

1 A bill to be entitled
2 An act relating to gender identity employment
3 practices; providing a short title; creating s.
4 110.1051, F.S.; providing definitions; specifying an
5 employment policy of this state relating to a person's
6 sex; providing applicability; prohibiting employees
7 and contractors of certain employers from being
8 required to use certain pronouns or requiring such
9 employer to use a pronoun that does not correspond to
10 the employee's or contractor's sex; prohibiting
11 certain forms from offering specified options relating
12 to an applicant's sex; prohibiting adverse personnel
13 action on the basis of deeply held religious, moral,
14 conscience-based, or biology-based beliefs; providing
15 administrative and civil remedies; providing
16 reasonable attorney fees and costs; authorizing the
17 Department of Management Services to adopt rules;
18 amending s. 760.10, F.S.; providing that it is an
19 unlawful employment practice for certain employers to
20 require certain training, instruction, or activity as
21 a condition of employment; defining the term
22 "employer"; reenacting s. 760.11(1) and (15), F.S.,
23 relating to administrative and civil remedies, to
24 incorporate the amendment made to s. 760.10, F.S., in
25 references thereto; providing an effective date.

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

Section 1. This act may be cited as the "Freedom of Conscience in the Workplace Act."

Section 2. Section 110.1051, Florida Statutes, is created to read:

110.1051 Personal pronouns.—

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

(a) "Adverse personnel action" means the discharge, suspension, transfer, demotion, or lack of promotion of an employee or a contractor or the withholding of bonuses, the withholding of promotional opportunities, the reduction in salary or benefits, or any other adverse action taken against an employee or a contractor within the terms and conditions of employment by an employer.

(b) "Contractor" means an individual, partnership, corporation, or business entity that enters or attempts to enter into a contract for services with an employer.

(c) "Employee" means an individual employed by, or attempting to be employed by, an employer.

(d) "Employer" means the state or any county, municipality, or special district or any subdivision or agency thereof.

(e) "Gender identity" means a fully internal and

51 subjective sense of self, disconnected from biological reality
52 and sex, and existing on an infinite continuum that does not
53 provide a meaningful basis for identification and cannot be
54 recognized as a replacement for sex.

55 (f) "Gender ideology" means the false belief that replaces
56 the biological category of sex with an ever-shifting concept of
57 self-assessed gender identity, permitting the false claim that
58 males can identify as and become women and vice versa, and
59 requiring all institutions of society to regard this false claim
60 as true. The term includes the idea that there is a vast
61 spectrum of genders that are disconnected from a person's sex.
62 Gender ideology is internally inconsistent in that it diminishes
63 sex as an identifiable or useful category but nevertheless
64 maintains that it is possible for a person to be born in the
65 wrong sexed body.

66 (g) "Sex" means the classification of a person as either
67 female or male based on the organization of the body of such
68 person for a specific reproductive role, as indicated by the
69 person's sex chromosomes, naturally occurring sex hormones, and
70 internal and external genitalia present at birth.

71 (2) It is the policy of this state that a person's sex is
72 an immutable biological trait and that it is false to ascribe to
73 a person a pronoun that does not correspond to such person's
74 sex. This section does not apply to individuals born with a
75 genetically or biochemically verifiable disorder of sex

76 development, including, but not limited to, 46, XX disorder of
77 sex development; 46, XY disorder of sex development; sex
78 chromosome disorder of sex development; XX or XY sex reversal;
79 and ovotesticular disorder.

80 (3) An employee or a contractor may not be required, as a
81 condition of employment or to avoid adverse personnel action, to
82 refer to another person using that person's preferred pronouns
83 if such pronouns do not correspond to that person's sex.

84 (4) An employee or a contractor may not require an
85 employer to use his or her preferred pronouns if such preferred
86 pronouns do not correspond to the employee's or contractor's
87 sex.

88 (5) A job application or other related employment form
89 that requires an applicant to mark his or her sex may only
90 inquire if the applicant is male or female and may not provide a
91 nonbinary or other option.

92 (6) (a) It is an unlawful employment practice for an
93 employer to take adverse personnel action against an employee or
94 a contractor because of the employee's or contractor's deeply
95 held religious, moral, conscience-based, or biology-based
96 beliefs, including a belief in traditional or Biblical views of
97 sexuality and marriage, or the employee's or contractor's
98 disagreement with gender ideology, whether those views are
99 expressed by the employee or contractor at or away from the
100 worksite.

101 (b) An employee or a contractor aggrieved by a violation
102 of this subsection may avail himself or herself to the
103 administrative and civil remedies provided in s. 760.11. The
104 court shall award reasonable attorney fees and costs to the
105 prevailing party.

106 (7) The Department of Management Services may adopt rules
107 to administer this section.

108 **Section 3. Subsections (10) and (11) of section 760.10,**
109 **Florida Statutes, are renumbered as subsections (11) and (12),**
110 **respectively, and a new subsection (10) is added to that**
111 **section, to read:**

112 760.10 Unlawful employment practices.—

113 (10) It is an unlawful employment practice for an employer
114 who receives funding from the state to require, as a condition
115 of employment, any training, instruction, or other activity on
116 sexual orientation, gender identity, or gender expression. For
117 purposes of this subsection, the term "employer" includes the
118 state or any county, municipality, or special district or any
119 subdivision or agency thereof.

120 **Section 4.** For the purpose of incorporating the amendment
121 made by this act to section 760.10, Florida Statutes, in a
122 reference thereto, Subsections (1) and (15) of section 760.11,
123 Florida Statutes, are reenacted to read:

124 760.11 Administrative and civil remedies; construction.—

125 (1) Any person aggrieved by a violation of ss. 760.01-

126 760.10 may file a complaint with the commission within 365 days
127 of the alleged violation, naming the employer, employment
128 agency, labor organization, or joint labor-management committee,
129 or, in the case of an alleged violation of s. 760.10(5), the
130 person responsible for the violation and describing the
131 violation. Any person aggrieved by a violation of s. 509.092 may
132 file a complaint with the commission within 365 days of the
133 alleged violation naming the person responsible for the
134 violation and describing the violation. The commission, a
135 commissioner, or the Attorney General may in like manner file
136 such a complaint. On the same day the complaint is filed with
137 the commission, the commission shall clearly stamp on the face
138 of the complaint the date the complaint was filed with the
139 commission. In lieu of filing the complaint with the commission,
140 a complaint under this section may be filed with the federal
141 Equal Employment Opportunity Commission or with any unit of
142 government of the state which is a fair-employment-practice
143 agency under 29 C.F.R. ss. 1601.70-1601.80. If the date the
144 complaint is filed is clearly stamped on the face of the
145 complaint, that date is the date of filing. The date the
146 complaint is filed with the commission for purposes of this
147 section is the earliest date of filing with the Equal Employment
148 Opportunity Commission, the fair-employment-practice agency, or
149 the commission. The complaint shall contain a short and plain
150 statement of the facts describing the violation and the relief

151 sought. The commission may require additional information to be
152 in the complaint. The commission, within 5 days of the complaint
153 being filed, shall by registered mail send a copy of the
154 complaint to the person who allegedly committed the violation.
155 The person who allegedly committed the violation may file an
156 answer to the complaint within 25 days of the date the complaint
157 was filed with the commission. Any answer filed shall be mailed
158 to the aggrieved person by the person filing the answer. Both
159 the complaint and the answer shall be verified.

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

165 **Section 5.** This act shall take effect July 1, 2025.