



552064

LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
04/02/2025	.	
	.	
	.	
	.	

---

The Committee on Judiciary (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:



552064

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 preferential treatment or special  
16 benefits to a person or group based on that person's or group's  
17 race, color, sex, ethnicity, gender identity, or sexual  
18 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.

22  
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,



552064

40 and 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 acting  
54 in an official capacity who violates this section commits  
55 misfeasance or malfeasance in 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.

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

63 (b) This section does not prohibit a county from:

64 1. Recognizing or promoting holidays designated by federal  
65 law, including those designated in 5 U.S.C. s. 6103.

66 2. Recognizing or promoting state holidays and special  
67 observances, including those designated in chapter 683.

68 3. Recognizing or promoting patriotic and national



552064

69 observances recognized by federal law, including those  
70 designated in 36 U.S.C. ss. 101-148.

71 4. Recognizing or honoring the individuals and groups  
72 recognized and honored by the monuments and memorials authorized  
73 by chapter 265 or recognizing the events forming the basis for  
74 such monuments or memorials.

75 (7) This section does not apply to:

76 (a) The actions of a body composed of nonelected  
77 volunteers; or

78 (b) Basic administrative support provided to a body  
79 composed of nonelected volunteers, unless such administrative  
80 support is provided by a county employee whose sole function is  
81 the provision of such administrative support.

82 Section 2. Section 166.04971, Florida Statutes, is created  
83 to read:

84 166.04971 Prohibition of official actions of municipalities  
85 relating to diversity, equity, and inclusion; penalty; remedy.-

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

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

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

92 2. Promote or provide preferential treatment or special  
93 benefits to a person or group based on that person's or group's  
94 race, color, sex, ethnicity, gender identity, or sexual  
95 orientation; or

96 3. Promote or adopt training, programming, or activities  
97 designed or implemented with reference to race, color, sex,



552064

98 ethnicity, gender identity, or sexual orientation.

99

100 The term does not include the use of equal opportunity or equal  
101 employment opportunity materials designed to inform a person  
102 about the prohibition against discrimination based on protected  
103 status under state or federal law.

104 (b) "Diversity, equity, and inclusion office" means any  
105 office, division, department, agency, center, or other unit of a  
106 municipality which coordinates, creates, develops, designs,  
107 implements, organizes, plans, or promotes policies, programming,  
108 training, practices, meetings, activities, procedures, or  
109 similar actions relating to diversity, equity, and inclusion.

110 (c) "Diversity, equity, and inclusion officer" means a  
111 person who is a full-time or part-time employee of, or an  
112 independent contractor contracted by, a municipality whose  
113 duties include coordinating, creating, developing, designing,  
114 implementing, organizing, planning, or promoting policies,  
115 programming, training, practices, meetings, activities,  
116 procedures, or similar actions relating to diversity, equity,  
117 and inclusion.

118 (2) A municipality may not fund or promote, directly or  
119 indirectly, or take any official action, including, but not  
120 limited to, the adoption or enforcement of ordinances,  
121 resolutions, rules, regulations, programs, or policies, as it  
122 relates to diversity, equity, and inclusion. Any such existing  
123 ordinances, resolutions, rules, regulations, programs, or  
124 policies are void.

125 (3) A municipality may not expend any funds, regardless of  
126 source, to establish, sustain, support, or staff a diversity,



552064

127 equity, and inclusion office or to employ, contract, or  
128 otherwise engage a person to serve as a diversity, equity, and  
129 inclusion officer.

130 (4) Any member of the governing body of a municipality or  
131 other municipal official acting in an official capacity who  
132 violates this section commits misfeasance or malfeasance in  
133 office.

134 (5) An action in circuit court may be brought against a  
135 municipality that violates this section by a resident of the  
136 municipality. The court may enter a judgment awarding  
137 declaratory and injunctive relief, damages, and costs.

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

141 (b) This section does not prohibit a municipality from:

142 1. Recognizing or promoting holidays designated by federal  
143 law, including those designated in 5 U.S.C. s. 6103.

144 2. Recognizing or promoting state holidays and special  
145 observances, including those designated in chapter 683.

146 3. Recognizing or promoting patriotic and national  
147 observances recognized by federal law, including those  
148 designated in 36 U.S.C. ss. 101-148.

149 4. Recognizing or honoring the individuals and groups  
150 recognized and honored by the monuments and memorials authorized  
151 by chapter 265 or recognizing the events forming the basis for  
152 such monuments or memorials.

153 (7) This section does not apply to:

154 (a) The actions of a body composed of nonelected  
155 volunteers; or



552064

156       (b) Basic administrative support provided to a body  
157 composed of nonelected volunteers, unless such administrative  
158 support is provided by a municipal employee whose sole function  
159 is the provision of such administrative support.

160       Section 3. Section 287.139, Florida Statutes, is created to  
161 read:

162       287.139 Prohibition against using diversity, equity, and  
163 inclusion material.—A potential recipient of a county or  
164 municipal contract or grant shall certify to the county or  
165 municipality, as applicable, before being awarded such contract  
166 or grant that the potential recipient does not and will not use  
167 county or municipal funds in requiring its employees,  
168 contractors, volunteers, vendors, or agents to ascribe to,  
169 study, or be instructed using materials relating to diversity,  
170 equity, and inclusion as defined in ss. 125.595(1) and  
171 166.04971(1).

172       Section 4. This act shall take effect January 1, 2026.

173  
174 ===== T I T L E   A M E N D M E N T =====

175 And the title is amended as follows:

176       Delete everything before the enacting clause  
177 and insert:

178                       A bill to be entitled  
179       An act relating to official actions of local  
180       governments; creating ss. 125.595 and 166.04971, F.S.;  
181       defining terms; prohibiting counties and  
182       municipalities, respectively, from funding or  
183       promoting or taking official action as it relates to  
184       diversity, equity, and inclusion; prohibiting counties



552064

185 and municipalities, respectively, from expending funds  
186 for diversity, equity, and inclusion offices or for  
187 diversity, equity, and inclusion officers; providing  
188 that certain ordinances, resolutions, rules,  
189 regulations, programs, and policies are void;  
190 providing that a county commissioner, a member of the  
191 governing body of a municipality, or any other county  
192 or municipal official acting in an official capacity  
193 who violates certain provisions commits misfeasance or  
194 malfeasance in office; authorizing a cause of action  
195 against counties and municipalities, respectively,  
196 under certain circumstances; providing construction  
197 and applicability; creating s. 287.139, F.S.;  
198 requiring potential recipients of county and municipal  
199 contracts and grants to make a certain certification  
200 to the county or municipality before being awarded  
201 such contract or grant; providing an effective date.