

**By** Senator Yarborough

4-00723B-26

20261134

28 Be It Enacted by the Legislature of the State of Florida:

4-00723B-26

20261134

30       Section 1. Section 125.595, Florida Statutes, is created to  
31       read:

32       125.595 Prohibition of official actions of counties  
33       relating to diversity, equity, and inclusion; penalty; remedy.—

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

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

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

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

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

48

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

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

4-00723B-26

20261134

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

67        (2) A county may not fund or promote, directly or  
68        indirectly, or take any official action, including, but not  
69        limited to, the adoption or enforcement of ordinances,  
70        resolutions, rules, regulations, programs, or policies, as it  
71        relates to diversity, equity, and inclusion. Any such existing  
72        ordinances, resolutions, rules, regulations, programs, or  
73        policies are void.

74        (3) A county may not expend any funds, regardless of  
75        source, to establish, sustain, support, or staff a diversity,  
76        equity, and inclusion office or to employ, contract, or  
77        otherwise engage a person to serve as a diversity, equity, and  
78        inclusion officer.

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

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

86        (6) (a) This section does not prohibit any official action  
87        by a county required for compliance with state or federal laws

4-00723B-26

20261134

88 or regulations.89 (b) This section does not prohibit a county from doing any  
90 of the following:91 1. Recognizing or promoting holidays designated by federal  
92 law, including those designated in 5 U.S.C. s. 6103.93 2. Recognizing or promoting state holidays and special  
94 observances, including those designated in chapter 683.95 3. Recognizing or promoting patriotic and national  
96 observances recognized by federal law, including those  
97 designated in 36 U.S.C. ss. 101-148.98 4. Recognizing or honoring the individuals and groups  
99 recognized and honored by the monuments and memorials authorized  
100 by chapter 265 or recognizing the events forming the basis for  
101 such monuments or memorials.102 (c) This section does not prohibit the use of equal  
103 opportunity or equal employment opportunity materials designed  
104 to inform a person about the prohibition against discrimination  
105 based on protected status under state or federal law.106 (d) This section may not be construed to conflict with:  
107 1. Section 553.865 or analogous state and federal laws  
108 protecting the right of males and females to restrooms and  
109 changing facilities corresponding to their biological sex.110 2. Part XII of chapter 39 or analogous state and federal  
111 laws ensuring that victims of domestic violence and their  
112 dependents have access to emergency shelters.113 3. Section 1000.05 or analogous state and federal laws  
114 prohibiting discrimination based on biological sex in  
115 educational programs, sports, activities, and employment.116 4. Chapter 381 or analogous state and federal laws ensuring

4-00723B-26

20261134

117 males and females have access to public health services  
118 corresponding to their biological sex.

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

122 (7) This section does not apply to:

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

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

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

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

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

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

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

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

144 3. Promote or adopt training, programming, or activities  
145 designed or implemented with reference to race, color, sex,

4-00723B-26

20261134

146 ethnicity, gender identity, or sexual orientation.

147

148 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.

150

151

152 (b) "Diversity, equity, and inclusion office" means any  
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.

153

154

155

156

157

158 (c) "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.

159

160

161

162

163

164

165

166 (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.

167

168

169

170

171

172

173

174 (3) A municipality may not expend any funds, regardless of  
source, to establish, sustain, support, or staff a diversity,

4-00723B-26

20261134

175 equity, and inclusion office or to employ, contract, or  
176 otherwise engage a person to serve as a diversity, equity, and  
177 inclusion officer.

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

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

186 (6) (a) This section does not prohibit any official action  
187 by the governing body of a municipality required for compliance  
188 with state or federal laws or regulations.

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

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

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

195 3. Recognizing or promoting patriotic and national  
196 observances recognized by federal law, including those  
197 designated in 36 U.S.C. ss. 101-148.

198 4. Recognizing or honoring the individuals and groups  
199 recognized and honored by the monuments and memorials authorized  
200 by chapter 265 or recognizing the events forming the basis for  
201 such monuments or memorials.

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

4-00723B-26

20261134

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

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

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

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

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

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

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

222 (7) This section does not apply to:

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

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

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

231 287.139 Prohibition against using diversity, equity, and  
232 inclusion material.—A potential recipient of a county or

4-00723B-26

20261134

233 municipal contract or grant shall certify to the county or  
234 municipality, as applicable, before being awarded such contract  
235 or grant that the potential recipient does not and will not use  
236 county or municipal funds in requiring its employees,  
237 contractors, volunteers, vendors, or agents to ascribe to,  
238 study, or be instructed using materials relating to diversity,  
239 equity, and inclusion as defined in ss. 125.595(1) and  
240 166.04971(1).

241 Section 4. This act shall take effect January 1, 2027.