

Amendment No.

## CHAMBER ACTION

SenateHouse

.

---

Representative Bartleman offered the following:

**Amendment (with title amendment)**

Remove lines 44-194 and insert:

~~(b) As used in this section and s. 1006.283, the term "resident" means a person who has maintained his or her residence in this state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17.~~

(b) ~~(e)~~ As used in this section and ss. 1006.283, 1006.32, 1006.35, 1006.37, 1006.38, 1006.40, and 1006.42, the term "purchase" includes purchase, lease, license, and acquire.

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

13 (2) DISTRICT SCHOOL BOARD.—The district school board has  
14 the constitutional duty and responsibility to select and provide  
15 adequate instructional materials for all students in accordance  
16 with the requirements of this part. The district school board  
17 also has the following specific duties and responsibilities:

18 (a) Courses of study; adoption.—Adopt courses of study,  
19 including instructional materials, for use in the schools of the  
20 district.

21 1. Each district school board is responsible for the  
22 content of all instructional materials and any other materials  
23 used in a classroom, made available in a school or classroom  
24 library, or included on a reading list, whether adopted and  
25 purchased from the state-adopted instructional materials list,  
26 adopted and purchased through a district instructional materials  
27 program under s. 1006.283, or otherwise purchased or made  
28 available.

29 2. Each district school board must adopt a policy  
30 regarding an objection by a parent ~~or a resident of the county~~  
31 to the use of a specific material, which clearly describes a  
32 process to handle all objections and provides for resolution.  
33 The objection form, as prescribed by State Board of Education  
34 rule, and the district school board's process must be easy to  
35 read and understand and be easily accessible on the homepage of  
36 the school district's website. The objection form must also  
37 identify the school district point of contact and contact

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

38 information for the submission of an objection. The process must  
39 provide the parent ~~or resident~~ the opportunity to proffer  
40 evidence to the district school board that:

41 a. An instructional material does not meet the criteria of  
42 s. 1006.31(2) or s. 1006.40(3)(c) if it was selected for use in  
43 a course or otherwise made available to students in the school  
44 district but was not subject to the public notice, review,  
45 comment, and hearing procedures under s. 1006.283(2)(b) 8., 9.,  
46 and 11.

47 b. Any material used in a classroom, made available in a  
48 school or classroom library, or included on a reading list  
49 contains content which:

50 (I) Is pornographic ~~or prohibited under s. 847.012;~~

51 (II) Is harmful to minors;

52 (III) ~~(II)~~ Depicts or describes sexual conduct as defined  
53 in s. 847.001(19), unless such material is specifically  
54 authorized as part of a health education course required under  
55 s. 1003.46; as part of comprehensive health education required  
56 under s. 1003.42(2)(o) 1.g. or 3.; or as approved through ~~for~~ a  
57 course required by s. 1003.46 or s. 1003.42(2)(o) 1.g. or 3., or  
58 ~~identified by~~ State Board of Education rule for specific  
59 educational purposes;

60 (IV) ~~(III)~~ Is not suited to student needs and their ability  
61 to comprehend the material presented; or

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

62        (V) ~~(IV)~~ Is inappropriate for the grade level and age group  
63 for which the material is used.

64  
65 A ~~resident of the county who is not the~~ parent or guardian of a  
66 student ~~with access to school district materials~~ may not object  
67 to more than one material per month. The State Board of  
68 Education may adopt rules to implement this provision. Any  
69 material that is subject to an objection on the basis of sub-  
70 sub-subparagraphs b.(I)-(III) ~~sub-sub-subparagraph b.(I) or sub-~~  
71 ~~sub-subparagraph b.(II)~~ must be removed within 5 school days  
72 after receipt of the objection and remain unavailable to  
73 students of that school until the objection is resolved. The  
74 school district may not consider potential literary, artistic,  
75 political, or scientific value as a basis for retaining the  
76 material if it contains material harmful to minors. Parents  
77 shall have the right to read passages from any material that is  
78 subject to an objection. If the school board denies a parent the  
79 right to read passages due to content that meets the  
80 requirements under sub-sub-subparagraph b.(I) or sub-sub-  
81 subparagraph b.(II), the school district shall discontinue the  
82 use of the material in the school district. If the district  
83 school board finds that any material meets the requirements  
84 under sub-subparagraph a. or that any other material contains  
85 prohibited content under sub-sub-subparagraph b.(I) or sub-sub-  
86 subparagraph b.(II), the school district shall discontinue use

