

By Representatives Benson, Murman and Jennings

1                                   A bill to be entitled  
2           An act relating to civil rights; amending s.  
3           760.11, F.S., pertaining to administrative and  
4           civil remedies for violations of ss.  
5           760.01-760.10, F.S., the "Florida Civil Rights  
6           Act of 1992"; revising procedures for filing  
7           complaints; providing an effective date.

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

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11           Section 1. Subsection (1) of section 760.11, Florida  
12   Statutes, is amended to read:

13           760.11 Administrative and civil remedies;  
14   construction.--

15           (1) Any person aggrieved by a violation of ss.  
16   760.01-760.10 may file a complaint with the commission within  
17   365 days of the alleged violation, naming the employer,  
18   employment agency, labor organization, or joint  
19   labor-management committee, or, in the case of an alleged  
20   violation of s. 760.10(5), the person responsible for the  
21   violation and describing the violation. Any person aggrieved  
22   by a violation of s. 509.092 may file a complaint with the  
23   commission within 365 days of the alleged violation naming the  
24   person responsible for the violation and describing the  
25   violation. The commission, a commissioner, or the Attorney  
26   General may in like manner file such a complaint. On the same  
27   day the complaint is filed with the commission, the commission  
28   shall clearly stamp on the face of the complaint the date the  
29   complaint was filed with the commission. In addition, the  
30   complaint may be filed with the Equal Employment Opportunity  
31   Commission or with any unit of government of the state which

1 is a fair-employment-practice agency under section 706 of the  
2 Civil Rights Act of 1964 (Pub. L. No. 88-352), as amended, 42  
3 U.S.C. s. 2000e-5. The Equal Employment Opportunity Commission  
4 or the local section 706 agency shall clearly stamp on the  
5 face of the complaint the date the complaint was filed with  
6 the commission. The date of filing with the commission is the  
7 earliest date of filing with the Equal Employment Opportunity  
8 Commission, the local section 706 agency, or the commission.  
9 The complaint shall contain a short and plain statement of the  
10 facts describing the violation and the relief sought. The  
11 commission may require additional information to be in the  
12 complaint. The commission, within 5 days of the complaint  
13 being filed, shall by registered mail send a copy of the  
14 complaint to the person who allegedly committed the violation.  
15 The person who allegedly committed the violation may file an  
16 answer to the complaint within 25 days of the date the  
17 complaint was filed with the commission. Any answer filed  
18 shall be mailed to the aggrieved person by the person filing  
19 the answer. Both the complaint and the answer shall be  
20 verified.

21 Section 2. This act shall take effect upon becoming a  
22 law.

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25 SENATE SUMMARY

26 Revises procedures for filing complaints seeking  
27 administrative and civil remedies for violations of the  
28 "Florida Civil Rights Act of 1992," ss. 760.01-760.10,  
29 F.S.  
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