

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Criminal and Civil Justice

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BILL: SB 1072

INTRODUCER: Senators Calatayud and Pizzo

SUBJECT: Antisemitism Task Force

DATE: February 16, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. White	McVaney	GO	<b>Favorable</b>
2. Atchley	Harkness	ACJ	<b>Pre-meeting</b>
3. _____	_____	FP	_____

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## **I. Summary:**

SB 1072 creates the Antisemitism Task Force (Task Force) for the express purpose of combating antisemitism in Florida. To this end, the Task Force has a range of responsibilities, including providing assistance, conducting studies and assessments, and engaging with local Jewish communities. The Task Force must annually “submit a report and policy recommendations” to the Governor and legislative leaders.

The Task Force is composed of 18 members serving two-year terms and is adjunct to the Office of Civil Rights in the Department of Legal Affairs. The Department of Legal Affairs will provide administrative and staff support to the Task Force.

The Task Force is automatically repealed on October 2, 2029, unless reviewed and saved by the Legislature.

The bill may have an indeterminate fiscal impact on the Department of Legal Affairs. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

### **State Definition of Antisemitism**

In 2024, the Legislature adopted a definition of “antisemitism” that closely mirrors the working definition used by the International Holocaust Remembrance Alliance in order to assist with the monitoring and reporting of antisemitic hate crimes and discrimination, and to make residents

aware of, and combat, such incidents.<sup>1</sup> However, the law “may not be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or to conflict with federal or state antidiscrimination laws.”

As provided in s. 1.105, F.S., antisemitism is the certain perception of Jewish individuals which may be expressed as hatred toward such individuals. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and their property and toward Jewish community institutions and religious facilities. Examples of antisemitism include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jewish individuals.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jewish individuals as such or the power of Jewish people as a collective, such as the myth of a worldwide Jewish conspiracy or of Jewish individuals controlling the media, economy, government, or other societal institutions.
- Accusing Jewish people as a collective of being responsible for real or imagined wrongdoing committed by a single Jewish person or group or for acts committed by non-Jewish individuals.
- Denying the fact, scope, and mechanisms, such as gas chambers, or the intentionality of the genocide of the Jewish people at the hands of Nazi Germany and its supporters and accomplices during the Holocaust.
- Accusing Jewish people as a collective, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jewish individuals worldwide, than to the interests of their respective nations.
- Denying Jewish people their right to self-determination, such as claiming that the existence of the State of Israel is a racist endeavor.
- Applying double standards by requiring of the Jewish State of Israel a standard of behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism, such as blood libel, to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jewish individuals collectively responsible for actions of the State of Israel.

## Hate Crimes

A hate crime is a prejudice-motivated criminal act that in any way constitutes an expression of hatred toward the victim based on his or her personal characteristics. It is a crime in which the perpetrator intentionally selects the victim based on one of the following characteristics: race, religion, ethnicity, color, ancestry, sexual orientation, homeless status, advanced age, mental or physical disability, or gender and gender identity.<sup>2</sup>

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<sup>1</sup> Chapter 2024-262, Laws of Fla.

<sup>2</sup> Section 887.19, F.S.; s. 775.085, F.S. (adding homelessness status, disability, and advanced age as protected categories); 34 U.S.C. s. 41305(b)(1) (adding gender and gender identity); Florida Department of Law Enforcement, *Uniform Crime Reports: Summary Reporting Guide Manual* (July 2023), at 104, available at <https://www.fdle.state.fl.us/getContentAsset/6755ee1e-aa49-4437-b8f1-c2e831c23fd5/73aabf56-e6e5-4330-95a3-5f2a270a1d2b/UCR-Summary-Guide-Manual-JUL2023.pdf?language=en> (last visited Jan. 14, 2026); Florida Attorney

### ***Evidencing Prejudice While Committing an Offense***

Current law reclassifies the penalty for any felony or misdemeanor to the next highest degree if the commission of the offense evidence prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, or advanced age of the victim, as follows:

- A misdemeanor of the second-degree is reclassified to a misdemeanor of the first-degree.
- A misdemeanor of the first-degree is reclassified to a felony of the third-degree.
- A felony of the third-degree is reclassified to a felony of the second-degree.
- A felony of the second-degree is reclassified to a felony of the first-degree.
- A felony of the first-degree is reclassified to a life felony.

