

HB 1407

2026

1 A bill to be entitled
2 An act relating to commencement of civil actions;
3 amending s. 760.11, F.S.; requiring certain civil
4 actions to be commenced within specified periods;
5 providing an effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:

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9 **Section 1. Subsection (5) of section 760.11, Florida**
10 **Statutes, is amended to read:**

11 760.11 Administrative and civil remedies; construction.—

12 (5) In any civil action brought under this section, the
13 court may issue an order prohibiting the discriminatory practice
14 and providing affirmative relief from the effects of the
15 practice, including back pay. The court may also award
16 compensatory damages, including, but not limited to, damages for
17 mental anguish, loss of dignity, and any other intangible
18 injuries, and punitive damages. Sections ~~The provisions of ss.~~
19 768.72 and 768.73 do not apply to this section. The judgment for
20 the total amount of punitive damages awarded under this section
21 to an aggrieved person shall not exceed \$100,000. In any action
22 or proceeding under this subsection, the court, in its
23 discretion, may allow the prevailing party a reasonable attorney
24 ~~attorney's~~ fee as part of the costs. It is the intent of the
25 Legislature that this provision for attorney ~~attorney's~~ fees be

26 | interpreted in a manner consistent with federal case law
27 | involving a Title VII action. The right to trial by jury is
28 | preserved in any such private right of action in which the
29 | aggrieved person is seeking compensatory or punitive damages,
30 | and any party may demand a trial by jury. The commission's
31 | determination of reasonable cause is not admissible into
32 | evidence in any civil proceeding, including any hearing or
33 | trial, except to establish for the court the right to maintain
34 | the private right of action. A civil action brought under this
35 | section shall be commenced no later than 1 year after the date
36 | of determination of reasonable cause by the commission or the
37 | issuance of a Notice of Right to Sue by the Equal Employment
38 | Opportunity Commission, whichever is earlier. If a determination
39 | of reasonable cause is not made by the commission or a Notice of
40 | Right to Sue is not issued by the Equal Employment Opportunity
41 | Commission within 180 days after the filing of the complaint, a
42 | civil action brought under this section shall be commenced no
43 | later than 18 months after the filing of the complaint. The
44 | commencement of such action shall divest the commission of
45 | jurisdiction of the complaint, except that the commission may
46 | intervene in the civil action as a matter of right.
47 | Notwithstanding the above, the state and its agencies and
48 | subdivisions shall not be liable for punitive damages. The total
49 | amount of recovery against the state and its agencies and
50 | subdivisions shall not exceed the limitation as set forth in s.

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51 768.28 (5) .

52 **Section 2.** This act shall take effect July 1, 2026.