



26 municipal contracts or grants to make a certain  
 27 certification to the county or municipality before  
 28 being awarded such contract or grant; providing  
 29 applicability; providing an effective date.

30  
 31 Be It Enacted by the Legislature of the State of Florida:

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

35 125.595 Prohibition of official actions of counties  
 36 relating to diversity, equity, and inclusion; penalty; remedy.-

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

38 (a) "Acting in an official capacity" means performing or  
 39 purporting to perform a function, duty, or responsibility  
 40 assigned by law, rule, or policy to a public officer or public  
 41 employee, or otherwise exercising or claiming to exercise the  
 42 authority of such office or employment.

43 (b) "Diversity, equity, and inclusion" means any effort  
 44 to:

45 1. Manipulate or otherwise influence the composition of  
 46 employees with reference to race, color, sex, ethnicity, gender  
 47 identity, or sexual orientation other than to ensure that hiring  
 48 is conducted in accordance with state and federal  
 49 antidiscrimination laws;

50 2. Promote or provide preferential treatment or special  
51 benefits to a person or group based on that person's or group's  
52 race, color, sex, ethnicity, gender identity, or sexual  
53 orientation; or

54 3. Promote or adopt training, programming, or activities  
55 designed or implemented with reference to race, color, sex,  
56 ethnicity, gender identity, or sexual orientation.

57  
58 The term does not include the use of equal opportunity or equal  
59 employment opportunity materials designed to inform a person  
60 about the prohibition against discrimination based on protected  
61 status under state or federal law.

62 (c) "Diversity, equity, and inclusion office" means any  
63 office, division, department, agency, center, or other unit of a  
64 county which coordinates, creates, develops, designs,  
65 implements, organizes, plans, or promotes policies, programming,  
66 training, practices, meetings, activities, procedures, or  
67 similar actions relating to diversity, equity, and inclusion.

68 (d) "Diversity, equity, and inclusion officer" means a  
69 person who is a full-time or part-time employee of, or an  
70 independent contractor contracted by, a county whose duties  
71 include coordinating, creating, developing, designing,  
72 implementing, organizing, planning, or promoting policies,  
73 programming, training, practices, meetings, activities,

74 procedures, or similar actions relating to diversity, equity,  
 75 and inclusion.

76 (2) A county may not fund or promote, directly or  
 77 indirectly, or take any official action, including, but not  
 78 limited to, the adoption or enforcement of ordinances,  
 79 resolutions, rules, regulations, programs, or policies, as it  
 80 relates to diversity, equity, and inclusion. Any such existing  
 81 ordinances, resolutions, rules, regulations, programs, or  
 82 policies are void.

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

88 (4) A county commissioner or other county official acting  
 89 in an official capacity who violates this section commits  
 90 misfeasance or malfeasance in office.

91 (5) A county may not provide or authorize its funds to be  
 92 used by employees, contractors, volunteers, vendors, or agents  
 93 to promote diversity, equity, and inclusion initiatives.

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

98           (7) (a) This section does not prohibit any official action  
99 by a county required for compliance with state or federal laws  
100 or regulations.

101           (b) This section does not prohibit a county from doing any  
102 of the following:

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

105           2. Recognizing or promoting state holidays and special  
106 observances designated by state law, including those designated  
107 in chapter 683.

108           3. Recognizing or promoting patriotic and national  
109 observances recognized by federal law, including those  
110 designated in 36 U.S.C. ss. 101-148, or recognizing the events  
111 and individuals forming the basis for such observances.

112           4. Recognizing or honoring the individuals and groups  
113 recognized and honored by the monuments, memorials, and museums  
114 authorized by chapter 265, ss. 267.0722 and 267.0724, or  
115 national monuments and memorials designated by acts of Congress,  
116 or recognizing the events and individuals forming the basis for  
117 such monuments, memorials, or museums.

118           5. Issuing event permits in a content-neutral manner and  
119 providing public safety services.

120           (c) This section does not prohibit the use of equal  
121 opportunity or equal employment opportunity materials designed

122 to inform a person about the prohibition against discrimination  
123 based on protected status under state or federal law.

124 (d) This section may not be construed to conflict with:

125 1. 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 2. 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 3. 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 4. 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 5. State and federal laws ensuring access to public health  
138 care services corresponding to a person's race or ethnicity.

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

142 (8) This section does not apply to:

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

145 (b) Basic administrative support provided to a body  
146 composed of nonelected volunteers, unless such administrative

147 support is provided by a county employee whose sole function is  
148 the provision of such administrative support.

