

By Senator Gruters

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1                                   A bill to be entitled  
2           An act relating to protection of medical freedom;  
3           amending s. 381.003, F.S.; prohibiting the Department  
4           of Health from requiring enrollment in the state's  
5           immunization registry or otherwise requiring persons  
6           to submit to immunization tracking; prohibiting the  
7           department from including a person's immunization  
8           records in any interstate or federal immunization  
9           tracking system or otherwise giving an entity access  
10          to a person's immunization records without first  
11          obtaining written informed consent from the person or  
12          person's parent or guardian, as applicable; amending  
13          s. 381.00316, F.S.; prohibiting business and  
14          governmental entities from requiring individuals to  
15          provide proof of vaccination or postinfection recovery  
16          from any disease to gain access to, entry upon, or  
17          service from such entities; prohibiting educational  
18          institutions from requiring students or residents to  
19          provide proof of vaccination or postinfection recovery  
20          from any disease for attendance or enrollment or to  
21          gain access to, entry upon, or service from such  
22          entities; providing an exception; prohibiting health  
23          care providers from making the provision of any health  
24          care service contingent upon patients' vaccination or  
25          postinfection recovery from any disease; creating s.  
26          448.077, F.S.; defining terms; prohibiting employers  
27          from refusing employment to, or discharging,  
28          disciplining, demoting, or otherwise discriminating  
29          against, an individual solely on the basis of

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30 vaccination or immunity status; creating a right of  
31 action for aggrieved individuals; providing for  
32 relief; creating ss. 626.9708, 627.6441, 627.6614, and  
33 641.31078, F.S.; defining the term "vaccination or  
34 immunity status"; specifying prohibited discriminatory  
35 practices in the provision of life and disability  
36 insurance policies, health insurance policies, group  
37 health insurance policies, and health maintenance  
38 contracts, respectively; providing construction;  
39 amending s. 760.01, F.S.; revising the purposes of the  
40 Florida Civil Rights Act of 1992 to include  
41 discrimination protection for vaccination or immunity  
42 status; reordering and amending s. 760.02, F.S.;

43 defining the term "vaccination or immunity status";  
44 amending s. 760.05, F.S.; revising the functions of  
45 the Florida Commission on Human Relations to conform  
46 to changes made by the act; amending s. 760.07, F.S.;

47 revising provisions regarding remedies for unlawful  
48 discrimination to conform to changes made by the act;  
49 amending s. 760.08, F.S.; prohibiting places of public  
50 accommodation from discriminating on the basis of  
51 vaccination or immunity status; amending s. 760.10,  
52 F.S.; prohibiting employers from engaging in specified  
53 discriminatory employment practices on the basis of a  
54 person's vaccination or immunity status; providing an  
55 exception; amending s. 760.22, F.S.; defining the term  
56 "vaccination or immunity status"; amending ss. 760.23,  
57 760.24, 760.25, and 760.26, F.S.; prohibiting  
58 discrimination on the basis of a person's vaccination

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59 or immunity status in the sale or rental of housing,  
60 the provision of brokerage services, the financing of  
61 housing or residential real estate transactions, and  
62 land use decisions or permitting of development,  
63 respectively; amending s. 760.29, F.S.; revising an  
64 exemption from the Fair Housing Act regarding the  
65 appraisal of real property to conform to changes made  
66 by the act; amending s. 760.60, F.S.; prohibiting  
67 certain clubs from engaging in specified  
68 discriminatory practices on the basis of a person's  
69 vaccination or immunity status; amending s. 1003.22,  
70 F.S.; prohibiting the department from requiring  
71 children to receive immunizations approved only for  
72 emergency use as a school-entry requirement; providing  
73 an effective date.

74

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

76

77 Section 1. Paragraph (e) of subsection (1) of section  
78 381.003, Florida Statutes, is amended to read:

79 381.003 Communicable disease and AIDS prevention and  
80 control.—

81 (1) The department shall conduct a communicable disease  
82 prevention and control program as part of fulfilling its public  
83 health mission. A communicable disease is any disease caused by  
84 transmission of a specific infectious agent, or its toxic  
85 products, from an infected person, an infected animal, or the  
86 environment to a susceptible host, either directly or  
87 indirectly. The communicable disease program must include, but

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88 need not be limited to:

89 (e) Programs for the prevention and control of vaccine-  
90 preventable diseases, including programs to immunize school  
91 children as required by s. 1003.22(3)-(11) and the development  
92 of an automated, electronic, and centralized database and  
93 registry of immunizations. The department may not require  
94 enrollment in the immunization registry or otherwise require  
95 persons to submit to any form of immunization tracking. The  
96 department shall ensure that all children in this state are  
97 immunized against vaccine-preventable diseases. The immunization  
98 registry must allow the department to enhance current  
99 immunization activities for the purpose of improving the  
100 immunization of all children in this state.

