

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; making  
13          technical changes; amending s. 381.00316, F.S.;  
14          revising and deleting definitions; prohibiting  
15          business entities from requiring individuals to  
16          provide proof of vaccination or postinfection recovery  
17          from any communicable disease to gain access to, entry  
18          upon, or service from such entities; prohibiting a  
19          business entity from requiring individuals currently  
20          employed or seeking employment with that business to  
21          provide proof of vaccination or postinfection recovery  
22          from any communicable disease; prohibiting health care  
23          providers from discriminating in providing health care  
24          to a patient based solely on his or her vaccination  
25          status; prohibiting governmental entities from  
26          requiring that individuals show proof of vaccination  
27          or postinfection recovery from any communicable  
28          disease or requiring a certain test in order to gain  
29          access to, entry upon, or service from that

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30 governmental entity's operations, or for employment,  
31 continued employment, or contracting with the  
32 governmental entity; reordering and amending s.  
33 381.00319, F.S.; conforming provisions to changes made  
34 by the act; amending s. 420.9075, F.S.; adding a  
35 person's vaccination and immunity status to the  
36 prohibited forms of discrimination by local housing  
37 assistance plans; creating s. 448.077, F.S.; defining  
38 terms; prohibiting employers from refusing employment  
39 to, or discharging, disciplining, demoting, or  
40 otherwise discriminating against, an individual solely  
41 on the basis of vaccination or immunity status;  
42 creating a right of action for aggrieved individuals;  
43 providing for relief; creating ss. 626.9708, 627.6441,  
44 627.6614, and 641.31078, F.S.; defining the term  
45 "vaccination or immunity status"; specifying  
46 prohibited discriminatory practices in the provision  
47 of life and disability insurance policies, health  
48 insurance policies, group health insurance policies,  
49 and health maintenance contracts, respectively;  
50 providing construction; amending s. 760.01, F.S.;  
51 revising the purposes of the Florida Civil Rights Act  
52 of 1992 to include discrimination protection for  
53 vaccination or immunity status; reordering and  
54 amending s. 760.02, F.S.; defining the term  
55 "vaccination or immunity status"; amending s. 760.05,  
56 F.S.; revising the functions of the Florida Commission  
57 on Human Relations to conform to changes made by the  
58 act; amending s. 760.07, F.S.; revising provisions

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59 regarding remedies for unlawful discrimination to  
60 conform to changes made by the act; amending s.  
61 760.08, F.S.; prohibiting places of public  
62 accommodation from discriminating on the basis of  
63 vaccination or immunity status; amending s. 760.10,  
64 F.S.; prohibiting employers from engaging in specified  
65 discriminatory employment practices on the basis of a  
66 person's vaccination or immunity status; providing an  
67 exception; amending s. 760.22, F.S.; defining the term  
68 "vaccination or immunity status"; amending ss. 760.23,  
69 760.24, 760.25, and 760.26, F.S.; prohibiting  
70 discrimination on the basis of a person's vaccination  
71 or immunity status in the sale or rental of housing,  
72 the provision of brokerage services, the financing of  
73 housing or residential real estate transactions, and  
74 land use decisions or permitting of development,  
75 respectively; amending s. 760.29, F.S.; revising an  
76 exemption from the Fair Housing Act regarding the  
77 appraisal of real property to conform to changes made  
78 by the act; amending s. 760.60, F.S.; prohibiting  
79 certain clubs from engaging in specified  
80 discriminatory practices on the basis of a person's  
81 vaccination or immunity status; amending s. 1002.20,  
82 F.S.; conforming provisions to changes made by the  
83 act; amending s. 1003.22, F.S.; prohibiting the  
84 Department of Health from requiring, as a school-entry  
85 requirement, that children receive immunizations  
86 approved only for emergency use; reenacting s.  
87 381.00318(1), F.S., relating to complaints alleging

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88 violations, to incorporate the amendments made to s.  
89 381.00316, F.S., in a reference thereto; reenacting s.  
90 760.11(1), F.S., relating to administrative and civil  
91 remedies, to incorporate the amendments made to ss.  
92 760.01 and 760.02, F.S., in references thereto;  
93 reenacting s. 760.11(15), F.S., relating to discharge  
94 of a person employed by the state or any governmental  
95 entity or agency, to incorporate the amendments made  
96 to s. 760.10, F.S., in a reference thereto; reenacting  
97 ss. 760.20, 760.30, 760.31(4) and (5), 760.34(1), (3),  
98 (4), and (7), 760.35(1) and (5)(a), and 760.37, F.S.,  
99 relating to a short title, authority of the Florida  
100 Commission of Human Relations, powers and duties of  
101 the commission, enforcement of penalties for housing  
102 discrimination violations, commencement of a civil  
103 action for persons alleging discriminatory housing  
104 practices, and penalties for interfering with a  
105 person's rights, respectively, to incorporate the  
106 amendments made to ss. 760.25 and 760.26, F.S., in  
107 references thereto; reenacting s. 1002.42(6)(a), F.S.,  
108 relating to immunization requirements for private  
109 school governing authorities, to incorporate the  
110 amendment made to s. 1003.22, F.S. in a reference  
111 thereto; providing an effective date.

112  
113 Be It Enacted by the Legislature of the State of Florida:

114  
115 Section 1. Paragraph (e) of subsection (1) of section  
116 381.003, Florida Statutes, is amended to read:

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117 381.003 Communicable disease and AIDS prevention and  
118 control.-

119 (1) The department shall conduct a communicable disease  
120 prevention and control program as part of fulfilling its public  
121 health mission. A communicable disease is any disease caused by  
122 transmission of a specific infectious agent, or its toxic  
123 products, from an infected person, an infected animal, or the  
124 environment to a susceptible host, either directly or  
125 indirectly. The communicable disease program must include, but  
126 need not be limited to:

127 (e) Programs for the prevention and control of vaccine-  
128 preventable diseases, including programs to immunize school  
129 children as required by s. 1003.22(3)-(11) and the development  
130 of an automated, electronic, and centralized database and  
131 registry of immunizations. The department may not require  
132 enrollment in the immunization registry or otherwise require  
133 persons to submit to any form of immunization tracking. The  
134 department shall ensure that all children in this state are  
135 immunized against vaccine-preventable diseases. The immunization  
136 registry must allow the department to enhance current  
137 immunization activities for the purpose of improving the  
138 immunization of all children in this state.

139 1. Except as provided in subparagraph 2., the department  
140 shall include all children born in this state in the  
141 immunization registry by using the birth records from the Office  
142 of Vital Statistics. The department shall add other children to  
143 the registry as immunization services are provided.

