

CS/HB 1001

2026

A bill to be entitled
An act relating to official actions of local governments; creating ss. 125.595 and 166.04971, F.S.; providing definitions; prohibiting counties and municipalities, respectively, from funding or promoting or taking official action relating to diversity, equity, and inclusion; providing that certain ordinances, resolutions, rules, regulations, programs, and policies are void; providing an exception; prohibiting counties and municipalities, respectively, from expending funds for diversity, equity, and inclusion offices or for diversity, equity, and inclusion officers; providing that a county commissioner, a member of the governing body of a municipality, or any other county or municipal official who, while exercising his or her official authority, willfully violates certain provisions commits misfeasance or malfeasance in office; authorizing a cause of action against counties and municipalities, respectively; authorizing a court to enter a judgment awarding certain relief, damages, and costs; providing construction and applicability; creating s. 287.139, F.S.; requiring potential recipients of county or municipal contracts or grants to make a certain certification to the county or

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26 municipality before being awarded such contract or
27 grant; providing an effective date.

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

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

33 125.595 Prohibition of official actions of counties
34 relating to diversity, equity, and inclusion; penalty; remedy.—

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

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

37 to:

38 1. Manipulate or otherwise influence the composition of
39 employees with reference to race, color, sex, ethnicity, gender
40 identity, or sexual orientation other than to ensure that hiring
41 is conducted in accordance with state and federal
42 antidiscrimination laws;

43 2. Promote or provide preferential treatment or special
44 benefits to a person or group based on that person's or group's
45 race, color, sex, ethnicity, gender identity, or sexual
46 orientation; or

47 3. Promote or adopt training, programming, or activities
48 designed or implemented with reference to race, color, sex,
49 ethnicity, gender identity, or sexual orientation.

51 The term does not include the use of equal opportunity or equal
52 employment opportunity materials designed to inform a person
53 about the prohibition against discrimination based on protected
54 status under state or federal law.

55 (b) "Diversity, equity, and inclusion office" means any
56 office, division, department, agency, center, or other unit of a
57 county which coordinates, creates, develops, designs,
58 implements, organizes, plans, or promotes policies, programming,
59 training, practices, meetings, activities, procedures, or
60 similar actions relating to diversity, equity, and inclusion.

61 (c) "Diversity, equity, and inclusion officer" means a
62 person who is a full-time or part-time employee of, or an
63 independent contractor contracted by, a county whose duties
64 include coordinating, creating, developing, designing,
65 implementing, organizing, planning, or promoting policies,
66 programming, training, practices, meetings, activities,
67 procedures, or similar actions relating to diversity, equity,
68 and inclusion.

69 (2) (a) Subject to paragraph (b), a county may not fund or
70 promote, directly or indirectly, or take any official action,
71 including, but not limited to, the adoption or enforcement of
72 ordinances, resolutions, rules, regulations, programs, or
73 policies, relating to diversity, equity, and inclusion. Any such
74 existing ordinances, resolutions, rules, regulations, programs,
75 or policies are void.

76 (b) 1. Notwithstanding any other provision of this section,
77 a county may continue to fund, promote, or take any official
78 action for civic or community events relating to diversity,
79 equity, and inclusion through June 30, 2027.

80 2. Effective July 1, 2027, a county may not fund, promote,
81 or take any official action for civic or community events
82 relating to diversity, equity, and inclusion unless such action
83 is otherwise allowed under subsection (6).

84 (3) A county may not expend any funds, regardless of
85 source, to establish, sustain, support, or staff a diversity,
86 equity, and inclusion office or to employ, contract with, or
87 otherwise engage a person to serve as a diversity, equity, and
88 inclusion officer.

89 (4) A county commissioner or other county official who,
90 while exercising his or her official authority under law on
91 behalf of the county, willfully violates this section commits
92 misfeasance or malfeasance in office.

93 (5) An action in circuit court may be brought by a
94 resident of the county against a county that violates this
95 section. The court may enter a judgment awarding declaratory and
96 injunctive relief, damages, and costs.

97 (6) This section does not prohibit a county from:

98 (a) Taking any official action required for compliance
99 with state or federal laws or regulations.