101 1. Except as provided in subparagraph 2., the department  
102 shall include all children born in this state in the  
103 immunization registry by using the birth records from the Office  
104 of Vital Statistics. The department shall add other children to  
105 the registry as immunization services are provided.

106 2. The parent or guardian of a child may refuse to have the  
107 child included in the immunization registry by signing a form  
108 obtained from the department, or from the health care  
109 practitioner or entity that provides the immunization, which  
110 indicates that the parent or guardian does not wish to have the  
111 child included in the immunization registry. Each consent to  
112 treatment form provided by a health care practitioner or by an  
113 entity that administers vaccinations or causes vaccinations to  
114 be administered to children from birth through 17 years of age  
115 must contain a notice stating that the parent or guardian of a  
116 child may refuse to have his or her child included in the

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117 immunization registry. The parent or guardian may either submit  
118 the opt-out form directly to the department or ~~must~~ provide it  
119 ~~such opt-out form~~ to the health care practitioner or entity upon  
120 administration of the vaccination. Such health care practitioner  
121 or entity shall submit the form to the department. If a parent  
122 or guardian has refused to have his or her child included in the  
123 immunization registry, ~~A parent or guardian may submit the opt-~~  
124 ~~out form directly to the department.~~ any records or identifying  
125 information pertaining to the child must ~~shall~~ be removed from  
126 the registry, ~~if the parent or guardian has refused to have his~~  
127 ~~or her child included in the immunization registry.~~

128 3. A college or university student, from 18 years of age to  
129 23 years of age, who obtains a vaccination from a college or  
130 university student health center or clinic in this ~~the~~ state may  
131 refuse to be included in the immunization registry by signing a  
132 form obtained from the department, health center, or clinic  
133 which indicates that the student does not wish to be included in  
134 the immunization registry. The student may either submit the  
135 form directly to the department or ~~must~~ provide it ~~such opt-out~~  
136 ~~form~~ to the health center or clinic upon administration of the  
137 immunization ~~vaccination~~. Such health center or clinic shall  
138 submit the form to the department. If the student has refused to  
139 be included in the immunization registry, ~~A student may submit~~  
140 ~~the opt-out form directly to the department.~~ any records or  
141 identifying information pertaining to the student must ~~shall~~ be  
142 removed from the registry ~~if the student has refused to be~~  
143 ~~included in the immunization registry.~~

144 4. The immunization registry shall allow for immunization  
145 records to be electronically available to entities that are

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146 required by law to have such records, including, but not limited  
147 to, schools and licensed child care facilities. However, the  
148 department may not include a person's immunization records in  
149 any interstate or federal immunization tracking system or  
150 otherwise allow an entity not required by law to have such  
151 records without first obtaining written informed consent from  
152 the person or the person's parent or guardian, if the person is  
153 a minor, to release the immunization records for such purpose.

154 5. A health care practitioner licensed under chapter 458,  
155 chapter 459, or chapter 464 in this state who administers  
156 vaccinations or causes vaccinations to be administered to  
157 children from birth through 17 years of age is required to  
158 report vaccination data to the immunization registry, unless a  
159 parent or guardian of a child has refused to have the child  
160 included in the immunization registry by meeting the  
161 requirements of subparagraph 2. A health care practitioner  
162 licensed under chapter 458, chapter 459, or chapter 464 in this  
163 state who administers vaccinations or causes vaccinations to be  
164 administered to college or university students from 18 years of  
165 age to 23 years of age at a college or university student health  
166 center or clinic is required to report vaccination data to the  
167 immunization registry, unless the student has refused to be  
168 included in the immunization registry by meeting the  
169 requirements of subparagraph 3. Vaccination data for students in  
170 other age ranges may be submitted to the immunization registry  
171 only if the student consents to inclusion in the immunization  
172 registry. The upload of data from existing automated systems is  
173 an acceptable method for updating immunization information in  
174 the immunization registry. The information in the immunization

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175 registry must include the child's name, date of birth, address,  
176 and any other unique identifier necessary to correctly identify  
177 the child; the immunization record, including the date, type of  
178 administered vaccine, and vaccine lot number; and the presence  
179 or absence of any adverse reaction or contraindication related  
180 to the immunization. Information received by the department for  
181 the immunization registry retains its status as confidential  
182 medical information and the department must maintain the  
183 confidentiality of that information as otherwise required by  
184 law. A health care practitioner or other agency that obtains  
185 information from the immunization registry must maintain the  
186 confidentiality of any medical records in accordance with s.  
187 456.057 or as otherwise required by law.

