

1 A bill to be entitled
2 An act relating to the communication rights of
3 individuals with disabilities; creating s. 393.0665,
4 F.S.; defining terms; providing that individuals with
5 a disability have the right to communicate in their
6 preferred manner; prohibiting state agencies, schools,
7 and health care providers from restricting or denying
8 such individuals access to their preferred alternative
9 communication method; specifying alternative
10 communication methods recognized under the act;
11 specifying rights that individuals with disabilities
12 have with respect to their communication needs;
13 requiring the Agency for Persons with Disabilities to
14 adopt rules and develop certain training; providing
15 requirements for the training; establishing the
16 Communication Rights Advisory Board within the agency
17 for a specified purpose; providing for membership and
18 duties of the board; providing for future repeal of
19 the board; requiring the agency to adopt procedures
20 for reporting violations of specified provisions;
21 providing for administrative penalties; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
25

26 **Section 1. Section 393.0665, Florida Statutes, is created**
27 **to read:**

28 393.0665 Communication Bill of Rights for Individuals with
29 Disabilities.—

30 (1) DEFINITIONS.—As used in this section, the term:

31 (a) "Alternative communication method" means a
32 communication technique or device that is evidence-based or
33 recognized by relevant professional organizations, including,
34 but not limited to, the American Speech-Language-Hearing
35 Association, and that allows an individual with a disability to
36 communicate independently without improper influence.

37 (b) "Health care provider" means any facility licensed
38 under this chapter or a provider as defined in s. 408.803.

39 (c) "Individual with a disability" means a person with a
40 developmental disability as defined in s. 393.063; a physical or
41 mental impairment that substantially limits one or more major
42 life activities; or any other disability as defined under state
43 or federal law, including the Americans with Disabilities Act.

44 (d) "School" means any child care, early education,
45 elementary, secondary, or postsecondary educational setting.

46 (e) "State agency" means a separate agency or unit of
47 state government created or established by law and any entity
48 under the control of or established for the benefit of a state
49 agency.

50 (2) COMMUNICATION RIGHTS.—

51 (a) An individual with a disability has the right to
52 communicate in his or her preferred manner. A state agency, a
53 school, or a health care provider in this state may not restrict
54 or deny an individual with a disability access to his or her
55 preferred alternative communication method.

56 (b) Alternative communication methods recognized under
57 this section include, but are not limited to, all of the
58 following:

59 1. Augmentative and alternative communication devices.
60 2. Letterboards and typing-based communication.
61 3. Sign language and nonverbal gestural systems.
62 4. Speech-generating devices or other assistive
63 technologies.

64 (c) Individuals with disabilities have the right to:
65 1. Have their preferred alternative communication method
66 recognized and supported in educational, health, and public
67 settings.

68 2. Access needed speech-language therapy and communication
69 support from licensed professionals without arbitrary
70 restrictions.

71 3. Have reasonable access to trained staff in public
72 facilities or programs to support their specialized
73 communication needs.

74 4. Receive communication support from trained staff,
75 including agency staff, direct-support professionals, educators,

76 and health care providers.

77 5. Be free from bans or restrictions on their preferred
78 alternative communication methods.

79 (3) AGENCY RESPONSIBILITIES.—

80 (a) The agency shall adopt rules to implement this
81 section, including a statement of rights and the obligations of
82 staff and providers required to observe the communication rights
83 of individuals with disabilities under this section.

84 (b) The agency shall develop training programs for direct-
85 support professionals, educators, and health care staff. The
86 training must include, but need not be limited to, instruction
87 on all of the following:

88 1. Communication accommodations and alternative
89 communication methods.

90 2. The requirements of this section, including supporting
91 an individual's preferred alternative communication method
92 unless another method is agreed upon by the individual or his or
93 her legal guardian.

94 (4) COMMUNICATION RIGHTS ADVISORY BOARD.—The Communication
95 Rights Advisory Board is created within the agency to advise the
96 agency on matters relating to individuals with disabilities.

97 (a) The board shall be composed of 15 members, at least 7
98 of whom must be individuals with disabilities or family members
99 or guardians of individuals with disabilities and the remainder
100 of whom must be either professionals who, in the course of their

101 respective professions, treat or serve individuals with
102 disabilities or representatives of disability advocacy
103 organizations. Board members shall be appointed as follows:

104 1. Three members appointed by the Governor.

105 2. Three members appointed by the President of the Senate.

106 3. Three members appointed by the Speaker of the House of
107 Representatives.

108 4. Three members appointed by the Minority Leader of the
109 Senate.

110 5. Three members appointed by the Minority Leader of the
111 House of Representatives.

112 (b) The board shall do all of the following:

113 1. Advise the agency on the implementation of this
114 section.

115 2. Review policies and practices to ensure compliance with
116 communication rights enumerated under this section.

117 3. Submit an annual report to the Governor, the President
118 of the Senate, and the Speaker of the House of Representatives.

119 (c) In accordance with s. 20.052(8), this subsection is
120 repealed October 2, 2029, unless reviewed and saved from repeal
121 through reenactment by the Legislature.

122 (5) ENFORCEMENT.—

123 (a) The agency shall establish procedures for individuals
124 with disabilities or their representatives to report violations
125 of this section.

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126 (b) Violations of this section are subject to a civil
127 penalty of \$500 per violation in addition to any other
128 administrative action imposed in accordance with s. 393.0673 or
129 s. 408.813, as applicable, for such violation.

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