144 2. The parent or guardian of a child may refuse to have the  
145 child included in the immunization registry by signing a form

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146 obtained from the department, or from the health care  
147 practitioner or entity that provides the immunization, which  
148 indicates that the parent or guardian does not wish to have the  
149 child included in the immunization registry. Each consent to  
150 treatment form provided by a health care practitioner or by an  
151 entity that administers vaccinations or causes vaccinations to  
152 be administered to children from birth through 17 years of age  
153 must contain a notice stating that the parent or guardian of a  
154 child may refuse to have his or her child included in the  
155 immunization registry. The parent or guardian may either submit  
156 the opt-out form directly to the department or ~~must~~ provide it  
157 ~~such opt-out form~~ to the health care practitioner or entity upon  
158 administration of the vaccination. Such health care practitioner  
159 or entity shall submit the form to the department. If a parent  
160 or guardian has refused to have his or her child included in the  
161 immunization registry, ~~A parent or guardian may submit the opt-~~  
162 ~~out form directly to the department.~~ any records or identifying  
163 information pertaining to the child must ~~shall~~ be removed from  
164 the registry, ~~if the parent or guardian has refused to have his~~  
165 ~~or her child included in the immunization registry.~~

166 3. A college or university student, from 18 years of age to  
167 23 years of age, who obtains an immunization ~~a vaccination~~ from  
168 a college or university student health center or clinic in this  
169 ~~the~~ state may refuse to be included in the immunization registry  
170 by signing a form obtained from the department, health center,  
171 or clinic which indicates that the student does not wish to be  
172 included in the immunization registry. The student may either  
173 submit the opt-out form directly to the department or ~~must~~  
174 provide it ~~such opt-out form~~ to the health center or clinic upon

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175 administration of the immunization ~~vaccination~~. Such health  
176 center or clinic shall submit the form to the department. If the  
177 student has refused to be included in the immunization registry,  
178 ~~A student may submit the opt-out form directly to the~~  
179 ~~department.~~ any records or identifying information pertaining to  
180 the student must ~~shall~~ be removed from the registry ~~if the~~  
181 ~~student has refused to be included in the immunization registry.~~

182 4. The immunization registry shall allow for immunization  
183 records to be electronically available to entities that are  
184 required by law to have such records, including, but not limited  
185 to, schools and licensed child care facilities. However, the  
186 department may not include a person's immunization records in  
187 any interstate or federal immunization tracking system or  
188 otherwise allow an entity not required by law to have such  
189 records without first obtaining written informed consent from  
190 the person or the person's parent or guardian, if the person is  
191 a minor, to release the immunization records for such purpose.

192 5. A health care practitioner licensed under chapter 458,  
193 chapter 459, or chapter 464 in this state who administers  
194 vaccinations or causes vaccinations to be administered to  
195 children from birth through 17 years of age is required to  
196 report vaccination data to the immunization registry, unless a  
197 parent or guardian of a child has refused to have the child  
198 included in the immunization registry by meeting the  
199 requirements of subparagraph 2. A health care practitioner  
200 licensed under chapter 458, chapter 459, or chapter 464 in this  
201 state who administers vaccinations or causes vaccinations to be  
202 administered to college or university students from 18 years of  
203 age to 23 years of age at a college or university student health

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204 center or clinic is required to report vaccination data to the  
205 immunization registry, unless the student has refused to be  
206 included in the immunization registry by meeting the  
207 requirements of subparagraph 3. Vaccination data for students in  
208 other age ranges may be submitted to the immunization registry  
209 only if the student consents to inclusion in the immunization  
210 registry. The upload of data from existing automated systems is  
211 an acceptable method for updating immunization information in  
212 the immunization registry. The information in the immunization  
213 registry must include the child's name, date of birth, address,  
214 and any other unique identifier necessary to correctly identify  
215 the child; the immunization record, including the date, type of  
216 administered vaccine, and vaccine lot number; and the presence  
217 or absence of any adverse reaction or contraindication related  
218 to the immunization. Information received by the department for  
219 the immunization registry retains its status as confidential  
220 medical information and the department must maintain the  
221 confidentiality of that information as otherwise required by  
222 law. A health care practitioner or other agency that obtains  
223 information from the immunization registry must maintain the  
224 confidentiality of any medical records in accordance with s.  
225 456.057 or as otherwise required by law.

226 Section 2. Present paragraphs (c) and (d) through (g) of  
227 subsection (2) of section 381.00316, Florida Statutes, are  
228 redesignated as paragraphs (f) and (b) through (e),  
229 respectively, and present paragraphs (b) and (c) of that  
230 subsection and subsections (3) and (4) of that section are  
231 amended, to read:

232 381.00316 Discrimination by governmental and business



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233 entities based on health care choices; prohibition.-

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

235 ~~(b) "COVID-19" means the novel coronavirus identified as~~  
236 ~~SARS-CoV-2; any disease caused by SARS-CoV-2, its viral~~  
237 ~~fragments, or a virus mutating therefrom; and all conditions~~  
238 ~~associated with the disease which are caused by SARS-CoV-2, its~~  
239 ~~viral fragments, or a virus mutating therefrom.~~

240 (f)(e) "COVID-19 Vaccine" means a preparation designed to  
241 stimulate the human body's immune response against a  
242 communicable disease COVID-19.

243 (3) (a) A business entity may not require any person to  
244 provide any documentation certifying vaccination with any  
245 vaccine defined under subsection (2) or postinfection recovery  
246 from any communicable disease COVID-19, or require a presumptive  
247 or confirmatory COVID-19 test showing proof of recovery from any  
248 communicable disease, to gain access to, entry upon, or service  
249 from the business operations in this state or as a condition of  
250 contracting, hiring, promotion, or continued employment with the  
251 business entity.

252 (b) A business entity may not discharge or refuse to hire a  
253 person; deprive or attempt to deprive a person of employment  
254 opportunities; adversely affect a person's status as an employee  
255 or as an applicant for employment; or otherwise discriminate  
256 against a person based on knowledge or belief of the person's  
257 status relating to vaccination with any vaccine defined under  
258 subsection (2) or ~~COVID-19~~ postinfection recovery from a  
259 communicable disease, or a person's failure to take a  
260 presumptive or confirmatory COVID-19 test showing proof of  
261 recovery from any communicable disease.

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262 ~~(c) For matters relating to vaccines other than those~~  
263 ~~defined under subsection (2), a business entity shall provide~~  
264 ~~for exemptions and reasonable accommodations for religious and~~  
265 ~~medical reasons in accordance with federal law.~~

266 ~~(d)~~ A licensed facility as defined in s. 395.002 may not  
267 discriminate in providing health care to a patient based solely  
268 on that patient's vaccination status with a ~~COVID-19~~ vaccine.

269 (4) (a) A governmental entity may not require any person to  
270 provide any documentation certifying vaccination with any  
271 vaccine defined under subsection (2) or postinfection recovery  
272 from a communicable disease ~~COVID-19~~, or require a presumptive  
273 or confirmatory ~~COVID-19~~ test for any communicable disease, to  
274 gain access to, entry upon, or service from the governmental  
275 entity's operations in this state or as a condition of  
276 contracting, hiring, promotion, or continued employment with the  
277 governmental entity.

278 (b) A governmental entity may not discharge or refuse to  
279 hire a person; deprive or attempt to deprive a person of  
280 employment opportunities; adversely affect a person's status as  
281 an employee; or otherwise discriminate against a person based on  
282 the knowledge or belief of the person's status relating to  
283 vaccination with any vaccine defined under subsection (2) or a  
284 person's failure to take a presumptive or confirmatory ~~COVID-19~~  
285 test for a communicable disease.

286 ~~(c) For matters relating to vaccines other than those~~  
287 ~~defined under subsection (2), a governmental entity shall~~  
288 ~~provide for exemptions and reasonable accommodations for~~  
289 ~~religious and medical reasons in accordance with federal law.~~

290 Section 3. Subsection (1) of section 381.00319, Florida

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291 Statutes, is reordered and amended to read:

292 381.00319 Prohibition on mask mandates and vaccination and  
293 testing mandates for educational institutions.—

294 (1) For purposes of this section, the term:

295 ~~(a) "COVID-19" has the same meaning as in s. 381.00316.~~

296 (d) ~~(b)~~ "COVID-19 Vaccine" has the same meaning as in s.  
297 381.00316.

