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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2026	.	
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The Committee on Judiciary (Yarborough) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 125.595, Florida Statutes, is created to  
read:

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

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

(a) "Acting in an official capacity" means performing or



11 purporting to perform a function, duty, or responsibility  
12 assigned by law, rule, or policy to a public officer or public  
13 employee, or otherwise exercising or claiming to exercise the  
14 authority of such office or employment.

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

16 1. Manipulate or otherwise influence the composition of  
17 employees with reference to race, color, sex, ethnicity, gender  
18 identity, or sexual orientation other than to ensure that hiring  
19 is conducted in accordance with state and federal  
20 antidiscrimination laws;

21 2. Promote or provide preferential treatment or special  
22 benefits to a person or group based on that person's or group's  
23 race, color, sex, ethnicity, gender identity, or sexual  
24 orientation; or

25 3. Promote or adopt training, programming, or activities  
26 designed or implemented with reference to race, color, sex,  
27 ethnicity, gender identity, or sexual orientation.

28  
29 The term does not include the use of equal opportunity or equal  
30 employment opportunity materials designed to inform a person  
31 about the prohibition against discrimination based on protected  
32 status under state or federal law.

33 (c) "Diversity, equity, and inclusion office" means any  
34 office, division, department, agency, center, or other unit of a  
35 county which coordinates, creates, develops, designs,  
36 implements, organizes, plans, or promotes policies, programming,  
37 training, practices, meetings, activities, procedures, or  
38 similar actions relating to diversity, equity, and inclusion.

39 (d) "Diversity, equity, and inclusion officer" means a



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40 person who is a full-time or part-time employee of, or an  
41 independent contractor contracted by, a county whose duties  
42 include coordinating, creating, developing, designing,  
43 implementing, organizing, planning, or promoting policies,  
44 programming, training, practices, meetings, activities,  
45 procedures, or similar actions relating to diversity, equity,  
46 and inclusion.(2) A county may not fund or promote, directly or  
47 indirectly, or take any official action, including, but not  
48 limited to, the adoption or enforcement of ordinances,  
49 resolutions, rules, regulations, programs, or policies, as it  
50 relates to diversity, equity, and inclusion. Any such existing  
51 ordinances, resolutions, rules, regulations, programs, or  
52 policies are void.

53 (3) A county may not expend any funds, regardless of  
54 source, to establish, sustain, support, or staff a diversity,  
55 equity, and inclusion office or to employ, contract, or  
56 otherwise engage a person to serve as a diversity, equity, and  
57 inclusion officer.

58 (4) A county commissioner or other county official acting  
59 in an official capacity who violates this section commits  
60 misfeasance or malfeasance in office.

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

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

68 (7) (a) This section does not prohibit any official action



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69 by a county required for compliance with state or federal laws  
70 or regulations.

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

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

75 2. Recognizing or promoting state holidays and special  
76 observances, including those designated in chapter 683.

77 3. Recognizing or promoting patriotic and national  
78 observances recognized by federal law, including those  
79 designated in 36 U.S.C. ss. 101-148.

80 4. Recognizing or honoring the individuals and groups  
81 recognized and honored by the monuments and memorials authorized  
82 by chapter 265 or recognizing the events forming the basis for  
83 such monuments or memorials.

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

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

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

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

95 3. Section 1000.05 or analogous state and federal laws  
96 prohibiting discrimination based on biological sex in  
97 educational programs, sports, activities, and employment.



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98           4. Chapter 381 or analogous state and federal laws ensuring  
99 males and females have access to public health services  
100 corresponding to their biological sex.

101           5. Any other state or federal laws recognizing the inherent  
102 biological differences between males and females for the purpose  
103 of ensuring their health, safety, and welfare.

104           (8) This section does not apply to:

105           (a) The actions of a body composed of nonelected  
106 volunteers; or

107           (b) Basic administrative support provided to a body  
108 composed of nonelected volunteers, unless such administrative  
109 support is provided by a county employee whose sole function is  
110 the provision of such administrative support.

111           Section 2. Section 166.04971, Florida Statutes, is created  
112 to read:

113           166.04971 Prohibition of official actions of municipalities  
114 relating to diversity, equity, and inclusion; penalty; remedy.-

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

116           (a) "Acting in an official capacity" means performing or  
117 purporting to perform a function, duty, or responsibility  
118 assigned by law, rule, or policy to a public officer or public  
119 employee, or otherwise exercising or claiming to exercise the  
120 authority of such office or employment.

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

122           1. Manipulate or otherwise influence the composition of  
123 employees with reference to race, color, sex, ethnicity, gender  
124 identity, or sexual orientation other than to ensure that hiring  
125 is conducted in accordance with state and federal  
126 antidiscrimination laws;



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127        2. Promote or provide preferential treatment or special  
128 benefits to a person or group based on that person's or group's  
129 race, color, sex, ethnicity, gender identity, or sexual  
130 orientation; or

131        3. Promote or adopt training, programming, or activities  
132 designed or implemented with reference to race, color, sex,  
133 ethnicity, gender identity, or sexual orientation.

