

CS/HB 1407

2026

A bill to be entitled  
An act relating to commencement of civil actions;  
amending s. 760.11, F.S.; removing the requirement  
that the Florida Commission on Human Relations send  
certain information to certain persons by registered  
mail; requiring certain civil actions to be commenced  
within specified periods; making technical changes;  
providing an effective date.

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

Section 1. Subsections (1), (3), and (5) of section 760.11, Florida Statutes, are amended to read:

## 760.11 Administrative and civil remedies; construction.—

(1) Any person aggrieved by a violation of ss. 760.01-

760.10 may file a complaint with the commission within 365 days of the alleged violation, naming the employer, employment agency, labor organization, or joint labor-management committee, or, in the case of an alleged violation of s. 760.10(5), the person responsible for the violation and describing the violation. Any person aggrieved by a violation of s. 509.092 may file a complaint with the commission within 365 days of the alleged violation, naming the person responsible for the violation and describing the violation. The commission, a commissioner, or the Attorney General may in like manner file

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26 such a complaint. On the same day the complaint is filed with  
27 the commission, the commission shall clearly stamp on the face  
28 of the complaint the date the complaint was filed with the  
29 commission. In lieu of filing the complaint with the commission,  
30 a complaint under this section may be filed with the federal  
31 Equal Employment Opportunity Commission or with any unit of  
32 government of the state which is a fair-employment-practice  
33 agency under 29 C.F.R. ss. 1601.70-1601.80. If the date the  
34 complaint is filed is clearly stamped on the face of the  
35 complaint, that date is the date of filing. The date the  
36 complaint is filed with the commission for purposes of this  
37 section is the earliest date of filing with the Equal Employment  
38 Opportunity Commission, the fair-employment-practice agency, or  
39 the commission. The complaint shall contain a short and plain  
40 statement of the facts describing the violation and the relief  
41 sought. The commission may require additional information to be  
42 in the complaint. The commission, within 5 days of the complaint  
43 being filed, shall ~~by registered mail~~ send a copy of the  
44 complaint to the person who allegedly committed the violation.  
45 The person who allegedly committed the violation may file an  
46 answer to the complaint within 25 days of the date the complaint  
47 was filed with the commission. Any answer filed shall be mailed  
48 to the aggrieved person by the person filing the answer. Both  
49 the complaint and the answer shall be verified.

50 (3) Except as provided in subsection (2), the commission

51 shall investigate the allegations in the complaint. Within 180  
52 days of the filing of the complaint, the commission shall  
53 determine if there is reasonable cause to believe that  
54 discriminatory practice has occurred in violation of the Florida  
55 Civil Rights Act of 1992. When the commission determines whether  
56 or not there is reasonable cause, the commission ~~by registered~~  
57 mail shall promptly notify the aggrieved person and the  
58 respondent of the reasonable cause determination, the date of  
59 such determination, and the options available under this  
60 section.

61 (5) In any civil action brought under this section, the  
62 court may issue an order prohibiting the discriminatory practice  
63 and providing affirmative relief from the effects of the  
64 practice, including back pay. The court may also award  
65 compensatory damages, including, but not limited to, damages for  
66 mental anguish, loss of dignity, and any other intangible  
67 injuries, and punitive damages. Sections ~~The provisions of ss.~~  
68 768.72 and 768.73 do not apply to this section. The judgment for  
69 the total amount of punitive damages awarded under this section  
70 to an aggrieved person shall not exceed \$100,000. In any action  
71 or proceeding under this subsection, the court, in its  
72 discretion, may allow the prevailing party a reasonable attorney  
73 ~~attorney's~~ fee as part of the costs. It is the intent of the  
74 Legislature that this provision for attorney ~~attorney's~~ fees be  
75 interpreted in a manner consistent with federal case law

76 involving a Title VII action. The right to trial by jury is  
77 preserved in any such private right of action in which the  
78 aggrieved person is seeking compensatory or punitive damages,  
79 and any party may demand a trial by jury. The commission's  
80 determination of reasonable cause is not admissible into  
81 evidence in any civil proceeding, including any hearing or  
82 trial, except to establish for the court the right to maintain  
83 the private right of action. A civil action brought under this  
84 section shall be commenced no later than 1 year after the date  
85 of determination of reasonable cause by the commission or the  
86 issuance of a Notice of Right to Sue by the Equal Employment  
87 Opportunity Commission, whichever is earlier. If a determination  
88 of reasonable cause is not made by the commission or a Notice of  
89 Right to Sue is not issued by the Equal Employment Opportunity  
90 Commission within 180 days after the filing of the complaint, a  
91 civil action brought under this section may be commenced no  
92 later than 18 months after the filing of the complaint. The  
93 commencement of such action shall divest the commission of  
94 jurisdiction of the complaint, except that the commission may  
95 intervene in the civil action as a matter of right.  
96 Notwithstanding the above, the state and its agencies and  
97 subdivisions shall not be liable for punitive damages. The total  
98 amount of recovery against the state and its agencies and  
99 subdivisions shall not exceed the limitation as set forth in s.  
100 768.28(5).

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