298 (a) ~~(e)~~ "Educational institution" means a public or private  
299 school, including a preschool, elementary school, middle school,  
300 junior high school, secondary school, career center, or  
301 postsecondary school.

302 (b) ~~(d)~~ "Emergency use authorization vaccine" has the same  
303 meaning as in s. 381.00316.

304 (c) ~~(e)~~ "Messenger ribonucleic acid vaccine" has the same  
305 meaning as in s. 381.00316.

306 Section 4. Paragraph (c) of subsection (4) of section  
307 420.9075, Florida Statutes, is amended to read:

308 420.9075 Local housing assistance plans; partnerships.—

309 (4) Each local housing assistance plan is governed by the  
310 following criteria and administrative procedures:

311 (c) In accordance with the provisions of ss. 760.20-760.37,  
312 it is unlawful to discriminate on the basis of race, creed,  
313 religion, color, age, sex, vaccination or immunity status,  
314 marital status, familial status, national origin, or handicap in  
315 the award application process for eligible housing.

316 Section 5. Section 448.077, Florida Statutes, is created to  
317 read:

318 448.077 Employment discrimination on the basis of  
319 vaccination or immunity status prohibited.—

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

321 (a) "Employee" means an individual who performs services  
322 for and is under the direction and control of an employer for  
323 wages or other remuneration. The term includes an independent  
324 contractor.

325 (b) "Employer" means an individual, a firm, a partnership,  
326 an institution, a corporation, or an association that employs  
327 two or more employees. The term includes a governmental entity  
328 as defined in s. 768.38(2).

329 (c) "Vaccination or immunity status," with respect to an  
330 individual, means whether he or she has been administered a  
331 vaccine for or is otherwise immune to a particular communicable  
332 disease.

333 (2) An employer may not refuse to employ an individual, or  
334 discharge, discipline, demote, or otherwise discriminate against  
335 an employee with respect to wages or terms, conditions, or  
336 privileges of employment, solely on the basis of the  
337 individual's vaccination or immunity status.

338 (3) An individual who is refused employment or is  
339 discriminated against on the basis of vaccination or immunity  
340 status in violation of this section may file a civil action in a  
341 court of competent jurisdiction for relief as set forth in  
342 subsection (4).

343 (4) In any action brought pursuant to subsection (3), the  
344 court may order any of the following forms of relief, as  
345 applicable:

346 (a) An injunction preventing the continued violation of  
347 this section.

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

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

351 (c) Compensation for lost wages, benefits, and other  
352 remuneration.

353 (d) Reasonable attorney fees.

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

355 Section 6. Section 626.9708, Florida Statutes, is created  
356 to read:

357 626.9708 Discrimination on the basis of vaccination or  
358 immunity status prohibited.-

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

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

365 (a) Require proof of vaccination or immunity status for any  
366 communicable disease from an applicant or a policyholder.

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

370 (c) Impose a higher premium rate or charge or otherwise  
371 discriminate in coverage in a life insurance policy or  
372 disability insurance policy solely on the basis of the  
373 applicant's or policyholder's vaccination or immunity status.

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

377 Section 7. Section 627.6441, Florida Statutes, is created

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378 to read:

379 627.6441 Discrimination on the basis of vaccination or  
380 immunity status prohibited.-

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

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

386 (a) Require proof of vaccination or immunity status for any  
387 communicable disease from an applicant or a policyholder.

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

391 (c) Impose a higher premium rate or charge or otherwise  
392 discriminate in the coverage of care in a health insurance  
393 policy solely on the basis of the applicant's or policyholder's  
394 vaccination or immunity status.

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

398 Section 8. Section 627.6614, Florida Statutes, is created  
399 to read:

400 627.6614 Discrimination on the basis of vaccination or  
401 immunity status prohibited.-

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

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

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407 franchise health insurance policy in this state may not do any  
408 of the following:

409 (a) Require proof of vaccination or immunity status for any  
410 communicable disease from an applicant or a policyholder.

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

414 (c) Impose a higher premium rate or charge or otherwise  
415 discriminate in the coverage of care in a health insurance  
416 policy solely on the basis of the applicant's or policyholder's  
417 vaccination or immunity status.

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

421 Section 9. Section 641.31078, Florida Statutes, is created  
422 to read:

423 641.31078 Discrimination on the basis of vaccination or  
424 immunity status prohibited.—

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

429 (2) A health maintenance organization providing coverage  
430 under a health maintenance contract in this state may not do any  
431 of the following:

432 (a) Require proof of vaccination or immunity status for any  
433 communicable disease from an applicant or a subscriber.

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

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436 vaccination or immunity status.

437 (c) Impose a higher premium rate or charge or otherwise  
438 discriminate in the coverage of care in a health maintenance  
439 contract solely on the basis of the applicant's or subscriber's  
440 vaccination or immunity status.

441 (3) This section may not be construed to require a health  
442 maintenance organization to provide coverage for a medical  
443 condition that the applicant or subscriber has already  
444 sustained.

445 Section 10. Subsection (2) of section 760.01, Florida  
446 Statutes, is amended, and subsection (1) of that section is  
447 republished, to read:

448 760.01 Purposes; construction; title.—

449 (1) Sections 760.01-760.11 and 509.092 shall be cited as  
450 the "Florida Civil Rights Act of 1992."

451 (2) The general purposes of the Florida Civil Rights Act of  
452 1992 are to secure for all individuals within this ~~the~~ state  
453 freedom from discrimination because of race, color, religion,  
454 sex, pregnancy, national origin, age, handicap, vaccination or  
455 immunity status, or marital status and thereby to protect their  
456 interest in personal dignity, to make available to the state  
457 their full productive capacities, to secure this ~~the~~ state  
458 against domestic strife and unrest, to preserve the public  
459 safety, health, and general welfare, and to promote the  
460 interests, rights, and privileges of individuals within this ~~the~~  
461 state.

462 Section 11. Section 760.02, Florida Statutes, is reordered  
463 and amended to read:

464 760.02 Definitions.—For the purposes of ss. 760.01-760.11



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465 and 509.092, the term:

466 (7)~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-  
467 760.11 and 509.092.

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

470 (3) "Commissioner" or "member" means a member of the  
471 commission.

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

474 (9)~~(5)~~ "National origin" includes ancestry.

475 (10)~~(6)~~ "Person" includes an individual, association,  
476 corporation, joint apprenticeship committee, joint-stock  
477 company, labor union, legal representative, mutual company,  
478 partnership, receiver, trust, trustee in bankruptcy, or  
479 unincorporated organization; any other legal or commercial  
480 entity; the state; or any governmental entity or agency.

481 (5)~~(7)~~ "Employer" means any person employing 15 or more  
482 employees for each working day in each of 20 or more calendar  
483 weeks in the current or preceding calendar year, and any agent  
484 of such a person.

485 (6)~~(8)~~ "Employment agency" means any person regularly  
486 undertaking, with or without compensation, to procure employees  
487 for an employer or to procure for employees opportunities to  
488 work for an employer, and includes an agent of such a person.

489 (8)~~(9)~~ "Labor organization" means any organization which  
490 exists for the purpose, in whole or in part, of collective  
491 bargaining or of dealing with employers concerning grievances,  
492 terms or conditions of employment, or other mutual aid or  
493 protection in connection with employment.