188 Section 2. Section 381.00316, Florida Statutes, is amended  
189 to read:

190 381.00316 ~~COVID-19~~ Vaccine documentation.—

191 (1) A business entity, as defined in s. 768.38 to include  
192 any business operating in this state, may not require patrons or  
193 customers to provide any documentation certifying ~~COVID-19~~  
194 vaccination or postinfection recovery from any disease to gain  
195 access to, entry upon, or service from the business operations  
196 in this state. This subsection does not otherwise restrict  
197 businesses from instituting screening protocols consistent with  
198 authoritative or controlling government-issued guidance to  
199 protect public health.

200 (2) A governmental entity as defined in s. 768.38 may not  
201 require persons to provide any documentation certifying ~~COVID-19~~  
202 vaccination or postinfection recovery from any disease to gain  
203 access to, entry upon, or service from the governmental entity's

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204 operations in this state. This subsection does not otherwise  
205 restrict governmental entities from instituting screening  
206 protocols consistent with authoritative or controlling  
207 government-issued guidance to protect public health.

208 (3) An educational institution as defined in s. 768.38 may  
209 not require students or residents to provide any documentation  
210 certifying ~~COVID-19~~ vaccination or postinfection recovery from  
211 any disease for attendance or enrollment, or to gain access to,  
212 entry upon, or service from such educational institution in this  
213 state. This subsection does not otherwise restrict educational  
214 institutions from instituting screening protocols consistent  
215 with authoritative or controlling government-issued guidance to  
216 protect public health. This subsection does not apply to  
217 immunizations required by s. 1003.22(3).

218 (4) The department may impose a fine not to exceed \$5,000  
219 per violation.

220 (5) This section does not apply to a health care provider  
221 as defined in s. 768.38; a service provider licensed or  
222 certified under s. 393.17, part III of chapter 401, or part IV  
223 of chapter 468; or a provider with an active health care clinic  
224 exemption under s. 400.9935. However, such providers may not  
225 make the provision of any health care services contingent upon a  
226 patient receiving or having received a particular vaccine or  
227 having recovered from infection from a particular disease.

228 (6) The department may adopt rules pursuant to ss. 120.536  
229 and 120.54 to implement this section.

230 Section 3. Section 448.077, Florida Statutes, is created to  
231 read:

232 448.077 Employment discrimination on the basis of

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233 vaccination or immunity status prohibited.-

234 (1) As used in this section, the term:

235 (a) "Employee" means any individual who performs services  
236 for and under the direction and control of an employer for wages  
237 or other remuneration. The term includes independent  
238 contractors.

239 (b) "Employer" means any individual, firm, partnership,  
240 institution, corporation, or association that employs two or  
241 more employees. The term includes governmental entities as  
242 defined in s. 768.38.

243 (c) "Vaccination or immunity status," with respect to an  
244 individual, means whether he or she has been administered a  
245 vaccine for or is otherwise immune to a particular disease.

246 (2) It is an unlawful employment practice for an employer  
247 to refuse to employ an individual, or to discharge, discipline,  
248 demote, or otherwise discriminate against an employee with  
249 respect to wages or terms, conditions, or privileges of  
250 employment, based on the individual's vaccination or immunity  
251 status.

252 (3) An individual who is refused employment or  
253 discriminated against on the basis of vaccination or immunity  
254 status in violation of this section may file a civil action in a  
255 court of competent jurisdiction for relief as set forth in  
256 subsection (4).

257 (4) In any action brought pursuant to subsection (3), the  
258 court may order any of the following relief, as applicable:

259 (a) An injunction restraining continued violation of this  
260 section.

261 (b) Employment or reinstatement of the employee to the same

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262 position applied for or held, as applicable, before the  
263 violation occurred or to an equivalent position.

264 (c) Compensation for lost wages, benefits, and other  
265 remuneration.

266 (d) Reasonable attorney fees.

267 (e) Any other relief the court deems appropriate.