134  
135 The term does not include the use of equal opportunity or equal  
136 employment opportunity materials designed to inform a person  
137 about the prohibition against discrimination based on protected  
138 status under state or federal law.

139        (c) "Diversity, equity, and inclusion office" means any  
140 office, division, department, agency, center, or other unit of a  
141 municipality which coordinates, creates, develops, designs,  
142 implements, organizes, plans, or promotes policies, programming,  
143 training, practices, meetings, activities, procedures, or  
144 similar actions relating to diversity, equity, and inclusion.

145        (d) "Diversity, equity, and inclusion officer" means a  
146 person who is a full-time or part-time employee of, or an  
147 independent contractor contracted by, a municipality whose  
148 duties include coordinating, creating, developing, designing,  
149 implementing, organizing, planning, or promoting policies,  
150 programming, training, practices, meetings, activities,  
151 procedures, or similar actions relating to diversity, equity,  
152 and inclusion.

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



156 resolutions, rules, regulations, programs, or policies, as it  
157 relates to diversity, equity, and inclusion. Any such existing  
158 ordinances, resolutions, rules, regulations, programs, or  
159 policies are void.

160 (3) A municipality may not expend any funds, regardless of  
161 source, to establish, sustain, support, or staff a diversity,  
162 equity, and inclusion office or to employ, contract, or  
163 otherwise engage a person to serve as a diversity, equity, and  
164 inclusion officer.

165 (4) Any member of the governing body of a municipality or  
166 other municipal official acting in an official capacity who  
167 violates this section commits misfeasance or malfeasance in  
168 office.

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

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

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

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

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

183 2. Recognizing or promoting state holidays and special  
184 observances, including those designated in chapter 683.



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185       3. Recognizing or promoting patriotic and national  
186 observances recognized by federal law, including those  
187 designated in 36 U.S.C. ss. 101-148.

188       4. Recognizing or honoring the individuals and groups  
189 recognized and honored by the monuments and memorials authorized  
190 by chapter 265 or recognizing the events forming the basis for  
191 such monuments or memorials.

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

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

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

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

203       3. Section 1000.05 or analogous state and federal laws  
204 prohibiting discrimination based on biological sex in  
205 educational programs, sports, activities, and employment.

206       4. Chapter 381 or analogous state and federal laws ensuring  
207 males and females have access to public health services  
208 corresponding to their biological sex.

209       5. Any other state or federal laws recognizing the inherent  
210 biological differences between males and females for the purpose  
211 of ensuring their health, safety, and welfare.

212       (8) This section does not apply to:

213       (a) The actions of a body composed of nonelected



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214 volunteers; or

215 (b) Basic administrative support provided to a body  
216 composed of nonelected volunteers, unless such administrative  
217 support is provided by a municipal employee whose sole function  
218 is the provision of such administrative support.

219 Section 3. Section 287.139, Florida Statutes, is created to  
220 read:

221 287.139 Prohibition against using diversity, equity, and  
222 inclusion material.—A potential recipient of a county or  
223 municipal contract or grant shall certify to the county or  
224 municipality, as applicable, before being awarded such contract  
225 or grant that the potential recipient does not and will not use  
226 county or municipal funds in requiring its employees,  
227 contractors, volunteers, vendors, or agents to ascribe to,  
228 study, or be instructed using materials relating to diversity,  
229 equity, and inclusion as defined in ss. 125.595(1) and  
230 166.04971(1).

231 Section 4. Section 287.139, Florida Statutes, created by  
232 this act applies to any contract between a county or  
233 municipality and a diversity, equity, and inclusion officer  
234 which is in existence on January 1, 2027. With respect to all  
235 other contracts, s. 287.139, Florida Statutes, created by this  
236 act applies to contracts executed or renewed after January 1,  
237 2027.

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

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

241 And the title is amended as follows:

242 Delete everything before the enacting clause



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243 and insert:

244                   A bill to be entitled  
245           An act relating to official actions of local  
246           governments; creating ss. 125.595 and 166.04971, F.S.;  
247           defining terms; prohibiting counties and  
248           municipalities, respectively, from funding or  
249           promoting or taking official action as it relates to  
250           diversity, equity, and inclusion; providing that  
251           certain ordinances, resolutions, rules, regulations,  
252           programs, and policies are void; prohibiting counties  
253           and municipalities, respectively, from expending funds  
254           for diversity, equity, and inclusion offices or for  
255           diversity, equity, and inclusion officers; providing  
256           that a county commissioner, a member of the governing  
257           body of a municipality, or any other county or  
258           municipal official acting in an official capacity who  
259           violates certain provisions commits misfeasance or  
260           malfeasance in office; prohibiting counties and  
261           municipalities, respectively, from providing or  
262           authorizing funds to be used to promote diversity,  
263           equity, and inclusion initiatives; authorizing a cause  
264           of action against counties and municipalities,  
265           respectively; authorizing a court to enter a judgment  
266           awarding certain relief, damages, and costs; providing  
267           construction and applicability; creating s. 287.139,  
268           F.S.; requiring potential recipients of county or  
269           municipal contracts or grants to make a certain  
270           certification to the county or municipality before  
271           being awarded such contract or grant; providing for



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applicability; providing an effective date.