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494        (1)~~(10)~~ "Aggrieved person" means any person who files a  
495 complaint with the Human Relations Commission.

496        (11) "Public accommodations" means places of public  
497 accommodation, lodgings, facilities principally engaged in  
498 selling food for consumption on the premises, gasoline stations,  
499 places of exhibition or entertainment, and other covered  
500 establishments. Each of the following establishments which  
501 serves the public is a place of public accommodation within the  
502 meaning of this section:

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

508        (b) Any restaurant, cafeteria, lunchroom, lunch counter,  
509 soda fountain, or other facility principally engaged in selling  
510 food for consumption on the premises, including, but not limited  
511 to, any such facility located on the premises of any retail  
512 establishment, or any gasoline station.

513        (c) Any motion picture theater, theater, concert hall,  
514 sports arena, stadium, or other place of exhibition or  
515 entertainment.

516        (d) Any establishment which is physically located within  
517 the premises of any establishment otherwise covered by this  
518 subsection, or within the premises of which is physically  
519 located any such covered establishment, and which holds itself  
520 out as serving patrons of such covered establishment.

521        (12) "Vaccination or immunity status," with respect to an  
522 individual, means whether he or she has been administered a

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523 vaccination for or is otherwise immune to a particular  
524 communicable disease.

525 Section 12. Section 760.05, Florida Statutes, is amended to  
526 read:

527 760.05 Functions of the commission.—The commission shall  
528 promote and encourage fair treatment and equal opportunity for  
529 all persons regardless of race, color, religion, sex, pregnancy,  
530 national origin, age, handicap, vaccination or immunity status,  
531 or marital status and mutual understanding and respect among all  
532 members of all economic, social, racial, religious, and ethnic  
533 groups; and shall endeavor to eliminate discrimination against,  
534 and antagonism between, religious, racial, and ethnic groups and  
535 their members.

536 Section 13. Section 760.07, Florida Statutes, is amended to  
537 read:

538 760.07 Remedies for unlawful discrimination.—Any violation  
539 of any Florida statute that makes unlawful discrimination  
540 because of race, color, religion, gender, pregnancy, national  
541 origin, age, handicap, vaccination or immunity status, or  
542 marital status in the areas of education, employment, or public  
543 accommodations gives rise to a cause of action for all relief  
544 and damages described in s. 760.11(5), unless greater damages  
545 are expressly provided for. If the statute prohibiting unlawful  
546 discrimination provides an administrative remedy, the action for  
547 equitable relief and damages provided for in this section may be  
548 initiated only after the plaintiff has exhausted his or her  
549 administrative remedy. The term “public accommodations” does not  
550 include lodge halls or other similar facilities of private  
551 organizations which are made available for public use

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552 occasionally or periodically. The right to trial by jury is  
553 preserved in any case in which the plaintiff is seeking actual  
554 or punitive damages.

555 Section 14. Section 760.08, Florida Statutes, is amended to  
556 read:

557 760.08 Discrimination in places of public accommodation.—  
558 All persons are entitled to the full and equal enjoyment of the  
559 goods, services, facilities, privileges, advantages, and  
560 accommodations of any place of public accommodation without  
561 discrimination or segregation on the ground of race, color,  
562 national origin, sex, pregnancy, handicap, vaccination or  
563 immunity status, familial status, or religion.

564 Section 15. Subsections (1) and (2), paragraphs (a) and (b)  
565 of subsection (3), subsections (4), (5), and (6), and paragraph  
566 (a) of subsection (9) of section 760.10, Florida Statutes, are  
567 amended, and paragraphs (b), (c), and (d) of subsection (9) of  
568 that section are republished, to read:

569 760.10 Unlawful employment practices.—

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

571 (a) To discharge or to fail or refuse to hire any  
572 individual, or otherwise to discriminate against any individual  
573 with respect to compensation, terms, conditions, or privileges  
574 of employment, because of such individual's race, color,  
575 religion, sex, pregnancy, national origin, age, handicap,  
576 vaccination or immunity status, or marital status.

577 (b) To limit, segregate, or classify employees or  
578 applicants for employment in any way which would deprive or tend  
579 to deprive any individual of employment opportunities, or  
580 adversely affect any individual's status as an employee, because

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581 of such individual's race, color, religion, sex, pregnancy,  
582 national origin, age, handicap, vaccination or immunity status,  
583 or marital status.

584 (2) It is an unlawful employment practice for an employment  
585 agency to fail or refuse to refer for employment, or otherwise  
586 to discriminate against, any individual because of race, color,  
587 religion, sex, pregnancy, national origin, age, handicap,  
588 vaccination or immunity status, or marital status or to classify  
589 or refer for employment any individual on the basis of race,  
590 color, religion, sex, pregnancy, national origin, age, handicap,  
591 vaccination or immunity status, or marital status.

592 (3) It is an unlawful employment practice for a labor  
593 organization:

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

598 (b) To limit, segregate, or classify its membership or  
599 applicants for membership, or to classify or fail or refuse to  
600 refer for employment any individual, in any way that would  
601 deprive or tend to deprive any individual of employment  
602 opportunities, or adversely affect any individual's status as an  
603 employee or as an applicant for employment, because of such  
604 individual's race, color, religion, sex, pregnancy, national  
605 origin, age, handicap, vaccination or immunity status, or  
606 marital status.

607 (4) It is an unlawful employment practice for any employer,  
608 labor organization, or joint labor-management committee  
609 controlling apprenticeship or other training or retraining,

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610 including on-the-job training programs, to discriminate against  
611 any individual because of race, color, religion, sex, pregnancy,  
612 national origin, age, handicap, vaccination or immunity status,  
613 or marital status in admission to, or employment in, any program  
614 established to provide apprenticeship or other training.

615 (5) Whenever, in order to engage in a profession,  
616 occupation, or trade, it is required that a person receive a  
617 license, certification, or other credential, become a member or  
618 an associate of any club, association, or other organization, or  
619 pass any examination, it is an unlawful employment practice for  
620 any person to discriminate against any other person seeking such  
621 license, certification, or other credential, seeking to become a  
622 member or associate of such club, association, or other  
623 organization, or seeking to take or pass such examination,  
624 because of such other person's race, color, religion, sex,  
625 pregnancy, national origin, age, handicap, vaccination or  
626 immunity status, or marital status.

627 (6) It is an unlawful employment practice for an employer,  
628 labor organization, employment agency, or joint labor-management  
629 committee to print, or cause to be printed or published, any  
630 notice or advertisement relating to employment, membership,  
631 classification, referral for employment, or apprenticeship or  
632 other training, indicating any preference, limitation,  
633 specification, or discrimination, based on race, color,  
634 religion, sex, pregnancy, national origin, age, absence of  
635 handicap, vaccination or immunity status, or marital status.

636 (9) Notwithstanding any other provision of this section, it  
637 is not an unlawful employment practice under ss. 760.01-760.10  
638 for an employer, employment agency, labor organization, or joint

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639 labor-management committee to:

640 (a) Take or fail to take any action on the basis of  
641 religion, sex, pregnancy, national origin, age, handicap,  
642 vaccination or immunity status, or marital status in those  
643 certain instances in which religion, sex, condition of  
644 pregnancy, national origin, age, absence of a particular  
645 handicap, vaccination or immunity status, or marital status is a  
646 bona fide occupational qualification reasonably necessary for  
647 the performance of the particular employment to which such  
648 action or inaction is related.

