



727146

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD/2R

.

03/04/2026 02:44 PM

.

.

Senator Jones moved the following:

Senate Amendment

Delete lines 114 - 230

and insert:

national monuments and memorials designated by acts of Congress
or by presidential proclamation pursuant to 54 U.S.C. s. 320301,
or recognizing the events and individuals forming the basis for
such monuments, memorials, or museums.

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

(c) This section does not prohibit the use of equal



12 opportunity or equal employment opportunity materials designed
13 to inform a person about the prohibition against discrimination
14 based on protected status under state or federal law.

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

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

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

22 3. Section 1000.05 or analogous state and federal laws
23 prohibiting discrimination based on biological sex in
24 educational programs, sports, activities, and employment.

25 4. Chapter 381 or analogous state and federal laws ensuring
26 males and females have access to public health services
27 corresponding to their biological sex.

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

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

33 (8) This section does not apply to:

34 (a) The actions of a body composed of nonelected
35 volunteers; or

36 (b) Basic administrative support provided to a body
37 composed of nonelected volunteers, unless such administrative
38 support is provided by a county employee whose sole function is
39 the provision of such administrative support.

40 Section 2. Section 166.04971, Florida Statutes, is created



41 to read:

42 166.04971 Prohibition of official actions of municipalities
43 relating to diversity, equity, and inclusion; penalty; remedy.-

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

45 (a) "Acting in an official capacity" means performing or
46 purporting to perform a function, duty, or responsibility
47 assigned by law, rule, or policy to a public officer or public
48 employee, or otherwise exercising or claiming to exercise the
49 authority of such office or employment.

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

51 1. Manipulate or otherwise influence the composition of
52 employees with reference to race, color, sex, ethnicity, gender
53 identity, or sexual orientation other than to ensure that hiring
54 is conducted in accordance with state and federal
55 antidiscrimination laws;

56 2. Promote or provide preferential treatment or special
57 benefits to a person or group based on that person's or group's
58 race, color, sex, ethnicity, gender identity, or sexual
59 orientation; or

60 3. Promote or adopt training, programming, or activities
61 designed or implemented with reference to race, color, sex,
62 ethnicity, gender identity, or sexual orientation.

63
64 The term does not include the use of equal opportunity or equal
65 employment opportunity materials designed to inform a person
66 about the prohibition against discrimination based on protected
67 status under state or federal law.

68 (c) "Diversity, equity, and inclusion office" means any
69 office, division, department, agency, center, or other unit of a



727146

70 municipality which coordinates, creates, develops, designs,
71 implements, organizes, plans, or promotes policies, programming,
72 training, practices, meetings, activities, procedures, or
73 similar actions relating to diversity, equity, and inclusion.

74 (d) "Diversity, equity, and inclusion officer" means a
75 person who is a full-time or part-time employee of, or an
76 independent contractor contracted by, a municipality whose
77 duties include coordinating, creating, developing, designing,
78 implementing, organizing, planning, or promoting policies,
79 programming, training, practices, meetings, activities,
80 procedures, or similar actions relating to diversity, equity,
81 and inclusion.

82 (2) A municipality may not fund or promote, directly or
83 indirectly, or take any official action, including, but not
84 limited to, the adoption or enforcement of ordinances,
85 resolutions, rules, regulations, programs, or policies, as it
86 relates to diversity, equity, and inclusion. Any such existing
87 ordinances, resolutions, rules, regulations, programs, or
88 policies are void.

89 (3) A municipality may not expend any funds, regardless of
90 source, to establish, sustain, support, or staff a diversity,
91 equity, and inclusion office or to employ, contract, or
92 otherwise engage a person to serve as a diversity, equity, and
93 inclusion officer.

94 (4) Any member of the governing body of a municipality or
95 other municipal official acting in an official capacity who
96 violates this section commits misfeasance or malfeasance in
97 office.

98 (5) A municipality may not provide or authorize its funds



727146

99 to be used by employees, contractors, volunteers, vendors, or
100 agents to promote diversity, equity, and inclusion initiatives.

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

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

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

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

112 2. Recognizing or promoting state holidays and special
113 observances designated by state law, including those designated
114 in chapter 683.

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

119 4. Recognizing or honoring the individuals and groups
120 recognized and honored by the monuments, memorials, and museums
121 authorized by chapter 265, ss. 267.0722 and 267.0724, or
122 national monuments and memorials designated by acts of Congress
123 or by presidential proclamation pursuant to 54 U.S.C. s. 320301,