A bill to be entitled
An act relating to gay and transgender panic legal
defenses; creating s. 900.06, F.S.; providing a short
title; providing legislative findings; defining terms;
prohibiting individuals from using a nonviolent sexual
advance or specified perceptions or beliefs about
another individual as a defense to a criminal offense,
to excuse or justify the conduct of an individual who
commits a criminal offense, or to mitigate the
severity of a criminal offense; providing an effective
date.

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

Section 1. Section 900.06, Florida Statutes, is created to
read:

900.06 Use of gay and transgender panic legal defenses
prohibited.—
(1) SHORT TITLE.—This act may be cited as the “Gay and
Transgender Panic Legal Defenses Prohibition Act.”

(2) LEGISLATIVE FINDINGS.—The Legislature finds that gay
and transgender panic legal defenses raised in criminal
proceedings characterize sexual orientation and gender
expression or gender identity as objectively reasonable excuses
for a perpetrator’s loss of self-control, and that these
defenses thereby illegitimately attempt to mitigate the
responsibility of the perpetrator for harm done to lesbian, gay,
bisexual, or transgender individuals.

(3) DEFINITIONS.—As used in this section, the term:
(a) “Gay and transgender panic legal defense” means a legal strategy that asks a judge or a jury to find that a victim’s sexual orientation or gender identity is the cause of the defendant’s reaction and commission of a criminal offense.

(b) “Gender expression” or “gender identity” means gender-related identity, appearance, or behavior, regardless of whether such gender-related identity, appearance, or behavior is different from that traditionally associated with a person’s physiology or assigned sex at birth.

(c) “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, or bisexuality.

(4) PROHIBITION ON GAY AND TRANSGENDER PANIC LEGAL DEFENSES.—A nonviolent sexual advance or the perception or belief, even if inaccurate, of the sex, sexual orientation, gender expression, or gender identity of an individual may not be used as a defense to a criminal offense, to excuse or to justify the conduct of an individual who commits a criminal offense, or to mitigate the severity of a criminal offense during sentencing.

Section 2. This act shall take effect July 1, 2023.