### ***Reporting of Hate Crimes***

Under s. 877.19, F.S., the Florida Department of Law Enforcement (FDLE), all other state and local law enforcement agencies, and the Attorney General must collect and disseminate data on hate crimes committed in the state. Law enforcement agencies submit a monthly report to the FDLE concerning criminal acts that evidence prejudice based on race, religion, ethnicity, color, ancestry, sexual orientation, or national origin. The FDLE is required to compile and disseminate such information upon request to any local law enforcement agency, unit of local government, or state agency. Additionally, the Florida Attorney General publishes an annual summary of the compiled data.

Ultimately, it is up to the judgment of individual law enforcement officers and agencies to determine what the motivation of a particular crime is and whether that incident constitutes a hate crime the law enforcement agency must report to the state as a hate crime.<sup>3</sup>

### **Status on Hate Crimes and Antisemitism in Florida**

Based on the Attorney General's summaries on hate crimes, there was a decrease in the number of reported hate crimes in 2024 compared to 2023.<sup>4</sup> However, according to the Attorney General's 2023 report, there was a 94 percent increase in hate crimes against Jewish Floridians from 2022 to 2023.<sup>5</sup> Of the 98 religion-based hate crimes in 2023, 70 were "anti-Jewish."<sup>6</sup>

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General, *Hate Crimes in Florida 2023*, available at

<https://www.myfloridalegal.com/sites/default/files/2023hatecrimesreportfinal.pdf> (last visited Jan. 14, 2026) [hereinafter 2023 Hate Crimes Report].

<sup>3</sup> Florida Department of Law Enforcement, *Uniform Crime Reports: Summary Reporting Guide Manual* (July 2023), at 104, available at <https://www.fdle.state.fl.us/getContentAsset/6755ee1e-aa49-4437-b8f1-c2e831c23fd5/73aabf56-e6e5-4330-95a3-5f2a270a1d2b/UCR-Summary-Guide-Manual-JUL2023.pdf?language=en> (last visited Jan. 14, 2026).

<sup>4</sup> Compare the numbers in the 2024 reports with the numbers at page 8 of the 2023 report. See 2023 Hate Crimes Report; Attorney General, *Annual Summary of Data*, available at [https://www.myfloridalegal.com/sites/default/files/annual\\_summary\\_of\\_data.pdf](https://www.myfloridalegal.com/sites/default/files/annual_summary_of_data.pdf) (last visited Jan. 14, 2025).

<sup>5</sup> *Id.* at 2.

<sup>6</sup> 2023 Hate Crimes Report at 25-26. Of those 70 anti-Jewish hate crimes reported, 38 were "destruction/damage/vandalism," 15 were intimidation, four were aggravated assault, four were "other larceny," four were "simple assault," two were "burglary/breaking & entering," one was robbery, one was "weapon law violations," and one was "theft from building."

The Anti-Defamation League’s most recent annual audit of antisemitic incidents showed that Florida saw a 24 percent decline in incidents of antisemitic assault, harassment, and vandalism in 2024 when compared to 2023. The nation, by comparison, saw a 5 percent increase.<sup>7</sup>

### **Advisory Bodies**

Florida law provides for various types of “advisory bodies” that may be created within the executive branch, including a committee, task force, council, and advisory council.<sup>8</sup> A task force is an advisory body appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem.<sup>9</sup> A task force can only be created by statute when necessary and beneficial to the furtherance of a public purpose and must be in adjunct to an executive agency. The statute creating the task force must clearly define the body’s purpose.<sup>10</sup>

Task forces must keep the Legislature and public informed of the body’s purposes, memberships, activities, and expenses.<sup>11</sup> Unless otherwise exempted, all meetings of an advisory body are public meetings under s. 286.011, F.S. Minutes, including a record of all votes cast, must be maintained for all meetings.<sup>12</sup>

