

1 A bill to be entitled
2 An act relating to gender and biological sex; amending
3 s. 322.01, F.S.; defining the term "sex"; amending ss.
4 322.051, 322.08, and 322.14, F.S.; requiring
5 applications for driver licenses and identification
6 cards, as well as printed driver licenses, to indicate
7 a person's sex instead of his or her gender; creating
8 s. 627.6411, F.S.; requiring health insurance policies
9 that include coverage for sex-reassignment
10 prescriptions or procedures to also provide coverage
11 for certain detransition treatments; requiring health
12 insurers providing such coverage to also offer
13 insurance policies that do not provide such coverage;
14 prohibiting health insurance policies from prohibiting
15 coverage of certain mental health and therapeutic
16 services; providing applicability; amending ss.
17 627.657, 627.6699, and 641.31, F.S.; requiring group
18 health insurance policies, health benefit plans, and
19 health maintenance contracts that include coverage for
20 sex-reassignment prescriptions or procedures to also
21 provide coverage for certain detransition treatments;
22 requiring group health insurers, carriers, and health
23 maintenance organizations providing such coverage to
24 also offer insurance policies that do not provide such
25 coverage; prohibiting group health insurance policies,

26 health benefit plans, and health maintenance contracts
 27 from prohibiting coverage of certain mental health and
 28 therapeutic services; providing applicability;
 29 providing an effective date.

30
 31 Be It Enacted by the Legislature of the State of Florida:

32
 33 Section 1. Subsection (49) is added to section 322.01,
 34 Florida Statutes, to read:

35 322.01 Definitions.—As used in this chapter:

36 (49) "Sex" means the classification of a person as either
 37 male or female based on the organization of the human body of
 38 such person for a specific reproductive role as indicated by the
 39 person's sex chromosomes, naturally occurring sex hormones, and
 40 internal and external genitalia present at birth.

41 Section 2. Paragraph (a) of subsection (1) of section
 42 322.051, Florida Statutes, is amended to read:

43 322.051 Identification cards.—

44 (1) Any person who is 5 years of age or older, or any
 45 person who has a disability, regardless of age, who applies for
 46 a disabled parking permit under s. 320.0848, may be issued an
 47 identification card by the department upon completion of an
 48 application and payment of an application fee.

49 (a) The application must include the following information
 50 regarding the applicant:

51 1. Full name (first, middle or maiden, and last), sex
52 ~~gender~~, proof of social security card number satisfactory to the
53 department, which may include a military identification card,
54 county of residence, mailing address, proof of residential
55 address satisfactory to the department, country of birth, and a
56 brief description.

57 2. Proof of birth date satisfactory to the department.

58 3. Proof of identity satisfactory to the department. Such
59 proof must include one of the following documents issued to the
60 applicant:

61 a. A driver license record or identification card record
62 from another jurisdiction that required the applicant to submit
63 a document for identification which is substantially similar to
64 a document required under sub-subparagraph b., sub-subparagraph
65 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
66 f., sub-subparagraph g., or sub-subparagraph h.;

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

68 c. A valid, unexpired United States passport;

69 d. A naturalization certificate issued by the United
70 States Department of Homeland Security;

71 e. A valid, unexpired alien registration receipt card
72 (green card);

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

75 g. An unexpired employment authorization card issued by

76 | the United States Department of Homeland Security; or

77 | h. Proof of nonimmigrant classification provided by the
 78 | United States Department of Homeland Security, for an original
 79 | identification card. In order to prove nonimmigrant
 80 | classification, an applicant must provide at least one of the
 81 | following documents. In addition, the department may require
 82 | applicants to produce United States Department of Homeland
 83 | Security documents for the sole purpose of establishing the
 84 | maintenance of, or efforts to maintain, continuous lawful
 85 | presence:

86 | (I) A notice of hearing from an immigration court
 87 | scheduling a hearing on any proceeding.

88 | (II) A notice from the Board of Immigration Appeals
 89 | acknowledging pendency of an appeal.

90 | (III) A notice of the approval of an application for
 91 | adjustment of status issued by the United States Citizenship and
 92 | Immigration Services.

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

96 | (V) A notice of action transferring any pending matter
 97 | from another jurisdiction to Florida, issued by the United
 98 | States Citizenship and Immigration Services.

99 | (VI) An order of an immigration judge or immigration
 100 | officer granting relief that authorizes the alien to live and

101 work in the United States, including, but not limited to,
 102 asylum.

103 (VII) Evidence that an application is pending for
 104 adjustment of status to that of an alien lawfully admitted for
 105 permanent residence in the United States or conditional
 106 permanent resident status in the United States, if a visa number
 107 is available having a current priority date for processing by
 108 the United States Citizenship and Immigration Services.

109 (VIII) On or after January 1, 2010, an unexpired foreign
 110 passport with an unexpired United States Visa affixed,
 111 accompanied by an approved I-94, documenting the most recent
 112 admittance into the United States.

113
 114 An identification card issued based on documents required in
 115 sub-subparagraph g. or sub-subparagraph h. is valid for a period
 116 not to exceed the expiration date of the document presented or 1
 117 year, whichever occurs first.

118 Section 3. Paragraph (a) of subsection (2) of section
 119 322.08, Florida Statutes, is amended to read:

120 322.08 Application for license; requirements for license
 121 and identification card forms.—

122 (2) Each such application shall include the following
 123 information regarding the applicant:

124 (a) Full name (first, middle or maiden, and last), sex
 125 ~~gender~~, proof of social security card number satisfactory to the

126 department, which may include a military identification card,
127 county of residence, mailing address, proof of residential
128 address satisfactory to the department, country of birth, and a
129 brief description.

