

By Senator Yarborough

4-01353B-26

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A bill to be entitled

An act relating to enforcement of protections for minors; amending s. 456.52, F.S.; providing criminal penalties for health care practitioners who willfully or actively aid or abet another in a violation of specified provisions; amending s. 766.318, F.S.; authorizing the Attorney General to conduct investigations of alleged violations of a specified provision and commence a civil action for damages, injunctive relief, and civil penalties upon determining a violation has occurred; providing that damages recovered pursuant to certain civil actions accrue to the benefit of the injured minor; creating s. 1014.07, F.S.; creating a cause of action to recover damages against certain public employees and health care practitioners for violations of specified provisions; authorizing the Attorney General to conduct investigations of alleged violations of specified provisions and commence a civil action for damages, injunctive relief, and civil penalties upon determining a violation has occurred; providing that damages recovered pursuant to certain civil actions accrue to the benefit of the injured minor; providing that certain limitations on punitive damages do not apply to such actions; specifying the timeframe within which such actions may be commenced; providing construction; reenacting s. 456.074(5)(c), F.S., relating to the immediate suspension of license of certain health care practitioners, to incorporate the

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amendment made to s. 456.52, F.S., in a reference  
thereto; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) of section  
456.52, Florida Statutes, is amended to read:

456.52 Sex-reassignment prescriptions and procedures;  
prohibitions; informed consent.—

(5)

(b) Any health care practitioner who willfully or actively  
participates, or aids or abets another, in a violation of  
subsection (1) commits a felony of the third degree, punishable  
as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 766.318, Florida Statutes, is amended to  
read:

766.318 Civil liability for provision of sex-reassignment  
prescriptions or procedures to minors.—

(1) A cause of action exists to recover damages for  
personal injury or death resulting from the provision of sex-  
reassignment prescriptions or procedures, as defined in s.  
456.001, to a person younger than 18 years of age which are  
prohibited by s. 456.52(1).

(2) The Attorney General may conduct investigations of  
alleged violations of s. 456.52(1) and, if the Attorney General  
determines that such a violation has occurred, may commence a  
civil action under this section for damages, injunctive relief,  
and civil penalties of up to \$100,000 for each violation.

(3) Any damages recovered pursuant to a civil action

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brought under this section will accrue to the benefit of the injured minor.

~~(4)(2)~~ The limitations on punitive damages in s. 768.73(1) do not apply to actions brought under this section.

~~(5)(3)~~ An action brought under this section:

(a) May be commenced within 20 years after the cessation or completion of the sex-reassignment prescription or procedure.

(b) Is in addition to any other remedy authorized by law.

~~(6)(4)~~ The cause of action created by this section does not apply to:

(a) Treatment with sex-reassignment prescriptions if such treatment is consistent with s. 456.001(9)(a)1. or 2. and was commenced on or before, and is still active on, May 17, 2023.

(b) Sex-reassignment prescriptions or procedures that were ceased or completed on or before May 17, 2023.

Section 3. Section 1014.07, Florida Statutes, is created to read:

1014.07 Civil liability.—

(1) A cause of action exists against an employee of the state, any of its political subdivisions, or any other governmental entity who violates any of the parental rights specified in s. 1014.04 or against a health care practitioner who provides, or solicits or arranges to provide, health care services or prescribes medicinal drugs to a minor child without parental consent in violation of s. 1014.06.

(2) The Attorney General may conduct investigations of alleged violations of s. 1014.04 or s. 1014.06 and, if the Attorney General determines that such a violation has occurred, may commence a civil action under this section for damages,

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injunctive relief, and civil penalties of up to \$100,000 for each violation.

(3) Any damages recovered pursuant to a civil action brought under this section will accrue to the benefit of the affected minor.

(4) The limitations on punitive damages in s. 768.73(1) do not apply to actions brought under this section.

(5) An action brought under this section:

(a) May be commenced within 2 years after the violation occurs.

(b) Is in addition to any other remedy authorized by law.

Section 4. For the purpose of incorporating the amendment made by this act to section 456.52, Florida Statutes, in a reference thereto, paragraph (c) of subsection (5) of section 456.074, Florida Statutes, is reenacted to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(5) The department shall issue an emergency order suspending the license of any health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit any act that would constitute a violation of any of the following criminal offenses in this state or similar offenses in another jurisdiction:

(c) Section 456.52(5)(b), relating to prescribing, administering, or performing sex-reassignment prescriptions or procedures for a patient younger than 18 years of age.

Section 5. This act shall take effect July 1, 2026.