268 Section 4. Section 626.9708, Florida Statutes, is created  
269 to read:

270 626.9708 Discrimination on the basis of vaccination or  
271 immunity status prohibited.-

272 (1) As used in this section, the term "vaccination or  
273 immunity status," with respect to an individual, means whether  
274 he or she has been administered a vaccine for or is otherwise  
275 immune to a particular disease.

276 (2) An insurer authorized to transact insurance in this  
277 state may not do any of the following:

278 (a) Require proof of vaccination or immunity status for any  
279 disease from an applicant or a policyholder.

280 (b) Refuse to issue or renew any policy of life insurance  
281 or disability insurance solely on the basis of the applicant's  
282 or policyholder's vaccination or immunity status.

283 (c) Impose a higher premium rate or charge or otherwise  
284 discriminate in coverage in a life insurance policy or  
285 disability insurance policy solely on the basis of the  
286 applicant's or policyholder's vaccination or immunity status.

287 (3) This section may not be construed to require an insurer  
288 to provide insurance coverage for a medical condition that the  
289 applicant or policyholder has already sustained.

290 Section 5. Section 627.6441, Florida Statutes, is created

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291 to read:

292 627.6441 Discrimination on the basis of vaccination or  
293 immunity status prohibited.-

294 (1) As used in this section, the term "vaccination or  
295 immunity status," with respect to an individual, means whether  
296 he or she has been administered a vaccine for or is otherwise  
297 immune to a particular disease.

298 (2) A health insurer may not do any of the following:

299 (a) Require proof of vaccination or immunity status for any  
300 disease from an applicant or a policyholder.

301 (b) Refuse to issue or renew a health insurance policy  
302 solely on the basis of the applicant's or policyholder's  
303 vaccination or immunity status.

304 (c) Impose a higher premium rate or charge or otherwise  
305 discriminate in the coverage of care in a health insurance  
306 policy solely on the basis of the applicant's or policyholder's  
307 vaccination or immunity status.

308 (3) This section may not be construed to require a health  
309 insurer to provide coverage for a medical condition that the  
310 applicant or policyholder has already sustained.

311 Section 6. Section 627.6614, Florida Statutes, is created  
312 to read:

313 627.6614 Discrimination on the basis of vaccination or  
314 immunity status prohibited.-

315 (1) As used in this section, the term "vaccination or  
316 immunity status," with respect to an individual, means whether  
317 he or she has been administered a vaccine for or is otherwise  
318 immune to a particular disease.

319 (2) An insurer offering coverage under a group, blanket, or

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320 franchise health insurance policy in this state may not do any  
321 of the following:

322 (a) Require proof of vaccination or immunity status for any  
323 disease from an applicant or a policyholder.

324 (b) Refuse to issue or renew a health insurance policy  
325 solely on the basis of the applicant's or policyholder's  
326 vaccination or immunity status.

327 (c) Impose a higher premium rate or charge or otherwise  
328 discriminate in the coverage of care in a health insurance  
329 policy solely on the basis of the applicant's or policyholder's  
330 vaccination or immunity status.

331 (3) This section may not be construed to require an insurer  
332 to provide coverage for a medical condition that the applicant  
333 or policyholder has already sustained.

334 Section 7. Section 641.31078, Florida Statutes, is created  
335 to read:

336 641.31078 Discrimination on the basis of vaccination or  
337 immunity status prohibited.—

338 (1) As used in this section, the term "vaccination or  
339 immunity status," with respect to an individual, means whether  
340 he or she has been administered a vaccine for or is otherwise  
341 immune to a particular disease.

342 (2) A health maintenance organization providing coverage  
343 under a health maintenance contract in this state may not do any  
344 of the following:

345 (a) Require proof of vaccination or immunity status for any  
346 disease from an applicant or a subscriber.

347 (b) Refuse to issue or renew a health maintenance contract  
348 solely on the basis of the applicant's or subscriber's

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349 vaccination or immunity status.

350 (c) Impose a higher premium rate or charge or otherwise  
351 discriminate in the coverage of care in a health maintenance  
352 contract solely on the basis of the applicant's or subscriber's  
353 vaccination or immunity status.

354 (3) This section may not be construed to require a health  
355 maintenance organization to provide coverage for a medical  
356 condition that the applicant or subscriber has already  
357 sustained.