149 **Section 2. Section 166.04971, Florida Statutes, is created**  
150 **to read:**

151 166.04971 Prohibition of official actions of  
152 municipalities relating to diversity, equity, and inclusion;  
153 penalty; remedy.—

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

155 (a) "Acting in an official capacity" means performing or  
156 purporting to perform a function, duty, or responsibility  
157 assigned by law, rule, or policy to a public officer or public  
158 employee, or otherwise exercising or claiming to exercise the  
159 authority of such office or employment.

160 (b) "Diversity, equity, and inclusion" means any effort  
161 to:

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

167 2. Promote or provide preferential treatment or special  
168 benefits to a person or group based on that person's or group's  
169 race, color, sex, ethnicity, gender identity, or sexual  
170 orientation; or

171 3. Promote or adopt training, programming, or activities  
172 designed or implemented with reference to race, color, sex,  
173 ethnicity, gender identity, or sexual orientation.

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

179 (c) "Diversity, equity, and inclusion office" means any  
180 office, division, department, agency, center, or other unit of a  
181 municipality which coordinates, creates, develops, designs,  
182 implements, organizes, plans, or promotes policies, programming,  
183 training, practices, meetings, activities, procedures, or  
184 similar actions relating to diversity, equity, and inclusion.

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

193 (2) A municipality may not fund or promote, directly or  
194 indirectly, or take any official action, including, but not  
195 limited to, the adoption or enforcement of ordinances,

196 resolutions, rules, regulations, programs, or policies, as it  
197 relates to diversity, equity, and inclusion. Any such existing  
198 ordinances, resolutions, rules, regulations, programs, or  
199 policies are void.

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

205 (4) Any member of the governing body of a municipality or  
206 other municipal official acting in an official capacity who  
207 violates this section commits misfeasance or malfeasance in  
208 office.

209 (5) A municipality may not provide or authorize its funds  
210 to be used by employees, contractors, volunteers, vendors, or  
211 agents to promote diversity, equity, and inclusion initiatives.

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

216 (7) (a) This section does not prohibit any official action  
217 by the governing body of a municipality required for compliance  
218 with state or federal laws or regulations.

219 (b) This section does not prohibit a municipality from  
220 doing any of the following:

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

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

226 3. Recognizing or promoting patriotic and national  
227 observances recognized by federal law, including those  
228 designated in 36 U.S.C. ss. 101-148, or recognizing the events  
229 and individuals forming the basis for such observances.

230 4. Recognizing or honoring the individuals and groups  
231 recognized and honored by the monuments, memorials, and museums  
232 authorized by chapter 265, ss. 267.0722 and 267.0724, or  
233 national monuments and memorials designated by acts of Congress,  
234 or recognizing the events and individuals forming the basis for  
235 such monuments, memorials, or museums.

236 5. Issuing event permits in a content-neutral manner and  
237 providing public safety services.

238 (c) This section does not prohibit the use of equal  
239 opportunity or equal employment opportunity materials designed  
240 to inform a person about the prohibition against discrimination  
241 based on protected status under state or federal law.

242 (d) This section may not be construed to conflict with:

243 1. Section 553.865 or analogous state and federal laws  
244 protecting the right of males and females to restrooms and  
245 changing facilities corresponding to their biological sex.

246 2. Part XII of chapter 39 or analogous state and federal  
247 laws ensuring that victims of domestic violence and their  
248 dependents have access to emergency shelters.

249 3. Section 1000.05 or analogous state and federal laws  
250 prohibiting discrimination based on biological sex in  
251 educational programs, sports, activities, and employment.

252 4. Chapter 381 or analogous state and federal laws  
253 ensuring males and females have access to public health services  
254 corresponding to their biological sex.

255 5. State and federal laws ensuring access to public health  
256 care services corresponding to a person's race or ethnicity.

257 6. Any other state or federal laws recognizing the  
258 inherent biological differences between males and females for  
259 the purpose of ensuring their health, safety, and welfare.

260 (8) This section does not apply to:

261 (a) The actions of a body composed of nonelected  
262 volunteers; or

263 (b) Basic administrative support provided to a body  
264 composed of nonelected volunteers, unless such administrative  
265 support is provided by a municipal employee whose sole function  
266 is the provision of such administrative support.

267 **Section 3. Section 287.139, Florida Statutes, is created**  
268 **to read:**

269 287.139 Prohibition against using diversity, equity, and  
270 inclusion material.—A potential recipient of a county or

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

279 **Section 4.** Section 287.139, Florida Statutes, as created  
280 by this act, applies to any contract between a county or  
281 municipality and a diversity, equity, and inclusion officer  
282 which is in existence on January 1, 2027. With respect to all  
283 other contracts, s. 287.139, Florida Statutes, created by this  
284 act, applies to contracts executed or renewed after January 1,  
285 2027.

286 **Section 5.** This act shall take effect January 1, 2027.