100 (b) Recognizing or promoting holidays designated by

101 federal law, including those designated in 5 U.S.C. s. 6103.

102 (c) Recognizing or promoting holidays and special
103 observances designated by state law, including those designated
104 in chapter 683.

105 (d) Recognizing or promoting patriotic and national
106 observances recognized by federal law, including those
107 designated in 36 U.S.C. ss. 101-148.

108 (e) Recognizing or honoring the persons and groups
109 recognized and honored by the monuments and memorials authorized
110 by chapter 265 or national monuments designated by acts of
111 Congress, or recognizing the events forming the basis for such
112 monuments or memorials.

113 (f) Using equal opportunity or equal employment
114 opportunity materials designed to inform a person about the
115 prohibition against discrimination based on protected status
116 under state or federal law.

117 (g) Authorizing or permitting, in a content-neutral
118 manner, civic or community events, provided that:

119 1. Public funds are not expended for such an event.
120 2. A county employee is not required to promote or attend
121 such an event.

122 3. Such an event does not promote terrorism, racism, or
123 antisemitism.

124 (7) This section may not be construed to conflict with:
125 (a) Section 553.865 or analogous state and federal laws

126 protecting the right of males and females to restrooms and
127 changing facilities corresponding to their biological sex.

128 (b) Part XII of chapter 39 or analogous state and federal
129 laws ensuring that victims of domestic violence and their
130 dependents have access to emergency shelters.

131 (c) Section 1000.05 or analogous state and federal laws
132 prohibiting discrimination based on biological sex in
133 educational programs, sports, activities, and employment.

134 (d) Chapter 381 or analogous state and federal laws
135 ensuring males and females have access to public health services
136 corresponding to their biological sex.

137 (e) State and federal laws ensuring a person has access to
138 public health services corresponding to his or her race or
139 ethnicity.

140 (f) Any other state or federal laws recognizing the
141 inherent biological differences between males and females for
142 the purpose of ensuring their health, safety, and welfare.

143 (8) This section does not apply to:

144 (a) The actions of a body composed of nonelected
145 volunteers; or

146 (b) Basic administrative support provided to a body
147 composed of nonelected volunteers, unless such administrative
148 support is provided by a county employee whose sole function is
149 the provision of such administrative support.

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

151 **to read:**

152 166.04971 Prohibition of official actions of
153 municipalities relating to diversity, equity, and inclusion;
154 penalty; remedy.-

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

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

157 to:

158 1. Manipulate or otherwise influence the composition of
159 employees with reference to race, color, sex, ethnicity, gender
160 identity, or sexual orientation other than to ensure that hiring
161 is conducted in accordance with state and federal
162 antidiscrimination laws;

163 2. Promote or provide preferential treatment or special
164 benefits to a person or group based on that person's or group's
165 race, color, sex, ethnicity, gender identity, or sexual
166 orientation; or

167 3. Promote or adopt training, programming, or activities
168 designed or implemented with reference to race, color, sex,
169 ethnicity, gender identity, or sexual orientation.

170
171 The term does not include the use of equal opportunity or equal
172 employment opportunity materials designed to inform a person
173 about the prohibition against discrimination based on protected
174 status under state or federal law.

175 (b) "Diversity, equity, and inclusion office" means any

176 office, division, department, agency, center, or other unit of a
177 municipality which coordinates, creates, develops, designs,
178 implements, organizes, plans, or promotes policies, programming,
179 training, practices, meetings, activities, procedures, or
180 similar actions relating to diversity, equity, and inclusion.

181 (c) "Diversity, equity, and inclusion officer" means a
182 person who is a full-time or part-time employee of, or an
183 independent contractor contracted by, a municipality whose
184 duties include coordinating, creating, developing, designing,
185 implementing, organizing, planning, or promoting policies,
186 programming, training, practices, meetings, activities,
187 procedures, or similar actions relating to diversity, equity,
188 and inclusion.