358 Section 8. Subsection (2) of section 760.01, Florida  
359 Statutes, is amended to read:

360 760.01 Purposes; construction; title.—

361 (2) The general purposes of the Florida Civil Rights Act of  
362 1992 are to secure for all individuals within this ~~the~~ state  
363 freedom from discrimination because of race, color, religion,  
364 sex, pregnancy, national origin, age, handicap, vaccination or  
365 immunity status, or marital status and thereby to protect their  
366 interest in personal dignity, to make available to the state  
367 their full productive capacities, to secure this ~~the~~ state  
368 against domestic strife and unrest, to preserve the public  
369 safety, health, and general welfare, and to promote the  
370 interests, rights, and privileges of individuals within this ~~the~~  
371 state.

372 Section 9. Section 760.02, Florida Statutes, is reordered  
373 and amended to read:

374 760.02 Definitions.—For the purposes of ss. 760.01-760.11  
375 and 509.092, the term:

376 (7) ~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-  
377 760.11 and 509.092.

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378 (2) "Commission" means the Florida Commission on Human  
379 Relations created by s. 760.03.

380 (3) "Commissioner" or "member" means a member of the  
381 commission.

382 (4) "Discriminatory practice" means any practice made  
383 unlawful by the Florida Civil Rights Act of 1992.

384 (9)~~(5)~~ "National origin" includes ancestry.

385 (10)~~(6)~~ "Person" includes an individual, association,  
386 corporation, joint apprenticeship committee, joint-stock  
387 company, labor union, legal representative, mutual company,  
388 partnership, receiver, trust, trustee in bankruptcy, or  
389 unincorporated organization; any other legal or commercial  
390 entity; the state; or any governmental entity or agency.

391 (5)~~(7)~~ "Employer" means any person employing 15 or more  
392 employees for each working day in each of 20 or more calendar  
393 weeks in the current or preceding calendar year, and any agent  
394 of such a person.

395 (6)~~(8)~~ "Employment agency" means any person regularly  
396 undertaking, with or without compensation, to procure employees  
397 for an employer or to procure for employees opportunities to  
398 work for an employer, and includes an agent of such a person.

399 (8)~~(9)~~ "Labor organization" means any organization which  
400 exists for the purpose, in whole or in part, of collective  
401 bargaining or of dealing with employers concerning grievances,  
402 terms or conditions of employment, or other mutual aid or  
403 protection in connection with employment.

404 (1)~~(10)~~ "Aggrieved person" means any person who files a  
405 complaint with the Human Relations Commission.

406 (11) "Public accommodations" means places of public

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407 accommodation, lodgings, facilities principally engaged in  
408 selling food for consumption on the premises, gasoline stations,  
409 places of exhibition or entertainment, and other covered  
410 establishments. Each of the following establishments which  
411 serves the public is a place of public accommodation within the  
412 meaning of this section:

413 (a) Any inn, hotel, motel, or other establishment which  
414 provides lodging to transient guests, other than an  
415 establishment located within a building which contains not more  
416 than four rooms for rent or hire and which is actually occupied  
417 by the proprietor of such establishment as his or her residence.

418 (b) Any restaurant, cafeteria, lunchroom, lunch counter,  
419 soda fountain, or other facility principally engaged in selling  
420 food for consumption on the premises, including, but not limited  
421 to, any such facility located on the premises of any retail  
422 establishment, or any gasoline station.

423 (c) Any motion picture theater, theater, concert hall,  
424 sports arena, stadium, or other place of exhibition or  
425 entertainment.

426 (d) Any establishment which is physically located within  
427 the premises of any establishment otherwise covered by this  
428 subsection, or within the premises of which is physically  
429 located any such covered establishment, and which holds itself  
430 out as serving patrons of such covered establishment.

431 (12) "Vaccination or immunity status," with respect to an  
432 individual, means whether he or she has been administered a  
433 vaccination for or is otherwise immune to a particular disease.

434 Section 10. Section 760.05, Florida Statutes, is amended to  
435 read:

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436           760.05 Functions of the commission.—The commission shall  
437 promote and encourage fair treatment and equal opportunity for  
438 all persons regardless of race, color, religion, sex, pregnancy,  
439 national origin, age, handicap, vaccination or immunity status,  
440 or marital status and mutual understanding and respect among all  
441 members of all economic, social, racial, religious, and ethnic  
442 groups; and shall endeavor to eliminate discrimination against,  
443 and antagonism between, religious, racial, and ethnic groups and  
444 their members.