649 (b) Observe the terms of a bona fide seniority system, a  
650 bona fide employee benefit plan such as a retirement, pension,  
651 or insurance plan, or a system which measures earnings by  
652 quantity or quality of production, which is not designed,  
653 intended, or used to evade the purposes of ss. 760.01-760.10.  
654 However, no such employee benefit plan or system which measures  
655 earnings shall excuse the failure to hire, and no such seniority  
656 system, employee benefit plan, or system which measures earnings  
657 shall excuse the involuntary retirement of, any individual on  
658 the basis of any factor not related to the ability of such  
659 individual to perform the particular employment for which such  
660 individual has applied or in which such individual is engaged.  
661 This subsection shall not be construed to make unlawful the  
662 rejection or termination of employment when the individual  
663 applicant or employee has failed to meet bona fide requirements  
664 for the job or position sought or held or to require any changes  
665 in any bona fide retirement or pension programs or existing  
666 collective bargaining agreements during the life of the  
667 contract, or for 2 years after October 1, 1981, whichever occurs

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668 first, nor shall this act preclude such physical and medical  
669 examinations of applicants and employees as an employer may  
670 require of applicants and employees to determine fitness for the  
671 job or position sought or held.

672 (c) Take or fail to take any action on the basis of age,  
673 pursuant to law or regulation governing any employment or  
674 training program designed to benefit persons of a particular age  
675 group.

676 (d) Take or fail to take any action on the basis of marital  
677 status if that status is prohibited under its antinepotism  
678 policy.

679 Section 16. Subsection (11) is added to section 760.22,  
680 Florida Statutes, and subsection (4) of that section is  
681 republished, to read:

682 760.22 Definitions.—As used in ss. 760.20-760.37, the term:

683 (4) "Discriminatory housing practice" means an act that is  
684 unlawful under the terms of ss. 760.20-760.37.

685 (11) "Vaccination or immunity status," with respect to an  
686 individual, means whether he or she has been administered a  
687 vaccination for or is otherwise immune to a particular  
688 communicable disease.

689 Section 17. Subsections (1) through (5) of section 760.23,  
690 Florida Statutes, are amended, and subsection (6) of that  
691 section is republished, to read:

692 760.23 Discrimination in the sale or rental of housing and  
693 other prohibited practices.—

694 (1) It is unlawful to refuse to sell or rent after the  
695 making of a bona fide offer, to refuse to negotiate for the sale  
696 or rental of, or otherwise to make unavailable or deny a



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697 dwelling to any person because of race, color, national origin,  
698 sex, disability, vaccination or immunity status, familial  
699 status, or religion.

700 (2) It is unlawful to discriminate against any person in  
701 the terms, conditions, or privileges of sale or rental of a  
702 dwelling, or in the provision of services or facilities in  
703 connection therewith, because of race, color, national origin,  
704 sex, disability, vaccination or immunity status, familial  
705 status, or religion.

706 (3) It is unlawful to make, print, or publish, or cause to  
707 be made, printed, or published, any notice, statement, or  
708 advertisement with respect to the sale or rental of a dwelling  
709 that indicates any preference, limitation, or discrimination  
710 based on race, color, national origin, sex, disability,  
711 vaccination or immunity status, familial status, or religion or  
712 an intention to make any such preference, limitation, or  
713 discrimination.

714 (4) It is unlawful to represent to any person because of  
715 race, color, national origin, sex, disability, vaccination or  
716 immunity status, familial status, or religion that any dwelling  
717 is not available for inspection, sale, or rental when such  
718 dwelling is in fact so available.

719 (5) It is unlawful, for profit, to induce or attempt to  
720 induce any person to sell or rent any dwelling by a  
721 representation regarding the entry or prospective entry into the  
722 neighborhood of a person or persons of a particular race, color,  
723 national origin, sex, disability, vaccination or immunity  
724 status, familial status, or religion.

725 (6) The protections afforded under ss. 760.20-760.37

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726 against discrimination on the basis of familial status apply to  
727 any person who is pregnant or is in the process of securing  
728 legal custody of any individual who has not attained the age of  
729 18 years.

730 Section 18. Section 760.24, Florida Statutes, is amended to  
731 read:

732 760.24 Discrimination in the provision of brokerage  
733 services.—It is unlawful to deny any person access to, or  
734 membership or participation in, any multiple-listing service,  
735 real estate brokers' organization, or other service,  
736 organization, or facility relating to the business of selling or  
737 renting dwellings, or to discriminate against him or her in the  
738 terms or conditions of such access, membership, or  
739 participation, on account of race, color, national origin, sex,  
740 disability, vaccination or immunity status, familial status, or  
741 religion.

742 Section 19. Subsection (1) and paragraph (a) of subsection  
743 (2) of section 760.25, Florida Statutes, are amended to read:

744 760.25 Discrimination in the financing of housing or in  
745 residential real estate transactions.—

746 (1) It is unlawful for any bank, building and loan  
747 association, insurance company, or other corporation,  
748 association, firm, or enterprise the business of which consists  
749 in whole or in part of the making of commercial real estate  
750 loans to deny a loan or other financial assistance to a person  
751 applying for the loan for the purpose of purchasing,  
752 constructing, improving, repairing, or maintaining a dwelling,  
753 or to discriminate against him or her in the fixing of the  
754 amount, interest rate, duration, or other term or condition of

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755 such loan or other financial assistance, because of the race,  
756 color, national origin, sex, disability, vaccination or immunity  
757 status, familial status, or religion of such person or of any  
758 person associated with him or her in connection with such loan  
759 or other financial assistance or the purposes of such loan or  
760 other financial assistance, or because of the race, color,  
761 national origin, sex, disability, vaccination or immunity  
762 status, familial status, or religion of the present or  
763 prospective owners, lessees, tenants, or occupants of the  
764 dwelling or dwellings in relation to which such loan or other  
765 financial assistance is to be made or given.

766 (2) (a) It is unlawful for any person or entity whose  
767 business includes engaging in residential real estate  
768 transactions to discriminate against any person in making  
769 available such a transaction, or in the terms or conditions of  
770 such a transaction, because of race, color, national origin,  
771 sex, disability, vaccination or immunity status, familial  
772 status, or religion.

773 Section 20. Section 760.26, Florida Statutes, is amended to  
774 read:

775 760.26 Prohibited discrimination in land use decisions and  
776 in permitting of development.—It is unlawful to discriminate in  
777 land use decisions or in the permitting of development based on  
778 race, color, national origin, sex, disability, vaccination or  
779 immunity status, familial status, religion, or, except as  
780 otherwise provided by law, the source of financing of a  
781 development or proposed development.

782 Section 21. Paragraph (a) of subsection (5) of section  
783 760.29, Florida Statutes, is amended, and paragraph (a) of

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784 subsection (1), subsections (2) and (3), paragraph (a) of  
785 subsection (4), and paragraphs (b), (c), and (d) of subsection  
786 (5) of that section are republished, to read:

787 760.29 Exemptions.—

788 (1) (a) Nothing in ss. 760.23, 760.25, and 760.27 applies  
789 to:

790 1. Any single-family house sold or rented by its owner,  
791 provided such private individual owner does not own more than  
792 three single-family houses at any one time. In the case of the  
793 sale of a single-family house by a private individual owner who  
794 does not reside in such house at the time of the sale or who was  
795 not the most recent resident of the house prior to the sale, the  
796 exemption granted by this paragraph applies only with respect to  
797 one sale within any 24-month period. In addition, the bona fide  
798 private individual owner shall not own any interest in, nor  
799 shall there be owned or reserved on his or her behalf, under any  
800 express or voluntary agreement, title to, or any right to all or  
801 a portion of the proceeds from the sale or rental of, more than  
802 three single-family houses at any one time. The sale or rental  
803 of any single-family house shall be excepted from the  
804 application of ss. 760.20-760.37 only if the house is sold or  
805 rented:

806 a. Without the use in any manner of the sales or rental  
807 facilities or the sales or rental services of any real estate  
808 licensee or such facilities or services of any person in the  
809 business of selling or renting dwellings, or of any employee or  
810 agent of any such licensee or person; and

811 b. Without the publication, posting, or mailing, after  
812 notice, of any advertisement or written notice in violation of

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813 s. 760.23(3).