### **Membership and Travel Reimbursement**

Members of an advisory body, unless expressly permitted otherwise by the State Constitution, are appointed for four year, staggered terms;<sup>13</sup> and unless expressly provided otherwise by specific statutory enactment, serve without additional compensation or honorarium, and are authorized to receive only per diem and reimbursement for travel expenses.<sup>14</sup> The private citizen members of an advisory body that is adjunct to an executive agency must be appointed by the Governor, the head of a department, the executive director of a department, or a Cabinet officer.<sup>15</sup>

<sup>7</sup> Daniel Frank, *ADL: A disturbing trend of Israel-related antisemitic incidents continues in Florida* | *Opinion*, MIAMI HERALD, Apr. 22, 2025, available at <https://www.miamiherald.com/opinion/op-ed/article304533011.html> (last visited Jan. 13, 2025). The author of the article, Daniel Frank, is Florida regional director for the Anti-Defamation League.

<sup>8</sup> See s. 20.03, F.S. (defining committee, task force, council, and advisory council as advisory bodies).

<sup>9</sup> Section 20.03, F.S.

<sup>10</sup> Section 25.052, F.S. See s. 20.03, F.S., for the relevant definitions.

<sup>11</sup> Section 20.052(3), F.S. Advisory bodies annually provide a report, uploaded to a website maintained by the Executive Office of the Governor and available to the public, detailing the following:

- The statutory authority pursuant to the advisory body was created.
- A brief description of the purpose or objective of the advisory body.
- A list indicating the membership of each advisory body, the appointing authority for each member position, whether the member positions are filled or vacant, the term of each member position, and, if vacant, when the vacancy occurred.
- A list of the meeting dates and times of each advisory body for the preceding 3 fiscal years.
- A brief summary of the work plan for each advisory body for the current fiscal year and the next 2 fiscal years.
- The amount of appropriated funds and staff time used in each fiscal year to support each advisory body.
- A recommendation by the agency, with supporting rationale, to continue, terminate, or modify each advisory body.

<sup>12</sup> Section 20.052, F.S.

<sup>13</sup> Section 20.052(4)(c), F.S.

<sup>14</sup> Section 20.052(4)(d), F.S. See s. 112.061, F.S., for law on per diem and reimbursement for travel expenses.

<sup>15</sup> Section 20.052(5)(a), F.S.

All travel covered by per diem must be authorized and approved by the head of the agency or a designated representative.<sup>16</sup> Travel expenses must be limited to those expenses necessarily incurred in the performance of a public purpose authorized by law to be performed by the agency.<sup>17</sup> Travel expenses include reimbursement of transportation expenses, reimbursement of lodging expenses, and per diem and meal allowances.

Travelers are allowed either \$80 per diem for each day of travel or, if actual expenses exceed \$80, the amounts permitted for subsistence plus actual expenses for lodging at a single-occupancy rate.<sup>18</sup> The allowable amounts for subsistence are \$6 for breakfast, \$11 for lunch, and \$19 for dinner.<sup>19</sup>

### ***Sunset Provision***

Law requires that a statute creating, or authorizing the creation of, an advisory body must contain a “sunset provision” that provides for the repeal of the advisory body on October 2 of the third year after enactment unless the law is reviewed and saved from repeal through reenactment by the Legislature.<sup>20</sup> The Legislature may not save the advisory body if it has served its purpose and is no longer necessary and beneficial to the furtherance of a public purpose.<sup>21</sup>

### **Office of Civil Rights in Department of Legal Affairs**

The Florida Legislature established the Office of Civil Rights within the Department of Legal Affairs in 1991.<sup>22</sup> The Office is empowered to enforce civil rights laws on behalf of the State of Florida through litigation, education, outreach, and legislative proposals. The Office additionally conducts hate crime training for law enforcement officers and develops training programs and presentations for schools.<sup>23</sup>

### **Separation of Powers**

The government of the State of Florida is organized according to the doctrine of the separation of powers. Article II, section 3 of the State Constitution, in particular, provides that the “powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.” Two fundamental prohibitions are contained in the separation of powers doctrine in Florida. The first is that no branch may encroach upon the powers of the other; the second is that no branch may delegate to another branch its constitutionally assigned power.<sup>24</sup>

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<sup>16</sup> Section 112.061(3)(a), F.S.