445           Section 11. Section 760.07, Florida Statutes, is amended to  
446 read:

447           760.07 Remedies for unlawful discrimination.—Any violation  
448 of any Florida statute that makes unlawful discrimination  
449 because of race, color, religion, gender, pregnancy, national  
450 origin, age, handicap, vaccination or immunity status, or  
451 marital status in the areas of education, employment, or public  
452 accommodations gives rise to a cause of action for all relief  
453 and damages described in s. 760.11(5), unless greater damages  
454 are expressly provided for. If the statute prohibiting unlawful  
455 discrimination provides an administrative remedy, the action for  
456 equitable relief and damages provided for in this section may be  
457 initiated only after the plaintiff has exhausted his or her  
458 administrative remedy. The term “public accommodations” does not  
459 include lodge halls or other similar facilities of private  
460 organizations which are made available for public use  
461 occasionally or periodically. The right to trial by jury is  
462 preserved in any case in which the plaintiff is seeking actual  
463 or punitive damages.

464           Section 12. Section 760.08, Florida Statutes, is amended to

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465 read:

466 760.08 Discrimination in places of public accommodation.—  
467 All persons are entitled to the full and equal enjoyment of the  
468 goods, services, facilities, privileges, advantages, and  
469 accommodations of any place of public accommodation without  
470 discrimination or segregation on the ground of race, color,  
471 national origin, sex, pregnancy, handicap, vaccination or  
472 immunity status, familial status, or religion.

473 Section 13. Subsections (1) and (2), paragraphs (a) and (b)  
474 of subsection (3), subsections (4), (5), and (6), and paragraph  
475 (a) of subsection (9) of section 760.10, Florida Statutes, are  
476 amended to read:

477 760.10 Unlawful employment practices.—

478 (1) It is an unlawful employment practice for an employer:

479 (a) To discharge or to fail or refuse to hire any  
480 individual, or otherwise to discriminate against any individual  
481 with respect to compensation, terms, conditions, or privileges  
482 of employment, because of such individual's race, color,  
483 religion, sex, pregnancy, national origin, age, handicap,  
484 vaccination or immunity status, or marital status.

485 (b) To limit, segregate, or classify employees or  
486 applicants for employment in any way which would deprive or tend  
487 to deprive any individual of employment opportunities, or  
488 adversely affect any individual's status as an employee, because  
489 of such individual's race, color, religion, sex, pregnancy,  
490 national origin, age, handicap, vaccination or immunity status,  
491 or marital status.

492 (2) It is an unlawful employment practice for an employment  
493 agency to fail or refuse to refer for employment, or otherwise

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494 to discriminate against, any individual because of race, color,  
495 religion, sex, pregnancy, national origin, age, handicap,  
496 vaccination or immunity status, or marital status or to classify  
497 or refer for employment any individual on the basis of race,  
498 color, religion, sex, pregnancy, national origin, age, handicap,  
499 vaccination or immunity status, or marital status.

500 (3) It is an unlawful employment practice for a labor  
501 organization:

502 (a) To exclude or to expel from its membership, or  
503 otherwise to discriminate against, any individual because of  
504 race, color, religion, sex, pregnancy, national origin, age,  
505 handicap, vaccination or immunity status, or marital status.

506 (b) To limit, segregate, or classify its membership or  
507 applicants for membership, or to classify or fail or refuse to  
508 refer for employment any individual, in any way that would  
509 deprive or tend to deprive any individual of employment  
510 opportunities, or adversely affect any individual's status as an  
511 employee or as an applicant for employment, because of such  
512 individual's race, color, religion, sex, pregnancy, national  
513 origin, age, handicap, vaccination or immunity status, or  
514 marital status.

515 (4) It is an unlawful employment practice for any employer,  
516 labor organization, or joint labor-management committee  
517 controlling apprenticeship or other training or retraining,  
518 including on-the-job training programs, to discriminate against  
519 any individual because of race, color, religion, sex, pregnancy,  
520 national origin, age, handicap, vaccination or immunity status,  
521 or marital status in admission to, or employment in, any program  
522 established to provide apprenticeship or other training.

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523 (5) Whenever, in order to engage in a profession,  
524 occupation, or trade, it is required that a person receive a  
525 license, certification, or other credential, become a member or  
526 an associate of any club, association, or other organization, or  
527 pass any examination, it is an unlawful employment practice for  
528 any person to discriminate against any other person seeking such  
529 license, certification, or other credential, seeking to become a  
530 member or associate of such club, association, or other  
531 organization, or seeking to take or pass such examination,  
532 because of such other person's race, color, religion, sex,  
533 pregnancy, national origin, age, handicap, vaccination or  
534 immunity status, or marital status.

