

1                   A bill to be entitled  
2           An act relating to gender and biological sex; amending  
3           ss. 322.051, 322.08, and 322.14, F.S.; requiring  
4           applications for driver licenses and identification  
5           cards, as well as printed driver licenses, to indicate  
6           a person's sex instead of his or her gender; creating  
7           s. 627.6411, F.S.; requiring health insurance policies  
8           that include coverage for sex-reassignment  
9           prescriptions or procedures to also provide coverage  
10          for certain detransition treatments; requiring health  
11          insurers providing such coverage to also offer  
12          insurance policies that do not provide such coverage;  
13          prohibiting health insurance policies from prohibiting  
14          coverage of certain mental health and therapeutic  
15          services; amending ss. 627.657, 627.6699, and 641.31,  
16          F.S.; requiring group health insurance policies,  
17          health benefit plans, and health maintenance contracts  
18          that include coverage for sex-reassignment  
19          prescriptions or procedures to also provide coverage  
20          for certain detransition treatments; requiring group  
21          health insurers, carriers, and health maintenance  
22          organizations providing such coverage to also offer  
23          insurance policies that do not provide such coverage;  
24          prohibiting group health insurance policies, health  
25          benefit plans, and health maintenance contracts from

26 | prohibiting coverage of certain mental health and  
 27 | therapeutic services; providing an effective date.

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

30 |

31 | Section 1. Paragraph (a) of subsection (1) of section  
 32 | 322.051, Florida Statutes, is amended to read:

33 | 322.051 Identification cards.—

34 | (1) Any person who is 5 years of age or older, or any  
 35 | person who has a disability, regardless of age, who applies for  
 36 | a disabled parking permit under s. 320.0848, may be issued an  
 37 | identification card by the department upon completion of an  
 38 | application and payment of an application fee.

39 | (a) The application must include the following information  
 40 | regarding the applicant:

41 | 1. Full name (first, middle or maiden, and last), sex  
 42 | ~~gender~~, proof of social security card number satisfactory to the  
 43 | department, which may include a military identification card,  
 44 | county of residence, mailing address, proof of residential  
 45 | address satisfactory to the department, country of birth, and a  
 46 | brief description.

47 | 2. Proof of birth date satisfactory to the department.

48 | 3. Proof of identity satisfactory to the department. Such  
 49 | proof must include one of the following documents issued to the  
 50 | applicant:

51 a. A driver license record or identification card record  
52 from another jurisdiction that required the applicant to submit  
53 a document for identification which is substantially similar to  
54 a document required under sub-subparagraph b., sub-subparagraph  
55 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph  
56 f., sub-subparagraph g., or sub-subparagraph h.;

57 b. A certified copy of a United States birth certificate;

58 c. A valid, unexpired United States passport;

59 d. A naturalization certificate issued by the United  
60 States Department of Homeland Security;

61 e. A valid, unexpired alien registration receipt card  
62 (green card);

63 f. A Consular Report of Birth Abroad provided by the  
64 United States Department of State;

65 g. An unexpired employment authorization card issued by  
66 the United States Department of Homeland Security; or

67 h. Proof of nonimmigrant classification provided by the  
68 United States Department of Homeland Security, for an original  
69 identification card. In order to prove nonimmigrant  
70 classification, an applicant must provide at least one of the  
71 following documents. In addition, the department may require  
72 applicants to produce United States Department of Homeland  
73 Security documents for the sole purpose of establishing the  
74 maintenance of, or efforts to maintain, continuous lawful  
75 presence:

76 (I) A notice of hearing from an immigration court  
 77 scheduling a hearing on any proceeding.

78 (II) A notice from the Board of Immigration Appeals  
 79 acknowledging pendency of an appeal.

80 (III) A notice of the approval of an application for  
 81 adjustment of status issued by the United States Citizenship and  
 82 Immigration Services.

83 (IV) An official documentation confirming the filing of a  
 84 petition for asylum or refugee status or any other relief issued  
 85 by the United States Citizenship and Immigration Services.

86 (V) A notice of action transferring any pending matter  
 87 from another jurisdiction to Florida, issued by the United  
 88 States Citizenship and Immigration Services.

89 (VI) An order of an immigration judge or immigration  
 90 officer granting relief that authorizes the alien to live and  
 91 work in the United States, including, but not limited to,  
 92 asylum.

93 (VII) Evidence that an application is pending for  
 94 adjustment of status to that of an alien lawfully admitted for  
 95 permanent residence in the United States or conditional  
 96 permanent resident status in the United States, if a visa number  
 97 is available having a current priority date for processing by  
 98 the United States Citizenship and Immigration Services.

99 (VIII) On or after January 1, 2010, an unexpired foreign  
 100 passport with an unexpired United States Visa affixed,

101 accompanied by an approved I-94, documenting the most recent  
 102 admittance into the United States.

103  
 104 An identification card issued based on documents required in  
 105 sub-subparagraph g. or sub-subparagraph h. is valid for a period  
 106 not to exceed the expiration date of the document presented or 1  
 107 year, whichever occurs first.

108 Section 2. Paragraph (a) of subsection (2) of section  
 109 322.08, Florida Statutes, is amended to read:

110 322.08 Application for license; requirements for license  
 111 and identification card forms.—

112 (2) Each such application shall include the following  
 113 information regarding the applicant:

114 (a) Full name (first, middle or maiden, and last), sex  
 115 ~~gender~~, proof of social security card number satisfactory to the  
 116 department, which may include a military identification card,  
 117 county of residence, mailing address, proof of residential  
 118 address satisfactory to the department, country of birth, and a  
 119 brief description.

