



Amendment No.

14 events and individuals forming the basis for such monuments,  
15 memorials, or museums.

16 4. Owning, operating, maintaining, funding, or conducting  
17 events at monuments and memorials listed in 54 U.S.C. s. 320301  
18 and located in this state.

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

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

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

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

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

32 3. Section 1000.05 or analogous state and federal laws  
33 prohibiting discrimination based on biological sex in  
34 educational programs, sports, activities, and employment.

35 4. Chapter 381 or analogous state and federal laws  
36 ensuring males and females have access to public health services  
37 corresponding to their biological sex.

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

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

43 (8) This section does not apply to:

44 (a) The actions of a body composed of nonelected  
45 volunteers; or

46 (b) Basic administrative support provided to a body  
47 composed of nonelected volunteers, unless such administrative  
48 support is provided by a county employee whose sole function is  
49 the provision of such administrative support.

50 **Section 2. Section 166.04971, Florida Statutes, is created**  
51 **to read:**

52 166.04971 Prohibition of official actions of  
53 municipalities relating to diversity, equity, and inclusion;  
54 penalty; remedy.—

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

56 (a) "Acting in an official capacity" means performing or  
57 purporting to perform a function, duty, or responsibility  
58 assigned by law, rule, or policy to a public officer or public  
59 employee, or otherwise exercising or claiming to exercise the  
60 authority of such office or employment.

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

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63 1. Manipulate or otherwise influence the composition of  
64 employees with reference to race, color, sex, ethnicity, gender  
65 identity, or sexual orientation other than to ensure that hiring  
66 is conducted in accordance with state and federal  
67 antidiscrimination laws;

68 2. Promote or provide preferential treatment or special  
69 benefits to a person or group based on that person's or group's  
70 race, color, sex, ethnicity, gender identity, or sexual  
71 orientation; or

72 3. Promote or adopt training, programming, or activities  
73 designed or implemented with reference to race, color, sex,  
74 ethnicity, gender identity, or sexual orientation.

75  
76 The term does not include the use of equal opportunity or equal  
77 employment opportunity materials designed to inform a person  
78 about the prohibition against discrimination based on protected  
79 status under state or federal law.

80 (c) "Diversity, equity, and inclusion office" means any  
81 office, division, department, agency, center, or other unit of a  
82 municipality which coordinates, creates, develops, designs,  
83 implements, organizes, plans, or promotes policies, programming,  
84 training, practices, meetings, activities, procedures, or  
85 similar actions relating to diversity, equity, and inclusion.

86 (d) "Diversity, equity, and inclusion officer" means a  
87 person who is a full-time or part-time employee of, or an

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88 independent contractor contracted by, a municipality whose  
89 duties include coordinating, creating, developing, designing,  
90 implementing, organizing, planning, or promoting policies,  
91 programming, training, practices, meetings, activities,  
92 procedures, or similar actions relating to diversity, equity,  
93 and inclusion.

94 (2) A municipality may not fund or promote, directly or  
95 indirectly, or take any official action, including, but not  
96 limited to, the adoption or enforcement of ordinances,  
97 resolutions, rules, regulations, programs, or policies, as it  
98 relates to diversity, equity, and inclusion. Any such existing  
99 ordinances, resolutions, rules, regulations, programs, or  
100 policies are void.

101 (3) A municipality may not expend any funds, regardless of  
102 source, to establish, sustain, support, or staff a diversity,  
103 equity, and inclusion office or to employ, contract, or  
104 otherwise engage a person to serve as a diversity, equity, and  
105 inclusion officer.

106 (4) Any member of the governing body of a municipality or  
107 other municipal official acting in an official capacity who  
108 violates this section commits misfeasance or malfeasance in  
109 office.

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

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

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

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

122 1. Recognizing or promoting holidays and special  
123 observances.

124 2. Promoting or supporting a nonprofit entity that  
125 provides single-sex programs for the homeless or education,  
126 counseling, and rehabilitation of trauma-involved or at-risk  
127 youth.

128 3. Recognizing or honoring the individuals and groups  
129 recognized and honored by the monuments, memorials, and museums  
130 authorized by chapter 265 or chapter 267, or recognizing the  
131 events and individuals forming the basis for such monuments,  
132 memorials, or museums.

133 4. Owning, operating, maintaining, funding, or conducting  
134 events at monuments and memorials listed in 54 U.S.C. s. 320301  
135 and located in this state.

136 5. Issuing event permits in a content-neutral manner and

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