535 (6) It is an unlawful employment practice for an employer,  
536 labor organization, employment agency, or joint labor-management  
537 committee to print, or cause to be printed or published, any  
538 notice or advertisement relating to employment, membership,  
539 classification, referral for employment, or apprenticeship or  
540 other training, indicating any preference, limitation,  
541 specification, or discrimination, based on race, color,  
542 religion, sex, pregnancy, national origin, age, absence of  
543 handicap, vaccination or immunity status, or marital status.

544 (9) Notwithstanding any other provision of this section, it  
545 is not an unlawful employment practice under ss. 760.01-760.10  
546 for an employer, employment agency, labor organization, or joint  
547 labor-management committee to:

548 (a) Take or fail to take any action on the basis of  
549 religion, sex, pregnancy, national origin, age, handicap,  
550 vaccination or immunity status, or marital status in those  
551 certain instances in which religion, sex, condition of

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552 pregnancy, national origin, age, absence of a particular  
553 handicap, vaccination or immunity status, or marital status is a  
554 bona fide occupational qualification reasonably necessary for  
555 the performance of the particular employment to which such  
556 action or inaction is related.

557 Section 14. Subsection (11) is added to section 760.22,  
558 Florida Statutes, to read:

559 760.22 Definitions.—As used in ss. 760.20–760.37, the term:

560 (11) "Vaccination or immunity status," with respect to an  
561 individual, means whether he or she has been administered a  
562 vaccination for or is otherwise immune to a particular disease.

563 Section 15. Subsections (1) through (5) of section 760.23,  
564 Florida Statutes, are amended to read:

565 760.23 Discrimination in the sale or rental of housing and  
566 other prohibited practices.—

567 (1) It is unlawful to refuse to sell or rent after the  
568 making of a bona fide offer, to refuse to negotiate for the sale  
569 or rental of, or otherwise to make unavailable or deny a  
570 dwelling to any person because of race, color, national origin,  
571 sex, disability, vaccination or immunity status, familial  
572 status, or religion.

573 (2) It is unlawful to discriminate against any person in  
574 the terms, conditions, or privileges of sale or rental of a  
575 dwelling, or in the provision of services or facilities in  
576 connection therewith, because of race, color, national origin,  
577 sex, disability, vaccination or immunity status, familial  
578 status, or religion.

579 (3) It is unlawful to make, print, or publish, or cause to  
580 be made, printed, or published, any notice, statement, or

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581 advertisement with respect to the sale or rental of a dwelling  
582 that indicates any preference, limitation, or discrimination  
583 based on race, color, national origin, sex, disability,  
584 vaccination or immunity status, familial status, or religion or  
585 an intention to make any such preference, limitation, or  
586 discrimination.

587 (4) It is unlawful to represent to any person because of  
588 race, color, national origin, sex, disability, vaccination or  
589 immunity status, familial status, or religion that any dwelling  
590 is not available for inspection, sale, or rental when such  
591 dwelling is in fact so available.

592 (5) It is unlawful, for profit, to induce or attempt to  
593 induce any person to sell or rent any dwelling by a  
594 representation regarding the entry or prospective entry into the  
595 neighborhood of a person or persons of a particular race, color,  
596 national origin, sex, disability, vaccination or immunity  
597 status, familial status, or religion.

598 Section 16. Section 760.24, Florida Statutes, is amended to  
599 read:

600 760.24 Discrimination in the provision of brokerage  
601 services.—It is unlawful to deny any person access to, or  
602 membership or participation in, any multiple-listing service,  
603 real estate brokers' organization, or other service,  
604 organization, or facility relating to the business of selling or  
605 renting dwellings, or to discriminate against him or her in the  
606 terms or conditions of such access, membership, or  
607 participation, on account of race, color, national origin, sex,  
608 disability, vaccination or immunity status, familial status, or  
609 religion.

