

1 A bill to be entitled
 2 An act relating to official actions of local
 3 governments with respect to diversity, equity, and
 4 inclusion; creating ss. 125.595 and 166.04971, F.S.;
 5 prohibiting counties and municipalities, respectively,
 6 from taking official action as it relates to
 7 diversity, equity, and inclusion; providing a penalty;
 8 authorizing a cause of action against counties and
 9 municipalities, respectively, that take such action;
 10 providing construction; providing for retroactive
 11 applicability; defining the term "diversity, equity,
 12 and inclusion"; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 **Section 1. Section 125.595, Florida Statutes, is created**
 17 **to read:**

18 125.595 Prohibition of official actions of counties
 19 relating to diversity, equity, and inclusion; penalty; remedy.-

20 (1) A county may not take any official action, including,
 21 but not limited to, the adoption of ordinances, resolutions,
 22 rules or regulations, programs, or policies, as it relates to
 23 diversity, equity, and inclusion.

24 (2) A county commissioner who violates subsection (1), or
 25 who votes in favor of an ordinance to expand the powers or

26 authority of an existing office, special district, or
27 governmental unit for the purpose of exercising any power or
28 authority allocated exclusively by the State Constitution or
29 general law to take official action as it relates to diversity,
30 equity, and inclusion, is guilty of misfeasance or malfeasance
31 in office.

32 (3) An action in circuit court may be brought against a
33 county that violates this section by a resident of the county.
34 The court may enter a judgment awarding declaratory and
35 injunctive relief, damages, and costs. The court may also award
36 reasonable attorney fees to the prevailing party; however, the
37 court may not award reasonable attorney fees to a county as the
38 prevailing party.

39 (4) This section does not prohibit any official action by
40 a county required for compliance with general or federal laws or
41 regulations.

42 (5) This section applies retroactively to all official
43 actions taken by a county before July 1, 2025.

44 (6) For purposes of this section, the term "diversity,
45 equity, and inclusion" means any ordinance or policy that
46 classifies an individual on the basis of race, color, sex,
47 national origin, gender identity, or sexual orientation and
48 promotes deferential or preferential treatment of individuals on
49 the basis of such classification.

50 **Section 2. Section 166.04971, Florida Statutes, is created**

51 **to read:**

52 166.04971 Prohibition of official actions of
53 municipalities relating to diversity, equity, and inclusion;
54 penalty; remedy.—

55 (1) A municipality may not take any official action,
56 including, but not limited to, the adoption of ordinances,
57 resolutions, rules or regulations, programs, or policies, as it
58 relates to diversity, equity, and inclusion.

59 (2) Any member of the governing body of a municipality who
60 violates subsection (1), or who votes in favor of an ordinance
61 to expand the powers or authority of an existing office, special
62 district, or governmental unit for the purpose of exercising any
63 power or authority allocated exclusively by the State
64 Constitution or general law to take official action as it
65 relates to diversity, equity, and inclusion, is guilty of
66 misfeasance or malfeasance in office.

67 (3) An action in circuit court may be brought against a
68 municipality that violates this section by a resident of the
69 municipality. The court may enter a judgment awarding
70 declaratory and injunctive relief, damages, and costs. The court
71 may also award reasonable attorney fees to the prevailing party;
72 however, the court may not award reasonable attorney fees to a
73 municipality as the prevailing party.

74 (4) This section does not prohibit any official action by
75 the governing body of a municipality required for compliance

76 with general or federal laws or regulations.

77 (5) This section applies retroactively to all official
78 actions taken by the governing body of a municipality before
79 July 1, 2025.

80 (6) For purposes of this section, the term "diversity,
81 equity, and inclusion" means any ordinance or policy that
82 classifies an individual on the basis of race, color, sex,
83 national origin, gender identity, or sexual orientation and
84 promotes deferential or preferential treatment of individuals on
85 the basis of such classification.

86 **Section 3.** This act shall take effect July 1, 2025.