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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2025	.	
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The Committee on Community Affairs (Yarborough) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 125.595, Florida Statutes, is created to
read:

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

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

(a) "Diversity, equity, and inclusion" means any effort to:



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11 1. Manipulate or otherwise influence the composition of
12 employees with reference to race, color, sex, or ethnicity,
13 other than to ensure that hiring is conducted in accordance with
14 state and federal antidiscrimination laws;

15 2. Promote or provide differential or preferential
16 treatment or special benefits to a person or group based on that
17 person's or group's race, color, sex, ethnicity, gender
18 identity, or sexual orientation; or

19 3. Promote or adopt training, programming, or activities
20 designed or implemented with reference to race, color, sex,
21 ethnicity, gender identity, or sexual orientation.

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23 The term does not include the use of equal opportunity or equal
24 employment opportunity materials designed to inform a person
25 about the prohibition against discrimination based on protected
26 status under state or federal law.

27 (b) "Diversity, equity, and inclusion office" means any
28 office, division, department, agency, center, or other unit of a
29 county which coordinates, creates, develops, designs,
30 implements, organizes, plans, or promotes policies, programming,
31 training, practices, meetings, activities, procedures, or
32 similar actions relating to diversity, equity, and inclusion.

33 (c) "Diversity, equity, and inclusion officer" means a
34 person who is a full-time or part-time employee of, or an
35 independent contractor contracted by, a county whose duties
36 include coordinating, creating, developing, designing,
37 implementing, organizing, planning, or promoting policies,
38 programming, training, practices, meetings, activities,
39 procedures or similar actions relating to diversity, equity, and



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40 inclusion.

41 (2) A county may not fund or promote, directly or
42 indirectly, or take any official action, including, but not
43 limited to, the adoption or enforcement of ordinances,
44 resolutions, rules, regulations, programs, or policies, as it
45 relates to diversity, equity, and inclusion. Any such existing
46 ordinances, resolutions, rules, regulations, programs, or
47 policies are void.

48 (3) A county may not expend any funds, regardless of
49 source, to establish, sustain, support, or staff a diversity,
50 equity, and inclusion office or to employ, contract, or
51 otherwise engage a person to serve as a diversity, equity, and
52 inclusion officer.

53 (4) A county commissioner or other county official who
54 violates this section commits misfeasance or malfeasance in
55 office.

56 (5) An action in circuit court may be brought against a
57 county that violates this section by a resident of the county.
58 The court may enter a judgment awarding declaratory and
59 injunctive relief, damages, and costs. The court may also award
60 reasonable attorney fees to the prevailing party; however, the
61 court may not award reasonable attorney fees to a county as the
62 prevailing party.

63 (6) This section does not prohibit any official action by a
64 county required for compliance with state or federal laws or
65 regulations.

66 (7) This section does not apply to:

67 (a) The actions of an appointed county board or commission
68 composed of nonelected volunteers; or



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69 (b) Basic administrative support provided to an appointed
70 county board or commission composed of nonelected volunteers,
71 unless such administrative support is provided by a county
72 employee whose sole function is the provision of such
73 administrative support.

74 Section 2. Section 166.04971, Florida Statutes, is created
75 to read:

76 166.04971 Prohibition of official actions of municipalities
77 relating to diversity, equity, and inclusion; penalty; remedy.—

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

79 (a) "Diversity, equity, and inclusion" means any effort to:

80 1. Manipulate or otherwise influence the composition of
81 employees with reference to race, color, sex, or ethnicity,
82 other than to ensure that hiring is conducted in accordance with
83 state and federal antidiscrimination laws;

84 2. Promote or provide differential or preferential
85 treatment or special benefits to a person or group based on that
86 person's or group's race, color, sex, ethnicity, gender
87 identity, or sexual orientation; or

88 3. Promote or adopt training, programming, or activities
89 designed or implemented with reference to race, color, sex,
90 ethnicity, gender identity, or sexual orientation.