<sup>17</sup> Section 112.061(3)(b), F.S.

<sup>18</sup> Section 112.061(6)(1)(a), F.S.

<sup>19</sup> Section 112.061(6)(1)(b), F.S.

<sup>20</sup> Section 25.052(8), F.S.

<sup>21</sup> Section 20.052(2), F.S.

<sup>22</sup> See ch. 91-74, Laws of Fla.; s. 16.57, F.S. The creation of the Office of Civil Rights was based in part on a recommendation of the Racial and Ethnic Bias Study Commission of the Supreme Court for the purpose of bringing a state suit against individuals and agencies for harassment and brutality against minorities.

<sup>23</sup> Office of the Attorney General, *Office of Civil Rights*, <https://www.myfloridalegal.com/civil-rights> (last visited Jan. 14, 2026).

<sup>24</sup> *Chiles v. Children A, B, C, D, E, and F*, 589 So. 260 (Fla. 1991).

The State Constitution provides that the Legislature creates the policies and laws of the state<sup>25</sup> and the executive branch executes the laws<sup>26</sup> and policies established by the Legislature.

Generally, advisory bodies under ch. 20, F.S., do not “execute” laws; they, instead, typically *inform* (advise) the Legislature. In this way, the bodies typically do not enjoy any executive or legislative power.

### **Dual Office Holding**

The State Constitution prohibits individuals from holding multiple public offices simultaneously and applies to public offices in state, county, and municipal government.<sup>27</sup> The provision applies to both elected and appointed offices, ensuring that no single individual accumulates multiple governmental roles that could create a conflict of interest.<sup>28</sup> This prohibition is intended to preserve the independence of each branch and prevent conflicts of interest. Neither the State Constitution nor the Legislature has defined the term “office,” leaving the court to establish its meaning through case law. Florida courts have interpreted the term “office” in opposition to the term “employment,” with the latter not being subject to prohibition on dual office-holding. An “office,” the courts have held, refers to a position that exercises sovereign power, has a legally prescribed tenure, and is established by law rather than by contract.<sup>29</sup> The term “employment,” by contrast, “does not comprehend a delegation of any part of the sovereign authority [of government].”<sup>30</sup> Positions such as department heads, members of governing boards, and elected officials have typically been considered offices, while positions like assistants, deputy clerks, and administrative employees have typically been classified as public employees.<sup>31</sup>

A member of the Legislature—whether serving as a Senator or a Representative—is an officer and therefore subject to the prohibition on dual office holding.

The State Constitution provides an explicit exception from the dual office holding limitation: “any officer may be a member of a . . . statutory body having only advisory powers.” Typically, an advisory body created pursuant to ch. 20, F.S., only have advisory powers. Membership on such bodies, therefore, does not constitute an office for the purposes of the constitutional prohibition on dual office holding.

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<sup>25</sup> Article III, section 1 of the State Constitution vests the “legislative power of the state” in the Legislature. Legislative power is further explained by the courts in *O.M. v. Dep’t of Children & Families*, 404 So. 3d 547, 552 (Fla. 3d DCA 2025); *Webb v. Hill*, 75 So. 2d 596, 605 (Fla. 1954); *State v. Barquet*, 262 So. 2d 431, 433 (Fla. 1972).

<sup>26</sup> The executive branch, through the governor, ensures that the “laws be faithfully executed, commission all officers of the state and counties, and transact all necessary business with the officers of government.” FLA. CONST. art. IV, s. 4.

<sup>27</sup> FLA. CONST. art. II, s. 5(a).

<sup>28</sup> *Bath Club, Inc. v. Dade County*, 394 So. 2d 110 (Fla. 1981); see *Blackburn v. Brorein*, 70 So. 2d 293 (Fla. 1954).

