



366604

LEGISLATIVE ACTION

Senate

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House

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03/04/2026 11:34 AM

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Senator Berman moved the following:

Senate Amendment (with title amendment)

Delete lines 75 - 194

and insert:

(2) A county may not appropriate county funds for the adoption or enforcement of ordinances, resolutions, rules, regulations, programs, or policies as it relates to diversity, equity, and inclusion. Any such existing ordinances, resolutions, rules, regulations, programs, or policies are void.

(3) A county may not expend any funds, regardless of source, to establish, sustain, support, or staff a diversity,



12 equity, and inclusion office or to employ, contract, or
13 otherwise engage a person to serve as a diversity, equity, and
14 inclusion officer.

15 (4) A county commissioner or other county official acting
16 in an official capacity who violates this section commits
17 misfeasance or malfeasance in office.

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

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

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

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

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

32 2. Recognizing or promoting state holidays and special
33 observances designated by state law, including those designated
34 in chapter 683.

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

39 4. Recognizing or honoring the individuals and groups
40 recognized and honored by the monuments, memorials, and museums



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41 authorized by chapter 265, ss. 267.0722 and 267.0724, or
42 national monuments and memorials designated by acts of Congress,
43 or recognizing the events and individuals forming the basis for
44 such monuments, memorials, or museums.

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

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

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

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

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

58 3. Section 1000.05 or analogous state and federal laws
59 prohibiting discrimination based on biological sex in
60 educational programs, sports, activities, and employment.

61 4. Chapter 381 or analogous state and federal laws ensuring
62 males and females have access to public health services
63 corresponding to their biological sex.

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

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

69 (8) This section does not apply to:



70 (a) The actions of a body composed of nonelected
71 volunteers; or

72 (b) Basic administrative support provided to a body
73 composed of nonelected volunteers, unless such administrative
74 support is provided by a county employee whose sole function is
75 the provision of such administrative support.

76 Section 2. Section 166.04971, Florida Statutes, is created
77 to read:

78 166.04971 Prohibition of official actions of municipalities
79 relating to diversity, equity, and inclusion; penalty; remedy.-

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

81 (a) "Acting in an official capacity" means performing or
82 purporting to perform a function, duty, or responsibility
83 assigned by law, rule, or policy to a public officer or public
84 employee, or otherwise exercising or claiming to exercise the
85 authority of such office or employment.

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

87 1. Manipulate or otherwise influence the composition of
88 employees with reference to race, color, sex, ethnicity, gender
89 identity, or sexual orientation other than to ensure that hiring
90 is conducted in accordance with state and federal
91 antidiscrimination laws;

92 2. Promote or provide preferential treatment or special
93 benefits to a person or group based on that person's or group's
94 race, color, sex, ethnicity, gender identity, or sexual
95 orientation; or

96 3. Promote or adopt training, programming, or activities
97 designed or implemented with reference to race, color, sex,
98 ethnicity, gender identity, or sexual orientation.



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100 The term does not include the use of equal opportunity or equal
101 employment opportunity materials designed to inform a person
102 about the prohibition against discrimination based on protected
103 status under state or federal law.

104 (c) "Diversity, equity, and inclusion office" means any
105 office, division, department, agency, center, or other unit of a
106 municipality which coordinates, creates, develops, designs,
107 implements, organizes, plans, or promotes policies, programming,
108 training, practices, meetings, activities, procedures, or
109 similar actions relating to diversity, equity, and inclusion.

110 (d) "Diversity, equity, and inclusion officer" means a
111 person who is a full-time or part-time employee of, or an
112 independent contractor contracted by, a municipality whose
113 duties include coordinating, creating, developing, designing,
114 implementing, organizing, planning, or promoting policies,
115 programming, training, practices, meetings, activities,
116 procedures, or similar actions relating to diversity, equity,
117 and inclusion.

118 (2) A municipality may not appropriate municipal funds for
119 the adoption or enforcement of ordinances, resolutions, rules,
120 regulations, programs, or policies as it relates to diversity,
121 equity, and inclusion. Any such existing

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123 ===== T I T L E A M E N D M E N T =====

124 And the title is amended as follows:

125 Delete lines 5 - 9

126 and insert:

127 municipalities, respectively, from appropriating funds



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128 for the adoption or enforcement of certain ordinances,
129 resolutions, rules, regulations, programs, and
130 policies; providing that such ordinances, resolutions,
131 rules, regulations, programs, and policies are void;
132 prohibiting counties