120 Section 3. Paragraph (a) of subsection (1) of section  
 121 322.14, Florida Statutes, is amended to read:

122 322.14 Licenses issued to drivers.—

123 (1)(a) The department shall, upon successful completion of  
 124 all required examinations and payment of the required fee, issue  
 125 to every qualified applicant a printed driver license that must

126 bear a color photograph or digital image of the licensee; the  
127 name of the state; a distinguishing number assigned to the  
128 licensee, which, beginning November 1, 2023, must have a minimum  
129 of four randomly generated digits on each original, renewal, or  
130 replacement driver license; and the licensee's full name, date  
131 of birth, and residence address; a brief description of the  
132 licensee, including, but not limited to, the licensee's sex  
133 ~~gender~~ and height; and the dates of issuance and expiration of  
134 the license. A space shall be provided upon which the licensee  
135 shall affix his or her usual signature. A license is invalid  
136 until it has been signed by the licensee except that the  
137 signature of the licensee is not required if it appears thereon  
138 in facsimile or if the licensee is not present within the state  
139 at the time of issuance.

140 Section 4. Section 627.6411, Florida Statutes, is created  
141 to read:

142 627.6411 Coverage for sex-reassignment prescriptions or  
143 procedures.-

144 (1) A health insurance policy that is delivered or issued  
145 to a person in the state may offer, for an appropriate  
146 additional premium, coverage for sex-reassignment prescriptions  
147 or procedures, as defined in s. 456.001, only if the same health  
148 insurance policy also provides coverage for treatment to  
149 detransition from the sex-reassignment prescriptions or  
150 procedures.

151       (2) A health insurer that delivers or issues a health  
152 insurance policy that provides coverage described under  
153 subsection (1) must also offer a health insurance policy that  
154 does not provide such coverage.

155       (3) A health insurance policy that is delivered or issued  
156 to a person in the state may not prohibit the coverage of mental  
157 health or therapeutic services to treat a person's perception  
158 that his or her sex, as defined in s. 456.001, is inconsistent  
159 with such person's sex at birth by affirming the insured's sex.

160       Section 5. Subsections (4) and (5) are added to section  
161 627.657, Florida Statutes, to read:

162       627.657 Provisions of group health insurance policies.—

163       (4) (a) A group health insurance policy that is delivered  
164 or issued to any group in the state may offer, for an  
165 appropriate additional premium, coverage for sex-reassignment  
166 prescriptions or procedures, as defined in s. 456.001, only if  
167 the same group health insurance policy also provides coverage  
168 for treatment to detransition from the sex-reassignment  
169 prescriptions or procedures.

170       (b) A group health insurer that delivers or issues a group  
171 health insurance policy that provides coverage described under  
172 paragraph (a) must also offer a group health insurance policy  
173 that does not provide such coverage.

174       (5) A group health insurance policy that is delivered or  
175 issued to any group in the state may not prohibit the coverage

176 of mental health or therapeutic services to treat a person's  
177 perception that his or her sex, as defined in s. 456.001, is  
178 inconsistent with such person's sex at birth by affirming the  
179 insured's sex.

180 Section 6. Paragraphs (h) and (i) are added to subsection  
181 (5) of section 627.6699, Florida Statutes, to read:

182 627.6699 Employee Health Care Access Act.—

183 (5) AVAILABILITY OF COVERAGE.—

184 (h)1. A health benefit plan that is delivered or issued to  
185 an individual or a group in the state may offer, for an  
186 appropriate additional premium, coverage for sex-reassignment  
187 prescriptions or procedures, as defined in s. 456.001, only if  
188 the same health benefit plan also provides coverage for  
189 treatment to detransition from the sex-reassignment  
190 prescriptions or procedures.

191 2. A carrier that delivers or issues a health benefit plan  
192 that provides coverage described under subparagraph 1. must also  
193 offer a health benefit plan that does not provide such coverage.

194 (i) A health benefit plan that is delivered or issued to  
195 an individual or a group in the state may not prohibit the  
196 coverage of mental health or therapeutic services to treat a  
197 person's perception that his or her sex, as defined in s.  
198 456.001, is inconsistent with such person's sex at birth by  
199 affirming the insured's sex.

200 Section 7. Subsections (48) and (49) are added to section



201 641.31, Florida Statutes, to read:

202 641.31 Health maintenance contracts.—

203 (48) (a) A health maintenance contract that is delivered or  
 204 issued to a subscriber or group in the state may offer, for an  
 205 appropriate additional premium, coverage for sex-reassignment  
 206 prescriptions or procedures, as defined in s. 456.001, only if  
 207 the same health maintenance contract also provides coverage for  
 208 treatment to detransition from the sex-reassignment  
 209 prescriptions or procedures.

210 (b) A health maintenance organization that delivers or  
 211 issues a health maintenance contract that provides coverage  
 212 described under paragraph (a) must also offer a health  
 213 maintenance contract that does not provide such coverage.

214 (49) A health maintenance contract that is delivered or  
 215 issued to a subscriber or group in the state may not prohibit  
 216 the coverage of mental health or therapeutic services to treat a  
 217 person's perception that his or her sex, as defined in s.  
 218 456.001, is inconsistent with such person's sex at birth by  
 219 affirming the insured's sex.

220 Section 8. This act shall take effect July 1, 2024.