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1 A bill to be entitled 2 An act relating to government actions discriminating 3 against businesses; providing a short title; creating 4 s. 760.65, F.S.; providing definitions; prohibiting 5 certain discriminatory actions by governmental 6 entities against business entities; providing an 7 effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. This act may be cited as the "Free Enterprise 12 Protection Act." Section 2. Section 760.65, Florida Statutes, is created to 13 14 read: 15 760.65 Discriminatory action by government against 16 businesses.-17 (1) As used in this section, the term: 18 "Business entity" means a sole proprietorship, 19 corporation, limited liability company, limited liability 20 partnership, or other legal entity, association, or body vested 21 with the power or function of a legal entity. 22 (b) "Discriminatory action" means any action taken by a 23 government entity to: 1. Alter in any way the tax treatment of, or cause any 24 25 tax, penalty, or payment to be assessed against a business

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26 entity;

- 2. Deny, delay, or revoke a business entity's exemption
 from taxation or other tax benefit;
- 3. Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity any grant, contract, subcontract, cooperative agreement, bond issue, license, certification, or other similar opportunity, position, or status; or
- 4. Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity access or an entitlement to property, facilities, speech forums, including traditional, limited, and nonpublic forums, or charitable fundraising campaigns.
- (c) "Governmental entity" means any branch, department, agency, commission, or instrumentality of state government or any political subdivision of the state and any official or other person acting under color of state law.
- (2) A governmental entity shall not take discriminatory action against a business entity:
- (a) On the basis of the internal policies of the business entity, including, but not limited to, personnel and employee benefit policies that are in compliance with state law.
- (b) Because of the business entity's exercise of a right guaranteed under the state or federal constitutions, including, but not limited to, the rights of freedom of expression and free

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1	exercise of religion.										
52	Se	ction	3.	This	act	shall	take	effect	July	1,	2018.

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