91
92 The term does not include the use of equal opportunity or equal
93 employment opportunity materials designed to inform a person
94 about the prohibition against discrimination based on protected
95 status under state or federal law.

96 (b) "Diversity, equity, and inclusion office" means any
97 office, division, department, agency, center, or other unit of a



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98 municipality which coordinates, creates, develops, designs,
99 implements, organizes, plans, or promotes policies, programming,
100 training, practices, meetings, activities, procedures, or
101 similar actions relating to diversity, equity, and inclusion.

102 (c) "Diversity, equity, and inclusion officer" means a
103 person who is a full-time or part-time employee of, or an
104 independent contractor contracted by, a municipality whose
105 duties include coordinating, creating, developing, designing,
106 implementing, organizing, planning, or promoting policies,
107 programming, training, practices, meetings, activities,
108 procedures or similar actions relating to diversity, equity, and
109 inclusion.

110 (2) A municipality may not fund or promote, directly or
111 indirectly, or take any official action, including, but not
112 limited to, the adoption or enforcement of ordinances,
113 resolutions, rules, regulations, programs, or policies, as it
114 relates to diversity, equity, and inclusion. Any such existing
115 ordinances, resolutions, rules, regulations, programs, or
116 policies are void.

117 (3) A municipality may not expend any funds, regardless of
118 source, to establish, sustain, support, or staff a diversity,
119 equity, and inclusion office or to employ, contract, or
120 otherwise engage a person to serve as a diversity, equity, and
121 inclusion officer.

122 (4) Any member of the governing body of a municipality or
123 other municipal official who violates this section commits
124 misfeasance or malfeasance in office.

125 (5) An action in circuit court may be brought against a
126 municipality that violates this section by a resident of the



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127 municipality. The court may enter a judgment awarding
128 declaratory and injunctive relief, damages, and costs. The court
129 may also award reasonable attorney fees to the prevailing party;
130 however, the court may not award reasonable attorney fees to a
131 municipality as the prevailing party.

132 (6) This section does not prohibit any official action by
133 the governing body of a municipality required for compliance
134 with state or federal laws or regulations.

135 (7) This section does not apply to:

136 (a) The actions of an appointed municipal board or
137 commission composed of nonelected volunteers; or

138 (b) Basic administrative support provided to an appointed
139 municipal board or commission composed of nonelected volunteers,
140 unless such administrative support is provided by a municipal
141 employee whose sole function is the provision of such
142 administrative support.

143 Section 3. Section 287.139, Florida Statutes, is created to
144 read:

145 287.139 Prohibition against using diversity, equity, and
146 inclusion material.—A potential recipient of a county or
147 municipal contract or grant shall certify to the county or
148 municipality, as applicable, before being awarded such contract
149 or grant that the potential recipient does not and will not use
150 county or municipal funds in requiring its employees,
151 contractors, volunteers, vendors, or agents to ascribe to,
152 study, or be instructed using materials relating to diversity,
153 equity, and inclusion as defined in ss. 125.595(1) and
154 166.04971(1).

155 Section 4. This act shall take effect December 31, 2025.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to official actions of local
governments; creating ss. 125.595 and 166.04971, F.S.;
defining terms; prohibiting counties and
municipalities, respectively, from funding or
promoting or taking official action as it relates to
diversity, equity, and inclusion; prohibiting counties
and municipalities, respectively, from expending funds
for diversity, equity, and inclusion offices or for
diversity, equity, and inclusion officers; providing
that certain ordinances, resolutions, rules,
regulations, programs, and policies are void;
providing that a county commissioner, a member of the
governing body of a municipality, or any other county
or municipal official who violates certain provisions
commits misfeasance or malfeasance in office;
authorizing a cause of action against counties and
municipalities, respectively, under certain
circumstances; providing construction and
applicability; creating s. 287.139, F.S.; requiring
potential recipients of county and municipal contracts
and grants to make a certain certification to the
county or municipality before being awarded such
contract or grant; providing an effective date.