189 (2) (a) Subject to paragraph (b), a municipality may not
190 fund or promote, directly or indirectly, or take any official
191 action, including, but not limited to, the adoption or
192 enforcement of ordinances, resolutions, rules, regulations,
193 programs, or policies, relating to diversity, equity, and
194 inclusion. Any such existing ordinances, resolutions, rules,
195 regulations, programs, or policies are void.

196 (b) 1. Notwithstanding any other provision of this section,
197 a municipality may continue to fund, promote, or take any
198 official action for civic or community events relating to
199 diversity, equity, and inclusion through June 30, 2027.

200 2. Effective July 1, 2027, a municipality may not fund,

201 promote, or take any official action for civic or community
202 events relating to diversity, equity, and inclusion unless such
203 action is otherwise allowed under subsection (6).

204 (3) A municipality may not expend any funds, regardless of
205 source, to establish, sustain, support, or staff a diversity,
206 equity, and inclusion office or to employ, contract with, or
207 otherwise engage a person to serve as a diversity, equity, and
208 inclusion officer.

209 (4) A member of the governing body of a municipality or
210 other municipal official who, while exercising his or her
211 official authority under law on behalf of the municipality,
212 willfully violates this section commits misfeasance or
213 malfeasance in office.

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

218 (6) This section does not prohibit a municipality from:
219 (a) Taking any official action required for compliance
220 with state or federal laws or regulations.

221 (b) Recognizing or promoting holidays designated by
222 federal law, including those designated in 5 U.S.C. s. 6103.

223 (c) Recognizing or promoting holidays and special
224 observances designated by state law, including those designated
225 in chapter 683.

226 (d) Recognizing or promoting patriotic and national
227 observances recognized by federal law, including those
228 designated in 36 U.S.C. ss. 101-148.

229 (e) Recognizing or honoring the persons and groups
230 recognized and honored by the monuments and memorials authorized
231 by chapter 265 or national monuments designated by acts of
232 Congress, or recognizing the events forming the basis for such
233 monuments or memorials.

234 (f) Using equal opportunity or equal employment
235 opportunity materials designed to inform a person about the
236 prohibition against discrimination based on protected status
237 under state or federal law.

238 (g) Authorizing or permitting, in a content-neutral
239 manner, civic or community events, provided that:

240 1. Public funds are not expended for such an event.
241 2. A municipal employee is not required to promote or
242 attend such an event.
243 3. Such an event does not promote terrorism, racism, or
244 antisemitism.

245 (7) This section may not be construed to conflict with:
246 (a) Section 553.865 or analogous state and federal laws
247 protecting the right of males and females to restrooms and
248 changing facilities corresponding to their biological sex.

249 (b) Part XII of chapter 39 or analogous state and federal
250 laws ensuring that victims of domestic violence and their

251 dependents have access to emergency shelters.

252 (c) Section 1000.05 or analogous state and federal laws
253 prohibiting discrimination based on biological sex in
254 educational programs, sports, activities, and employment.

255 (d) Chapter 381 or analogous state and federal laws
256 ensuring males and females have access to public health services
257 corresponding to their biological sex.

258 (e) State and federal laws ensuring a person has access to
259 public health services corresponding to his or her race or
260 ethnicity.

261 (f) Any other state or federal laws recognizing the
262 inherent biological differences between males and females for
263 the purpose of ensuring their health, safety, and welfare.

264 (8) This section does not apply to:

265 (a) The actions of a body composed of nonelected
266 volunteers; or

267 (b) Basic administrative support provided to a body
268 composed of nonelected volunteers, unless such administrative
269 support is provided by a municipal employee whose sole function
270 is the provision of such administrative support.

271 **Section 3. Section 287.139, Florida Statutes, is created
272 to read:**

273 287.139 Prohibition against using diversity, equity, and
274 inclusion material.—A potential recipient of a county or
275 municipal contract or grant shall certify to the county or

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276 municipality, as applicable, before being awarded such contract
277 or grant that the potential recipient does not and will not use
278 county or municipal funds in requiring its employees,
279 contractors, volunteers, vendors, or agents to ascribe to,
280 study, or be instructed using materials relating to diversity,
281 equity, and inclusion as defined in ss. 125.595(1) and
282 166.04971(1).

283 **Section 4.** This act shall take effect January 1, 2027.