



859208

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/18/2026	.	
	.	
	.	
	.	

The Committee on Rules (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
purporting to perform a function, duty, or responsibility



859208

assigned by law, rule, or policy to a public officer or public employee, or otherwise exercising or claiming to exercise the authority of such office or employment.

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

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

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

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

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

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

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



859208

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

(2) A county may not fund or promote, directly or indirectly, or take any official action, including, but not limited to, 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, equity, and inclusion office or to employ, contract, or otherwise engage a person to serve as a diversity, equity, and inclusion officer.

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

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

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

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



859208

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

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

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

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

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

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

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

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

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

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

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



859208

dependents have access to emergency shelters.

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

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

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

(8) This section does not apply to:

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

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

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

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

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

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



859208

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

166.04971 Prohibition of official actions of municipalities 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 purporting to perform a function, duty, or responsibility assigned by law, rule, or policy to a public officer or public employee, or otherwise exercising or claiming to exercise the authority of such office or employment.

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

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

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

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

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

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



859208

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

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

(2) A municipality may not fund or promote, directly or
indirectly, or take any official action, including, but not
limited to, 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 municipality may not expend any funds, regardless of
source, to establish, sustain, support, or staff a diversity,
equity, and inclusion office or to employ, contract, or
otherwise engage a person to serve as a diversity, equity, and
inclusion officer.

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



859208

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.

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

213 (c) This section does not prohibit the use of equal
214 opportunity or equal employment opportunity materials designed



859208

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

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

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

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

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

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

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

(8) This section does not apply to:

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

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

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

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



859208

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

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

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

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

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

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



859208

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to official actions of local
governments; creating ss. 125.595 and 166.04971, F.S.;
defining terms; prohibiting counties and
municipalities, respectively, from funding or
promoting or taking official action as it relates to
diversity, equity, and inclusion; providing that
certain ordinances, resolutions, rules, regulations,
programs, and policies are void; prohibiting counties
and municipalities, respectively, from expending funds
for diversity, equity, and inclusion offices or for
diversity, equity, and inclusion officers; providing
that a county commissioner, a member of the governing
body of a municipality, or any other county or
municipal official acting in an official capacity who
violates certain provisions commits misfeasance or
malfeasance in office; prohibiting counties and
municipalities, respectively, from providing or
authorizing funds to be used to promote diversity,
equity, and inclusion initiatives; authorizing a cause
of action against counties and municipalities,
respectively; authorizing a court to enter a judgment
awarding certain relief, damages, and costs; providing
construction and applicability; creating s. 287.139,
F.S.; requiring potential recipients of county or



859208

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.