



LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 4/F/2R

.

03/04/2026 11:48 AM

.

.

---

Senator Smith moved the following:

**Senate Substitute for Amendment (648678)**

Delete lines 102 - 234

and insert:

1. Recognizing or promoting holidays and special observances.

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

3. Recognizing or honoring the individuals and groups recognized and honored by the monuments, memorials, and museums



12 authorized by chapter 265 or chapter 267, or recognizing the  
13 events and individuals forming the basis for such monuments,  
14 memorials, or museums.

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

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

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

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

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

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

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

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

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

39 6. Any other state or federal laws recognizing the inherent  
40 biological differences between males and females for the purpose



893150

41 of ensuring their health, safety, and welfare.

42 (8) This section does not apply to:

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

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

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

51 166.04971 Prohibition of official actions of municipalities  
52 relating to diversity, equity, and inclusion; penalty; remedy.-

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

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

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

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

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

69 3. Promote or adopt training, programming, or activities



70 designed or implemented with reference to race, color, sex,  
71 ethnicity, gender identity, or sexual orientation.

72  
73 The term does not include the use of equal opportunity or equal  
74 employment opportunity materials designed to inform a person  
75 about the prohibition against discrimination based on protected  
76 status under state or federal law.

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

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

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

98 (3) A municipality may not expend any funds, regardless of



99 source, to establish, sustain, support, or staff a diversity,  
100 equity, and inclusion office or to employ, contract, or  
101 otherwise engage a person to serve as a diversity, equity, and  
102 inclusion officer.

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

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

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

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

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

119 1. Recognizing or promoting holidays and special  
120 observances.

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

124 3. Recognizing or honoring the individuals and groups  
125 recognized and honored by the monuments, memorials, and museums  
126 authorized by chapter 265 or chapter 267 or recognizing the  
127 events and individuals forming the basis for such monuments,



893150

128 memorials, or museums.

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

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