814

815 Nothing in this provision prohibits the use of attorneys, escrow  
816 agents, abstractors, title companies, and other such  
817 professional assistance as is necessary to perfect or transfer  
818 the title.

819 2. Rooms or units in dwellings containing living quarters  
820 occupied or intended to be occupied by no more than four  
821 families living independently of each other, if the owner  
822 actually maintains and occupies one of such living quarters as  
823 his or her residence.

824 (2) Nothing in ss. 760.20-760.37 prohibits a religious  
825 organization, association, or society, or any nonprofit  
826 institution or organization operated, supervised, or controlled  
827 by or in conjunction with a religious organization, association,  
828 or society, from limiting the sale, rental, or occupancy of any  
829 dwelling which it owns or operates for other than a commercial  
830 purpose to persons of the same religion or from giving  
831 preference to such persons, unless membership in such religion  
832 is restricted on account of race, color, or national origin.  
833 Nothing in ss. 760.20-760.37 prohibits a private club not in  
834 fact open to the public, which as an incident to its primary  
835 purpose or purposes provides lodgings which it owns or operates  
836 for other than a commercial purpose, from limiting the rental or  
837 occupancy of such lodgings to its members or from giving  
838 preference to its members.

839 (3) Nothing in ss. 760.20-760.37 requires any person  
840 renting or selling a dwelling constructed for first occupancy  
841 before March 13, 1991, to modify, alter, or adjust the dwelling

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842 in order to provide physical accessibility except as otherwise  
843 required by law.

844 (4) (a) Any provision of ss. 760.20-760.37 regarding  
845 familial status does not apply with respect to housing for older  
846 persons.

847  
848 A county or municipal ordinance regarding housing for older  
849 persons may not contravene the provisions of this subsection.

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

851 (a) Prohibits a person engaged in the business of  
852 furnishing appraisals of real property from taking into  
853 consideration factors other than race, color, national origin,  
854 sex, disability, vaccination or immunity status, familial  
855 status, or religion.

856 (b) Limits the applicability of any reasonable local  
857 restriction regarding the maximum number of occupants permitted  
858 to occupy a dwelling.

859 (c) Requires that a dwelling be made available to an  
860 individual whose tenancy would constitute a direct threat to the  
861 health or safety of other individuals or whose tenancy would  
862 result in substantial physical damage to the property of others.

863 (d) Prohibits conduct against a person because such person  
864 has been convicted by any court of competent jurisdiction of the  
865 illegal manufacture or distribution of a controlled substance as  
866 defined under chapter 893.

867 Section 22. Subsection (1) of section 760.60, Florida  
868 Statutes, is amended to read:

869 760.60 Discriminatory practices of certain clubs  
870 prohibited; remedies.-

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871 (1) It is unlawful for a person to discriminate against any  
872 individual because of race, color, religion, gender, national  
873 origin, handicap, vaccination or immunity status, age above the  
874 age of 21, or marital status in evaluating an application for  
875 membership in a club that has more than 400 members, that  
876 provides regular meal service, and that regularly receives  
877 payment for dues, fees, use of space, facilities, services,  
878 meals, or beverages directly or indirectly from nonmembers for  
879 business purposes. It is unlawful for a person, on behalf of  
880 such a club, to publish, circulate, issue, display, post, or  
881 mail any advertisement, notice, or solicitation that contains a  
882 statement to the effect that the accommodations, advantages,  
883 facilities, membership, or privileges of the club are denied to  
884 any individual because of race, color, religion, gender,  
885 national origin, handicap, vaccination or immunity status, age  
886 above the age of 21, or marital status. This subsection does not  
887 apply to fraternal or benevolent organizations, ethnic clubs, or  
888 religious organizations where business activity is not  
889 prevalent.

890 Section 23. Paragraph (n) of subsection (3) of section  
891 1002.20, Florida Statutes, is amended to read:

892 1002.20 K-12 student and parent rights.—Parents of public  
893 school students must receive accurate and timely information  
894 regarding their child's academic progress and must be informed  
895 of ways they can help their child to succeed in school. K-12  
896 students and their parents are afforded numerous statutory  
897 rights including, but not limited to, the following:

898 (3) HEALTH ISSUES.—

899 (n) *Face covering mandates and quarantine mandates in*

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900 *response to COVID-19.*—

901 1. A district school board, a district school  
902 superintendent, an elected or appointed local official, or any  
903 district school board employee may not:

904 a. Require a student to wear a face mask, a face shield, or  
905 any other facial covering that fits over the mouth or nose.  
906 However, a parent, at the parent's sole discretion, may allow  
907 his or her child to wear a face mask, a face shield, or any  
908 other facial covering that fits over the mouth or nose. This  
909 prohibition does not apply to safety equipment required as part  
910 of a course of study consistent with occupational or laboratory  
911 safety requirements.

912 b. Prohibit a student from attending school or school-  
913 sponsored activities, prohibit a student from being on school  
914 property, or subject a student to restrictions or disparate  
915 treatment, based on an exposure to COVID-19, so long as the  
916 student remains asymptomatic and has not received a positive  
917 test for COVID-19 ~~as defined in s. 381.00319(1)~~.

918  
919 A parent of a student, a student who is an emancipated minor, or  
920 a student who is 18 years of age or older may bring an action  
921 against the school district to obtain a declaratory judgment  
922 that an act or practice violates this subparagraph and to seek  
923 injunctive relief. A prevailing parent or student, as  
924 applicable, must be awarded reasonable attorney fees and court  
925 costs.

926 2. A district school board, a district school  
927 superintendent, an elected or appointed local official, or any  
928 school district employee may not prohibit an employee from



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929 returning to work or subject an employee to restrictions or  
930 disparate treatment based on an exposure to COVID-19 so long as  
931 the employee remains asymptomatic and has not received a  
932 positive test for COVID-19 ~~as defined in s. 381.00319(1)~~.

933 Section 24. Subsection (3) of section 1003.22, Florida  
934 Statutes, is amended, and paragraph (a) of subsection (4) of  
935 that section is republished, to read:

936 1003.22 School-entry health examinations; immunization  
937 against communicable diseases; exemptions; duties of Department  
938 of Health.—

939 (3) The Department of Health may adopt rules necessary to  
940 administer and enforce this section. The Department of Health,  
941 after consultation with the Department of Education, shall adopt  
942 rules governing the immunization of children against, the  
943 testing for, and the control of preventable communicable  
944 diseases. The rules must include procedures for exempting a  
945 child from immunization requirements. Immunizations must ~~shall~~  
946 be required for poliomyelitis, diphtheria, rubeola, rubella,  
947 pertussis, mumps, tetanus, and other communicable diseases as  
948 determined by rules of the Department of Health; however, any  
949 immunization approved by the United States Food and Drug  
950 Administration only for emergency use may not be required. The  
951 manner and frequency of administration of the immunization or  
952 testing must ~~shall~~ conform to recognized standards of medical  
953 practice. The Department of Health shall supervise and secure  
954 the enforcement of the required immunization. Immunizations  
955 required by this section must ~~shall~~ be available at no cost from  
956 the county health departments.