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610 Section 17. Subsection (1) and paragraph (a) of subsection  
611 (2) of section 760.25, Florida Statutes, are amended to read:

612 760.25 Discrimination in the financing of housing or in  
613 residential real estate transactions.—

614 (1) It is unlawful for any bank, building and loan  
615 association, insurance company, or other corporation,  
616 association, firm, or enterprise the business of which consists  
617 in whole or in part of the making of commercial real estate  
618 loans to deny a loan or other financial assistance to a person  
619 applying for the loan for the purpose of purchasing,  
620 constructing, improving, repairing, or maintaining a dwelling,  
621 or to discriminate against him or her in the fixing of the  
622 amount, interest rate, duration, or other term or condition of  
623 such loan or other financial assistance, because of the race,  
624 color, national origin, sex, disability, vaccination or immunity  
625 status, familial status, or religion of such person or of any  
626 person associated with him or her in connection with such loan  
627 or other financial assistance or the purposes of such loan or  
628 other financial assistance, or because of the race, color,  
629 national origin, sex, disability, vaccination or immunity  
630 status, familial status, or religion of the present or  
631 prospective owners, lessees, tenants, or occupants of the  
632 dwelling or dwellings in relation to which such loan or other  
633 financial assistance is to be made or given.

634 (2) (a) It is unlawful for any person or entity whose  
635 business includes engaging in residential real estate  
636 transactions to discriminate against any person in making  
637 available such a transaction, or in the terms or conditions of  
638 such a transaction, because of race, color, national origin,

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639 sex, disability, vaccination or immunity status, familial  
640 status, or religion.

641 Section 18. Section 760.26, Florida Statutes, is amended to  
642 read:

643 760.26 Prohibited discrimination in land use decisions and  
644 in permitting of development.—It is unlawful to discriminate in  
645 land use decisions or in the permitting of development based on  
646 race, color, national origin, sex, disability, vaccination or  
647 immunity status, familial status, religion, or, except as  
648 otherwise provided by law, the source of financing of a  
649 development or proposed development.

650 Section 19. Paragraph (a) of subsection (5) of section  
651 760.29, Florida Statutes, is amended to read:

652 760.29 Exemptions.—

653 (5) Nothing in ss. 760.20-760.37:

654 (a) Prohibits a person engaged in the business of  
655 furnishing appraisals of real property from taking into  
656 consideration factors other than race, color, national origin,  
657 sex, disability, vaccination or immunity status, familial  
658 status, or religion.

659 Section 20. Subsection (1) of section 760.60, Florida  
660 Statutes, is amended to read:

661 760.60 Discriminatory practices of certain clubs  
662 prohibited; remedies.—

663 (1) It is unlawful for a person to discriminate against any  
664 individual because of race, color, religion, gender, national  
665 origin, handicap, vaccination or immunity status, age above the  
666 age of 21, or marital status in evaluating an application for  
667 membership in a club that has more than 400 members, that

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668 provides regular meal service, and that regularly receives  
669 payment for dues, fees, use of space, facilities, services,  
670 meals, or beverages directly or indirectly from nonmembers for  
671 business purposes. It is unlawful for a person, on behalf of  
672 such a club, to publish, circulate, issue, display, post, or  
673 mail any advertisement, notice, or solicitation that contains a  
674 statement to the effect that the accommodations, advantages,  
675 facilities, membership, or privileges of the club are denied to  
676 any individual because of race, color, religion, gender,  
677 national origin, handicap, vaccination or immunity status, age  
678 above the age of 21, or marital status. This subsection does not  
679 apply to fraternal or benevolent organizations, ethnic clubs, or  
680 religious organizations where business activity is not  
681 prevalent.

682 Section 21. Subsection (3) of section 1003.22, Florida  
683 Statutes, is amended to read:

684 1003.22 School-entry health examinations; immunization  
685 against communicable diseases; exemptions; duties of Department  
686 of Health.—

687 (3) The Department of Health may adopt rules necessary to  
688 administer and enforce this section. The Department of Health,  
689 after consultation with the Department of Education, shall adopt  
690 rules governing the immunization of children against, the  
691 testing for, and the control of preventable communicable  
692 diseases. The rules must include procedures for exempting a  
693 child from immunization requirements. Immunizations must ~~shall~~  
694 be required for poliomyelitis, diphtheria, rubeola, rubella,  
695 pertussis, mumps, tetanus, and other communicable diseases as  
696 determined by rules of the Department of Health; however, any

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697 immunization approved by the United States Food and Drug  
698 Administration only for emergency use may not be required. The  
699 manner and frequency of administration of the immunization or  
700 testing must ~~shall~~ conform to recognized standards of medical  
701 practice. The Department of Health shall supervise and secure  
702 the enforcement of the required immunization. Immunizations  
703 required by this section must ~~shall~~ be available at no cost from  
704 the county health departments.

705 Section 22. This act shall take effect July 1, 2023.