<sup>29</sup> *State ex rel. Holloway v. Sheats*, 83 So. 508 (Fla. 1919); *State ex rel. Clyatt v. Hocker*, 22 So. 721 (Fla. 1897).

<sup>30</sup> *State ex rel. Holloway v. Sheats*, 83 So. 508 (Fla. 1919).

<sup>31</sup> See Office of the Attorney General, *Dual Office-holding*,

<https://www.myfloridalegal.com/files/pdf/page/4FF72ECF62927EEA85256CC6007B4517/DualOfficeHoldingPamplet.pdf> (last visited Mar. 23, 2025).

### III. Effect of Proposed Changes:

The bill creates s. 16.571, F.S., establishing the Antisemitism Task Force (Task Force) for the express purpose of combating antisemitism in the state. The Task Force is adjunct to the Office of Civil Rights in the Department of Legal Affairs and is a task force as defined and discussed in ss. 20.03(5) and 20.052, F.S.<sup>32</sup> The Department of Legal Affairs will provide administrative and staff support for the Task Force.

In addition to submitting an annual report, the Task Force is charged with:

- Identifying and acknowledging the growing threat of antisemitism in this state by conducting a comprehensive review of the prevalence of antisemitism within this state;
- Strengthening community relations by identifying and creating opportunities for new connections between state and local governments and local Jewish communities;
- Engaging with local Jewish communities and providing public officials across this state with recommendations and support for combating antisemitism;
- Advising on training programs for law enforcement relating to the investigation and prosecution of hate crimes;
- Assessing existing state programs relating to education in digital media literacy, including identifying educational gaps, studying education efficacy, and planning for enhanced educational offerings;
- Identifying best practices from efforts to combat antisemitism in other states and jurisdictions;
- Evaluating this state's hate crime statutes to consider whether amendments thereto would better protect residents from antisemitism; and
- Recommending strategies, programs, and legislation to combat antisemitism in this state.

The Task Force must annually provide a report and policy recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of Representatives, the chair of the Judiciary Committee of the Senate, and the chair of the Security and Threat Assessment Committee of the House of Representatives. These reports are due before January 31 of each year. The Task Force's first report must examine antisemitism in schools and universities.

The Task Force has 18 members who serve two-year terms without compensation but are entitled to per diem. The Task Force consists of the following,

- Three members appointed by the President of the Senate, including:
  - One appointee that represents a Jewish community organization in this state; and
  - One appointee that has expertise in combatting antisemitism.
- Three members appointed by the Speaker of the House of Representatives, including:
  - One appointee that represents a Jewish community organization in this state; and
  - One appointee that has expertise in combatting antisemitism.
- One member of the Senate, appointed by the Minority Leader of the Senate.
- One member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

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<sup>32</sup> See *supra* notes 1-14 and accompanying text for discussion of ss. 20.03(5) and 20.052, F.S.

- Two members appointed by the Governor, one of whom must have legal expertise in civil rights law.
- The Attorney General or his or her designee.
- The Commissioner of Education or his or her designee.
- The chair of the Florida Commission on Human Relations or his or her designee.
- One member appointed by the Florida Association of Counties.
- One member appointed by the Florida League of Cities.
- One member appointed by the Florida Prosecuting Attorneys Association.
- One member appointed by the Florida Police Chiefs Association.
- One member appointed by the Florida Association of District School Superintendents.

The President of the Senate shall designate one of his or her appointees as co-chair of the Task Force; the other co-chair is designated by the Speaker of the House of Representatives from his or her appointees.

In accordance with s. 20.052, F.S., the bill includes a sunset provision, repealing the Task Force on October 3, 2029, unless reviewed and saved from repeal by reenactment by the Legislature.

The bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

##### **E. Other Constitutional Issues:**

None.



**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill may have an indeterminate fiscal impact on the Department of Legal Affairs by adding members of the Task Force to the class of individuals entitled to per diem and travel reimbursements. The Department of Legal Affairs may further incur costs for providing administrative and staff support to the Task Force.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 16.571 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.