

By Senator Gruters

23-01623-22

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1 A bill to be entitled
2 An act relating to the Parents' Bill of Rights;
3 creating s. 1014.07, F.S.; creating a cause of action
4 for parents for an infringement of parental rights
5 relating to the upbringing, education, health care,
6 and mental health of their children; providing for
7 declaratory relief, injunctive relief, and the
8 recovery of actual damages; providing for the recovery
9 of reasonable attorney fees and costs; providing that
10 a parent is considered a prevailing party under
11 specified circumstances; providing an effective date.

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

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15 Section 1. Section 1014.07, Florida Statutes, is created to
16 read:

17 1014.07 Private remedy.—

18 (1) A parent may bring a civil action:

19 (a) For actual damages caused by a violation of this
20 chapter;

21 (b) To obtain a declaratory judgment that an act or a
22 practice violates this chapter; or

23 (c) To enjoin an entity that has violated, is violating, or
24 is otherwise likely to violate this chapter.

25 (2) (a) A parent who prevails in a suit brought under this
26 section may recover actual damages, plus reasonable attorney
27 fees and court costs.

28 (b) If, after a parent files suit under this section, a
29 defendant voluntarily changes or ceases the act or practice that

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30 is the basis of the suit, the parent is considered the
31 prevailing party for purposes of this section.

32 Section 2. This act shall take effect July 1, 2022.