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

87 of the material. If the district school board finds that any  
88 other material contains prohibited content under sub-sub-  
89 subparagraphs b.(III)-(V) ~~b.(II)-(IV)~~, the school district shall  
90 discontinue use of the material for any grade level or age group  
91 for which such use is inappropriate or unsuitable. The State  
92 Board of Education shall monitor district compliance with the  
93 requirements of sub-sub-subparagraphs b.(I)-(III) through  
94 regular audits and reporting. Upon finding that a district has  
95 failed to comply with these requirements, the State Board of  
96 Education must provide written notice of noncompliance to the  
97 district and require the district to submit a corrective action  
98 plan within 30 days after receiving such notice; may withhold  
99 the transfer of state funds, discretionary grant funds,  
100 discretionary lottery funds, or any other funds specified by the  
101 Legislature until the district complies with the requirements;  
102 and may impose additional sanctions or requirements as  
103 conditions for the continued receipt of state funds.

104 3. Each district school board must establish a process by  
105 which the parent of a public school student ~~or a resident of the~~  
106 ~~county~~ may contest the district school board's adoption of a  
107 specific instructional material. The parent ~~or resident~~ must  
108 file a petition, on a form provided by the school board, within  
109 30 calendar days after the adoption of the instructional  
110 material by the school board. The school board must make the  
111 form available to the public and publish the form on the school

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

112 district's website. The form must be signed by the parent ~~or~~  
113 ~~resident~~, include the required contact information, and state  
114 the objection to the instructional material based on the  
115 criteria of s. 1006.31(2) or s. 1006.40(3)(c). Within 30 days  
116 after the 30-day period has expired, the school board must, for  
117 all petitions timely received, conduct at least one open public  
118 hearing before an unbiased and qualified hearing officer. The  
119 hearing officer may not be an employee or agent of the school  
120 district. The hearing is not subject to the provisions of  
121 chapter 120; however, the hearing must provide sufficient  
122 procedural protections to allow each petitioner an adequate and  
123 fair opportunity to be heard and present evidence to the hearing  
124 officer. The school board's decision after convening a hearing  
125 is final and not subject to further petition or review.

126 4. Meetings of committees convened for the purpose of  
127 ranking, eliminating, or selecting instructional materials for  
128 recommendation to the district school board must be noticed and  
129 open to the public in accordance with s. 286.011. Any committees  
130 convened for such purposes must include parents of students who  
131 will have access to such materials.

132 5. Meetings of committees convened for the purpose of  
133 resolving an objection by a parent ~~or resident~~ to specific  
134 materials must be noticed and open to the public in accordance  
135 with s. 286.011. Any committees convened for such purposes must

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

136 include parents of students who will have access to such  
137 materials.

138       6. Any material subject to objection under this paragraph  
139 which the district school board chooses to retain may not be  
140 subject to an objection on the same grounds for 5 academic years  
141 thereafter. ~~If a parent disagrees with the determination made by~~  
142 ~~the district school board on the objection to the use of a~~  
143 ~~specific material, a parent may request the Commissioner of~~  
144 ~~Education to appoint a special magistrate who is a member of The~~  
145 ~~Florida Bar in good standing and who has at least 5 years'~~  
146 ~~experience in administrative law. The special magistrate shall~~  
147 ~~determine facts relating to the school district's determination,~~  
148 ~~consider information provided by the parent and the school~~  
149 ~~district, and render a recommended decision for resolution to~~  
150 ~~the State Board of Education within 30 days after receipt of the~~  
151 ~~request by the parent. The State Board of Education must approve~~  
152 ~~or reject the recommended decision at its next regularly~~  
153 ~~scheduled meeting that is more than 7 calendar days and no more~~  
154 ~~than 30 days after the date the recommended decision is~~  
155 ~~transmitted. The costs of the special magistrate shall be borne~~  
156 ~~by the school district. The State Board of Education shall adopt~~  
157 ~~rules, including forms, necessary to implement this~~  
158 ~~subparagraph.~~

159 -----  
160 -----

256239

Approved For Filing: 2/6/2026 2:19:40 PM

Amendment No.

**T I T L E   A M E N D M E N T**

Remove lines 4-6 and insert:  
to minors"; removing the definition of the term  
"resident"; removing provisions authorizing residents  
of the county to object to school district materials;  
providing a limitation for the number of objections to  
such materials a parent or guardian of a student may  
make; providing a limitation on the frequency of  
specified objections to materials retained by a school  
district after an objection; deleting the process for  
objections to district school board determinations  
relating to such materials; revising the list of  
materials used in a classroom which are subject to the  
objection process by parents; reenacting s.  
1014.05(1) (c),

256239

Approved For Filing: 2/6/2026 2:19:40 PM