



LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/18/2026	.	
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The Committee on Rules (Yarborough) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

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

7 125.595 Prohibition of official actions of counties
8 relating to diversity, equity, and inclusion; penalty; remedy.—
9 (1) For purposes of this section, the term:
10 (a) "Acting in an official capacity" means performing or
11 purporting to perform a function, duty, or responsibility



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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
40 person who is a full-time or part-time employee of, or an



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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.

47 (2) A county may not fund or promote, directly or
48 indirectly, or take any official action, including, but not
49 limited to, the adoption or enforcement of ordinances,
50 resolutions, rules, regulations, programs, or policies, as it
51 relates to diversity, equity, and inclusion. Any such existing
52 ordinances, resolutions, rules, regulations, programs, or
53 policies are void.

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

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

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

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

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



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

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

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

76 2. Recognizing or promoting state holidays and special
77 observances designated by state law, including those designated
78 in chapter 683.

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

83 4. Recognizing or honoring the individuals and groups
84 recognized and honored by the monuments, memorials, and museums
85 authorized by chapter 265 and ss. 267.0722 and 267.0724 or
86 recognizing the events and individuals forming the basis for
87 such monuments, memorials, or museums.

88 5. Issuing event permits in a content-neutral manner.

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

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

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

97 2. Part XII of chapter 39 or analogous state and federal
98 laws ensuring that victims of domestic violence and their



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99 dependents have access to emergency shelters.

100 3. Section 1000.05 or analogous state and federal laws
101 prohibiting discrimination based on biological sex in
102 educational programs, sports, activities, and employment.

103 4. Chapter 381 or analogous state and federal laws ensuring
104 males and females have access to public health services
105 corresponding to their biological sex.

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

109 (8) This section does not apply to:

110 (a) The actions of a body composed of nonelected
111 volunteers; or

112 (b) Basic administrative support provided to a body
113 composed of nonelected volunteers, unless such administrative
114 support is provided by a county employee whose sole function is
115 the provision of such administrative support.

116 (9) This section must be liberally construed to accomplish
117 its purposes which include:

118 (a) Recognizing that all individuals have equal intrinsic
119 value and worth.

120 (b) Prohibiting practices that assign value to individuals
121 based on a group identity defined by race, color, sex,
122 ethnicity, gender identity, or sexual orientation, and
123 prohibiting practices that overlook individual merit and
124 qualifications.

125 (c) Acknowledging the existence of scientific biological
126 realities for impartially taking race, sex, or ethnicity into
127 account for the purpose of promoting and providing health care.



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128 Section 2. Section 166.04971, Florida Statutes, is created
129 to read:

130 166.04971 Prohibition of official actions of municipalities
131 relating to diversity, equity, and inclusion; penalty; remedy.-

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

133 (a) "Acting in an official capacity" means performing or
134 purporting to perform a function, duty, or responsibility
135 assigned by law, rule, or policy to a public officer or public
136 employee, or otherwise exercising or claiming to exercise the
137 authority of such office or employment.

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

139 1. Manipulate or otherwise influence the composition of
140 employees with reference to race, color, sex, ethnicity, gender
141 identity, or sexual orientation other than to ensure that hiring
142 is conducted in accordance with state and federal
143 antidiscrimination laws;

144 2. Promote or provide preferential treatment or special
145 benefits to a person or group based on that person's or group's
146 race, color, sex, ethnicity, gender identity, or sexual
147 orientation; or

148 3. Promote or adopt training, programming, or activities
149 designed or implemented with reference to race, color, sex,
150 ethnicity, gender identity, or sexual orientation.

151
152 The term does not include the use of equal opportunity or equal
153 employment opportunity materials designed to inform a person
154 about the prohibition against discrimination based on protected
155 status under state or federal law.

156 (c) "Diversity, equity, and inclusion office" means any



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157 office, division, department, agency, center, or other unit of a
158 municipality which coordinates, creates, develops, designs,
159 implements, organizes, plans, or promotes policies, programming,
160 training, practices, meetings, activities, procedures, or
161 similar actions relating to diversity, equity, and inclusion.

162 (d) "Diversity, equity, and inclusion officer" means a
163 person who is a full-time or part-time employee of, or an
164 independent contractor contracted by, a municipality whose
165 duties include coordinating, creating, developing, designing,
166 implementing, organizing, planning, or promoting policies,
167 programming, training, practices, meetings, activities,
168 procedures, or similar actions relating to diversity, equity,
169 and inclusion.