957 (4) Each district school board and the governing authority

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958 of each private school shall establish and enforce policies  
959 that:

960 (a) Prior to admittance to or attendance in a public or  
961 private school, grades kindergarten through 12, or any other  
962 initial entrance into a Florida public or private school,  
963 require each child to have on file with the immunization  
964 registry a certification of immunization for the prevention of  
965 those communicable diseases for which immunization is required  
966 by the Department of Health. Any child who is excluded from  
967 participation in the immunization registry pursuant to s.  
968 381.003(1)(e)2. must present or have on file with the school  
969 such certification of immunization. Certification of  
970 immunization shall be made on forms approved and provided by the  
971 Department of Health or be on file with the immunization  
972 registry and shall become a part of each student's permanent  
973 record, to be transferred when the student transfers, is  
974 promoted, or changes schools. The transfer of such immunization  
975 certification by Florida public schools shall be accomplished  
976 using the Florida Automated System for Transferring Education  
977 Records and shall be deemed to meet the requirements of this  
978 section.

979 Section 25. For the purpose of incorporating the amendments  
980 made by this act to section 381.00316, Florida Statutes, in a  
981 reference thereto, subsection (1) of section 381.00318, Florida  
982 Statutes, is reenacted to read:

983 381.00318 Complaints and investigations regarding mandate  
984 prohibitions; public records exemption.—

985 (1) A complaint alleging a business entity's, a  
986 governmental entity's, or an educational institution's violation

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987 of s. 381.00316, s. 381.00317, or s. 381.00319, and all  
988 information relating to an investigation of such complaint, held  
989 by the Department of Legal Affairs or the Department of Health  
990 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
991 I of the State Constitution until the investigation is completed  
992 or ceases to be active. For purposes of this section, an  
993 investigation is considered "active" while such investigation is  
994 being conducted by the Department of Legal Affairs or the  
995 Department of Health with a reasonable good faith belief that it  
996 may lead to a determination of whether there was a violation of  
997 s. 381.00316, s. 381.00317, or s. 381.00319. An investigation  
998 does not cease to be active if the Department of Legal Affairs  
999 or the Department of Health is proceeding with reasonable  
1000 dispatch and there is a good faith belief that action may be  
1001 initiated by the Department of Legal Affairs or the Department  
1002 of Health.

1003 Section 26. For the purpose of incorporating the amendments  
1004 made by this act to sections 760.01 and 760.02, Florida  
1005 Statutes, in references thereto, subsection (1) of section  
1006 760.11, Florida Statutes, is reenacted to read:

1007 760.11 Administrative and civil remedies; construction.—

1008 (1) Any person aggrieved by a violation of ss. 760.01-  
1009 760.10 may file a complaint with the commission within 365 days  
1010 of the alleged violation, naming the employer, employment  
1011 agency, labor organization, or joint labor-management committee,  
1012 or, in the case of an alleged violation of s. 760.10(5), the  
1013 person responsible for the violation and describing the  
1014 violation. Any person aggrieved by a violation of s. 509.092 may  
1015 file a complaint with the commission within 365 days of the

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1016 alleged violation naming the person responsible for the  
1017 violation and describing the violation. The commission, a  
1018 commissioner, or the Attorney General may in like manner file  
1019 such a complaint. On the same day the complaint is filed with  
1020 the commission, the commission shall clearly stamp on the face  
1021 of the complaint the date the complaint was filed with the  
1022 commission. In lieu of filing the complaint with the commission,  
1023 a complaint under this section may be filed with the federal  
1024 Equal Employment Opportunity Commission or with any unit of  
1025 government of the state which is a fair-employment-practice  
1026 agency under 29 C.F.R. ss. 1601.70-1601.80. If the date the  
1027 complaint is filed is clearly stamped on the face of the  
1028 complaint, that date is the date of filing. The date the  
1029 complaint is filed with the commission for purposes of this  
1030 section is the earliest date of filing with the Equal Employment  
1031 Opportunity Commission, the fair-employment-practice agency, or  
1032 the commission. The complaint shall contain a short and plain  
1033 statement of the facts describing the violation and the relief  
1034 sought. The commission may require additional information to be  
1035 in the complaint. The commission, within 5 days of the complaint  
1036 being filed, shall by registered mail send a copy of the  
1037 complaint to the person who allegedly committed the violation.  
1038 The person who allegedly committed the violation may file an  
1039 answer to the complaint within 25 days of the date the complaint  
1040 was filed with the commission. Any answer filed shall be mailed  
1041 to the aggrieved person by the person filing the answer. Both  
1042 the complaint and the answer shall be verified.

1043 Section 27. For the purpose of incorporating the amendments  
1044 made by this act to section 760.10, Florida Statutes, in a

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1045 reference thereto, subsection (15) of section 760.11, Florida  
1046 Statutes, is reenacted to read:

1047 760.11 Administrative and civil remedies; construction.—

1048 (15) In any civil action or administrative proceeding  
1049 brought pursuant to this section, a finding that a person  
1050 employed by the state or any governmental entity or agency has  
1051 violated s. 760.10 shall as a matter of law constitute just or  
1052 substantial cause for such person's discharge.

1053 Section 28. For the purpose of incorporating the amendments  
1054 made by this act to sections 760.25 and 760.26, Florida  
1055 Statutes, in references thereto, section 760.20, Florida  
1056 Statutes, is reenacted to read:

1057 760.20 Fair Housing Act; short title.—Sections 760.20-  
1058 760.37 may be cited as the "Fair Housing Act."

1059 Section 29. For the purpose of incorporating the amendments  
1060 made by this act to sections 760.25 and 760.26, Florida  
1061 Statutes, in references thereto, section 760.30, Florida  
1062 Statutes, is reenacted to read:

1063 760.30 Administration of ss. 760.20-760.37.—

1064 (1) The authority and responsibility for administering ss.  
1065 760.20-760.37 is in the commission.

1066 (2) The commission may delegate any of its functions,  
1067 duties, and powers to its employees, including functions,  
1068 duties, and powers with respect to investigating, conciliating,  
1069 hearing, determining, ordering, certifying, reporting, or  
1070 otherwise acting as to any work, business, or matter under ss.  
1071 760.20-760.37.

1072 Section 30. For the purpose of incorporating the amendments  
1073 made by this act to sections 760.25 and 760.26, Florida

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1074 Statutes, in references thereto, subsections (4) and (5) of  
1075 section 760.31, Florida Statutes, are reenacted to read:

1076 760.31 Powers and duties of commission.—The commission  
1077 shall:

1078 (4) Administer the programs and activities relating to  
1079 housing in a manner affirmatively to further the policies of ss.  
1080 760.20-760.37.

1081 (5) Adopt rules necessary to implement ss. 760.20-760.37  
1082 and govern the proceedings of the commission in accordance with  
1083 chapter 120. Commission rules shall clarify terms used with  
1084 regard to accessibility for persons with disabilities,  
1085 exceptions from accessibility requirements based on terrain or  
1086 site characteristics, and requirements related to housing for  
1087 older persons.