130 Section 4. Paragraph (a) of subsection (1) of section
131 322.14, Florida Statutes, is amended to read:

132 322.14 Licenses issued to drivers.—

133 (1)(a) The department shall, upon successful completion of
134 all required examinations and payment of the required fee, issue
135 to every qualified applicant a printed driver license that must
136 bear a color photograph or digital image of the licensee; the
137 name of the state; a distinguishing number assigned to the
138 licensee, which, beginning November 1, 2023, must have a minimum
139 of four randomly generated digits on each original, renewal, or
140 replacement driver license; and the licensee's full name, date
141 of birth, and residence address; a brief description of the
142 licensee, including, but not limited to, the licensee's sex
143 ~~gender~~ and height; and the dates of issuance and expiration of
144 the license. A space shall be provided upon which the licensee
145 shall affix his or her usual signature. A license is invalid
146 until it has been signed by the licensee except that the
147 signature of the licensee is not required if it appears thereon
148 in facsimile or if the licensee is not present within the state
149 at the time of issuance.

150 Section 5. Section 627.6411, Florida Statutes, is created

151 to read:

152 627.6411 Coverage for sex-reassignment prescriptions or
 153 procedures.-

154 (1) A health insurance policy that is delivered or issued
 155 to a person in the state may offer, for an appropriate
 156 additional premium, coverage for sex-reassignment prescriptions
 157 or procedures, as defined in s. 456.001, only if the same health
 158 insurance policy also provides coverage for treatment to
 159 detransition from the sex-reassignment prescriptions or
 160 procedures.

161 (2) A health insurer that delivers or issues a health
 162 insurance policy that provides coverage described under
 163 subsection (1) must also offer a health insurance policy that
 164 does not provide such coverage.

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

170 (4) This section applies to health insurance policies
 171 delivered, issued, or renewed on or after January 1, 2025.

172 Section 6. Subsection (4) is added to section 627.657,
 173 Florida Statutes, to read:

174 627.657 Provisions of group health insurance policies.-

175 (4) (a) A group health insurance policy that is delivered

176 or issued to any group in the state may offer, for an
177 appropriate additional premium, coverage for sex-reassignment
178 prescriptions or procedures, as defined in s. 456.001, only if
179 the same group health insurance policy also provides coverage
180 for treatment to detransition from the sex-reassignment
181 prescriptions or procedures.

182 (b) A group health insurer that delivers or issues a group
183 health insurance policy that provides coverage described under
184 paragraph (a) must also offer a group health insurance policy
185 that does not provide such coverage.

186 (c) A group health insurance policy that is delivered or
187 issued to any group in the state may not prohibit the coverage
188 of mental health or therapeutic services to treat a person's
189 perception that his or her sex, as defined in s. 456.001, is
190 inconsistent with such person's sex at birth by affirming the
191 insured's sex.

192 (d) This subsection applies to group health insurance
193 policies delivered, issued, or renewed on or after January 1,
194 2025.

195 Section 7. Paragraph (h) is added to subsection (5) of
196 section 627.6699, Florida Statutes, to read:

197 627.6699 Employee Health Care Access Act.—

198 (5) AVAILABILITY OF COVERAGE.—

199 (h)1. A health benefit plan that is delivered or issued to
200 an individual or a group in the state may offer, for an

201 appropriate additional premium, coverage for sex-reassignment
 202 prescriptions or procedures, as defined in s. 456.001, only if
 203 the same health benefit plan also provides coverage for
 204 treatment to detransition from the sex-reassignment
 205 prescriptions or procedures.

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

209 3. A health benefit plan that is delivered or issued to an
 210 individual or a group in the state may not prohibit the coverage
 211 of mental health or therapeutic services to treat a person's
 212 perception that his or her sex, as defined in s. 456.001, is
 213 inconsistent with such person's sex at birth by affirming the
 214 insured's sex.

215 4. This paragraph applies to health benefit plans
 216 delivered, issued, or renewed on or after January 1, 2025.

217 Section 8. Subsection (48) is added to section 641.31,
 218 Florida Statutes, to read:

219 641.31 Health maintenance contracts.—

220 (48) (a) A health maintenance contract that is delivered or
 221 issued to a subscriber or group in the state may offer, for an
 222 appropriate additional premium, coverage for sex-reassignment
 223 prescriptions or procedures, as defined in s. 456.001, only if
 224 the same health maintenance contract also provides coverage for
 225 treatment to detransition from the sex-reassignment

226 | prescriptions or procedures.

227 | (b) A health maintenance organization that delivers or
 228 | issues a health maintenance contract that provides coverage
 229 | described under paragraph (a) must also offer a health
 230 | maintenance contract that does not provide such coverage.

231 | (c) A health maintenance contract that is delivered or
 232 | issued to a subscriber or group in the state may not prohibit
 233 | the coverage of mental health or therapeutic services to treat a
 234 | person's perception that his or her sex, as defined in s.
 235 | 456.001, is inconsistent with such person's sex at birth by
 236 | affirming the insured's sex.

237 | (d) This subsection applies to health maintenance
 238 | contracts delivered, issued, or renewed on or after January 1,
 239 | 2025.

240 | Section 9. This act shall take effect July 1, 2024.