covering that fits over the mouth or nose. This~~
45 ~~prohibition does not apply to safety equipment required as part~~
46 ~~of a course of study consistent with occupational or laboratory~~
47 ~~safety requirements.~~

48 ~~b. Prohibit a student from attending school or school-~~
49 ~~sponsored activities, prohibit a student from being on school~~
50 ~~property, or subject a student to restrictions or disparate~~
51 ~~treatment, based on an exposure to COVID-19, so long as the~~
52 ~~student remains asymptomatic and has not received a positive~~
53 ~~test for COVID-19 as defined in s. 381.00317(1).~~

54
55 ~~A parent of a student, a student who is an emancipated minor, or~~
56 ~~a student who is 18 years of age or older may bring an action~~
57 ~~against the school district to obtain a declaratory judgment~~
58 ~~that an act or practice violates this subparagraph and to seek~~

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59 ~~injunctive relief. A prevailing parent or student, as~~
60 ~~applicable, must be awarded reasonable attorney fees and court~~
61 ~~costs.~~

62 ~~2. A district school board, a district school~~
63 ~~superintendent, an elected or appointed local official, or any~~
64 ~~school district employee may not prohibit an employee from~~
65 ~~returning to work or subject an employee to restrictions or~~
66 ~~disparate treatment based on an exposure to COVID-19 so long as~~
67 ~~the employee remains asymptomatic and has not received a~~
68 ~~positive test for COVID-19 as defined in s. 381.00317(1).~~

69 ~~3. This paragraph expires June 1, 2023.~~

70 Section 6. This act shall take effect upon becoming a law.