

1 A bill to be entitled
 2 An act relating to emergency calls made with
 3 discriminatory intent; creating s. 837.051, F.S.;
 4 prohibiting emergency calls made with specified
 5 discriminatory intent; providing a civil remedy;
 6 providing for damages, attorney fees, and costs;
 7 providing construction; 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. Section 837.051, Florida Statutes, is created
 12 to read:

13 837.051 Remedy for emergency calls made with
 14 discriminatory intent.-

15 (1) A person may bring a civil action in any court of
 16 competent jurisdiction against any responsible party who,
 17 motivated by the person's race, religion, sex, or any other
 18 protected status, through the use of a "911" call or similar
 19 emergency communication knowingly causes a law enforcement
 20 officer to arrive at a location to contact the person with the
 21 intent to do any of the following:

22 (a) Infringe upon the person's rights under either the
 23 State Constitution or the United States Constitution.

24 (b) Unlawfully discriminate against the person.

25 (c) Cause the person to feel harassed, humiliated, or

26 embarrassed.

27 (d) Cause the person to be expelled from a place in which
28 the other person is lawfully located.

29 (e) Damage the person's reputation or standing within the
30 community.

31 (f) Damage the person's financial, economic, consumer, or
32 business prospects or interests.

33 (2) A prevailing plaintiff who suffers harm as a result of
34 a violation of subsection (1) may recover damages against the
35 responsible party, including, but not limited to, general
36 damages, including damages for infliction of emotional distress
37 and for damages caused by the law enforcement officers who
38 respond to the call, special damages, and punitive damages
39 against the responsible party, or, in lieu of actual damages, an
40 award of statutory damages in an amount not exceeding \$10,000,
41 but not less than \$250. A prevailing plaintiff shall also be
42 entitled to reasonable attorney fees and costs in addition to
43 any other recovery.

44 (3) This section does not preclude the application of any
45 other existing remedies provided by law.

46 Section 2. This act shall take effect July 1, 2021.