1088 Section 31. For the purpose of incorporating the amendments  
1089 made by this act to sections 760.25 and 760.26, Florida  
1090 Statutes, in references thereto, subsections (1), (3), (4), and  
1091 (7) of section 760.34, Florida Statutes, are reenacted to read:

1092 760.34 Enforcement.—

1093 (1) Any person who claims to have been injured by a  
1094 discriminatory housing practice or who believes that he or she  
1095 will be injured by a discriminatory housing practice that is  
1096 about to occur may file a complaint with the commission.  
1097 Complaints shall be in writing and contain such information and  
1098 be in such form as the commission requires. Upon receipt of such  
1099 a complaint, the commission shall furnish a copy to the person  
1100 or persons who allegedly committed the discriminatory housing  
1101 practice or are about to commit the alleged discriminatory  
1102 housing practice. Within 100 days after receiving a complaint,

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1103 or within 100 days after the expiration of any period of  
1104 reference under subsection (3), the commission shall investigate  
1105 the complaint and give notice in writing to the aggrieved person  
1106 whether it intends to resolve it. If the commission decides to  
1107 resolve the complaint, it shall proceed to try to eliminate or  
1108 correct the alleged discriminatory housing practice by informal  
1109 methods of conference, conciliation, and persuasion. Insofar as  
1110 possible, conciliation meetings shall be held in the cities or  
1111 other localities where the discriminatory housing practices  
1112 allegedly occurred. Nothing said or done in the course of such  
1113 informal endeavors may be made public or used as evidence in a  
1114 subsequent proceeding under ss. 760.20-760.37 without the  
1115 written consent of the persons concerned. Any employee of the  
1116 commission who makes public any information in violation of this  
1117 provision is guilty of a misdemeanor of the first degree,  
1118 punishable as provided in s. 775.082 or s. 775.083.

1119 (3) If a local fair housing law provides rights and  
1120 remedies for alleged discriminatory housing practices which are  
1121 substantially equivalent to the rights and remedies provided in  
1122 ss. 760.20-760.37, the commission shall notify the appropriate  
1123 local agency of any complaint filed under ss. 760.20-760.37  
1124 which appears to constitute a violation of the local fair  
1125 housing law, and the commission shall take no further action  
1126 with respect to such complaint if the local law enforcement  
1127 official has, within 30 days after the date the alleged offense  
1128 was brought to his or her attention, commenced proceedings in  
1129 the matter. In no event shall the commission take further action  
1130 unless it certifies that in its judgment, under the  
1131 circumstances of the particular case, the protection of the

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1132 rights of the parties or the interests of justice require such  
1133 action.

1134 (4) The aggrieved person may commence a civil action in any  
1135 appropriate court against the respondent named in the complaint  
1136 or petition for an administrative determination under s. 760.35  
1137 to enforce the rights granted or protected by ss. 760.20-760.37  
1138 and is not required to petition for an administrative hearing or  
1139 exhaust administrative remedies before commencing such action.  
1140 If, as a result of its investigation under subsection (1), the  
1141 commission finds there is reasonable cause to believe that a  
1142 discriminatory housing practice has occurred, at the request of  
1143 the aggrieved person, the Attorney General may bring an action  
1144 in the name of the state on behalf of the aggrieved person to  
1145 enforce ss. 760.20-760.37.

1146 (7) (a) The commission may institute a civil action in any  
1147 appropriate court if it is unable to obtain voluntary compliance  
1148 with ss. 760.20-760.37. The commission does not have to petition  
1149 for an administrative hearing or exhaust its administrative  
1150 remedies before bringing a civil action.

1151 (b) The court may impose the following fines for each  
1152 violation of ss. 760.20-760.37:

1153 1. Up to \$10,000, if the respondent has not previously been  
1154 found guilty of a violation of ss. 760.20-760.37.

1155 2. Up to \$25,000, if the respondent has been found guilty  
1156 of one prior violation of ss. 760.20-760.37 within the preceding  
1157 5 years.

1158 3. Up to \$50,000, if the respondent has been found guilty  
1159 of two or more violations of ss. 760.20-760.37 within the  
1160 preceding 7 years.



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1161  
1162 In imposing a fine under this paragraph, the court shall  
1163 consider the nature and circumstances of the violation, the  
1164 degree of culpability, the history of prior violations of ss.  
1165 760.20-760.37, the financial circumstances of the respondent,  
1166 and the goal of deterring future violations of ss. 760.20-  
1167 760.37.

1168 (c) The court shall award reasonable attorney fees and  
1169 costs to the commission in any action in which the commission  
1170 prevails.

1171 Section 32. For the purpose of incorporating the amendments  
1172 made by this act to sections 760.25 and 760.26, Florida  
1173 Statutes, in references thereto, subsection (1) and paragraph  
1174 (a) of subsection (5) of section 760.35, Florida Statutes, are  
1175 reenacted to read:

1176 760.35 Civil actions and relief; administrative  
1177 procedures.—

1178 (1) An aggrieved person may commence a civil action no  
1179 later than 2 years after an alleged discriminatory housing  
1180 practice has occurred. However, the court shall continue a civil  
1181 case brought under this section or s. 760.34 before bringing it  
1182 to trial if the court believes that the conciliation efforts of  
1183 the commission or local agency are likely to result in  
1184 satisfactory settlement of the discriminatory housing practice  
1185 complained of in the complaint made to the commission or to the  
1186 local agency and which practice forms the basis for the action  
1187 in court. Any sale, encumbrance, or rental consummated before  
1188 the issuance of any court order issued under the authority of  
1189 ss. 760.20-760.37 and involving a bona fide purchaser,

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1190 encumbrancer, or tenant without actual notice of the existence  
1191 of the filing of a complaint or civil action under ss. 760.20-  
1192 760.37 is not affected.

1193 (5) (a) If the commission is unable to obtain voluntary  
1194 compliance with ss. 760.20-760.37 or has reasonable cause to  
1195 believe that a discriminatory practice has occurred:

1196 1. The commission may institute an administrative  
1197 proceeding under chapter 120; or

1198 2. The aggrieved person may request administrative relief  
1199 under chapter 120 within 30 days after receiving notice that the  
1200 commission has concluded its investigation under s. 760.34.

1201 Section 33. For the purpose of incorporating the amendments  
1202 made by this act to sections 760.25 and 760.26, Florida  
1203 Statutes, in references thereto, section 760.37, Florida  
1204 Statutes, is reenacted to read:

1205 760.37 Interference, coercion, or intimidation; enforcement  
1206 by administrative or civil action.—It is unlawful to coerce,  
1207 intimidate, threaten, or interfere with any person in the  
1208 exercise of, or on account of her or his having exercised, or on  
1209 account of her or his having aided or encouraged any other  
1210 person in the exercise of any right granted under ss. 760.20-  
1211 760.37. This section may be enforced by appropriate  
1212 administrative or civil action.

1213 Section 34. For the purpose of incorporating the amendment  
1214 made by this act to section 1003.22, Florida Statutes, in a  
1215 reference thereto, paragraph (a) of subsection (6) of section  
1216 1002.42, Florida Statutes, is reenacted to read:

1217 1002.42 Private schools.—

1218 (6) IMMUNIZATIONS.—The governing authority of each private

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1219 school shall:

1220 (a) Require students to present a certification of  
1221 immunization in accordance with the provisions of s. 1003.22(3)-  
1222 (11).

1223 Section 35. This act shall take effect July 1, 2024.