170 (2) A municipality may not fund or promote, directly or
171 indirectly, or take any official action, including, but not
172 limited to, the adoption or enforcement of ordinances,
173 resolutions, rules, regulations, programs, or policies, as it
174 relates to diversity, equity, and inclusion. Any such existing
175 ordinances, resolutions, rules, regulations, programs, or
176 policies are void.

177 (3) A municipality may not expend any funds, regardless of
178 source, to establish, sustain, support, or staff a diversity,
179 equity, and inclusion office or to employ, contract, or
180 otherwise engage a person to serve as a diversity, equity, and
181 inclusion officer.

182 (4) Any member of the governing body of a municipality or
183 other municipal official acting in an official capacity who
184 violates this section commits misfeasance or malfeasance in
185 office.



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

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

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

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

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

200 2. Recognizing or promoting state holidays and special
201 observances designated by state law, including those designated
202 in chapter 683.

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

207 4. Recognizing or honoring the individuals and groups
208 recognized and honored by the monuments, memorials, and museums
209 authorized by chapter 265 and ss. 267.0722 and 267.0724 or
210 recognizing the events and individuals forming the basis for
211 such monuments, memorials, or museums.

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214 opportunity or equal employment opportunity materials designed



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215 to inform a person about the prohibition against discrimination
216 based on protected status under state or federal law.

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

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

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

224 3. Section 1000.05 or analogous state and federal laws
225 prohibiting discrimination based on biological sex in
226 educational programs, sports, activities, and employment.

227 4. Chapter 381 or analogous state and federal laws ensuring
228 males and females have access to public health services
229 corresponding to their biological sex.

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

233 (8) This section does not apply to:

234 (a) The actions of a body composed of nonelected
235 volunteers; or

236 (b) Basic administrative support provided to a body
237 composed of nonelected volunteers, unless such administrative
238 support is provided by a municipal employee whose sole function
239 is the provision of such administrative support.

240 (9) This section must be liberally construed to accomplish
241 its purposes which include:

242 (a) Recognizing that all individuals have equal intrinsic
243 value and worth.



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244 (b) Prohibiting practices that assign value to individuals
245 based on a group identity defined by race, color, sex,
246 ethnicity, gender identity, or sexual orientation, and
247 prohibiting practices that overlook individual merit and
248 qualifications.

249 (c) Acknowledging the existence of scientific biological
250 realities for impartially taking race, sex, or ethnicity into
251 account for the purpose of promoting and providing health care.

252 Section 3. Section 287.139, Florida Statutes, is created to
253 read:

254 287.139 Prohibition against using diversity, equity, and
255 inclusion material.—A potential recipient of a county or
256 municipal contract or grant shall certify to the county or
257 municipality, as applicable, before being awarded such contract
258 or grant that the potential recipient does not and will not use
259 county or municipal funds in requiring its employees,
260 contractors, volunteers, vendors, or agents to ascribe to,
261 study, or be instructed using materials relating to diversity,
262 equity, and inclusion as defined in ss. 125.595(1) and
263 166.04971(1).

264 Section 4. Section 287.139, Florida Statutes, created by
265 this act applies to any contract between a county or
266 municipality and a diversity, equity, and inclusion officer
267 which is in existence on January 1, 2027. With respect to all
268 other contracts, s. 287.139, Florida Statutes, created by this
269 act applies to contracts executed or renewed after January 1,
270 2027.

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



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273 ===== TITLE AMENDMENT =====

274 And the title is amended as follows:

275 Delete everything before the enacting clause
276 and insert:

277 A bill to be entitled
278 An act relating to official actions of local
279 governments; creating ss. 125.595 and 166.04971, F.S.;
280 defining terms; prohibiting counties and
281 municipalities, respectively, from funding or
282 promoting or taking official action as it relates to
283 diversity, equity, and inclusion; providing that
284 certain ordinances, resolutions, rules, regulations,
285 programs, and policies are void; prohibiting counties
286 and municipalities, respectively, from expending funds
287 for diversity, equity, and inclusion offices or for
288 diversity, equity, and inclusion officers; providing
289 that a county commissioner, a member of the governing
290 body of a municipality, or any other county or
291 municipal official acting in an official capacity who
292 violates certain provisions commits misfeasance or
293 malfeasance in office; prohibiting counties and
294 municipalities, respectively, from providing or
295 authorizing funds to be used to promote diversity,
296 equity, and inclusion initiatives; authorizing a cause
297 of action against counties and municipalities,
298 respectively; authorizing a court to enter a judgment
299 awarding certain relief, damages, and costs; providing
300 construction and applicability; creating s. 287.139,
301 F.S.; requiring potential recipients of county or



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302 municipal contracts or grants to make a certain
303 certification to the county or municipality before
304 being awarded such contract or grant; providing
305 applicability; providing an effective date.