A bill to be entitled
An act relating to gender and biological sex; amending
s. 322.01, F.S.; defining the term "sex"; amending ss.
322.051, 322.08, and 322.14, F.S.; requiring
applications for driver licenses and identification
cards, as well as printed driver licenses, to indicate
a person's sex instead of his or her gender; creating
s. 627.6411, F.S.; requiring health insurance policies
that include coverage for sex-reassignment
prescriptions or procedures to also provide coverage
for certain detransition treatments; requiring health
insurers providing such coverage to also offer
insurance policies that do not provide such coverage;
prohibiting health insurance policies from prohibiting
coverage of certain mental health and therapeutic
services; providing applicability; amending ss.
627.657, 627.6699, and 641.31, F.S.; requiring group
health insurance policies, health benefit plans, and
health maintenance contracts that include coverage for
sex-reassignment prescriptions or procedures to also
provide coverage for certain detransition treatments;
requiring group health insurers, carriers, and health
maintenance organizations providing such coverage to
also offer insurance policies that do not provide such
coverage; prohibiting group health insurance policies,
Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (49) is added to section 322.01, Florida Statutes, to read:

322.01 Definitions.—As used in this chapter:

(49) "Sex" means the classification of a person as either male or female based on the organization of the human body of such person for a specific reproductive role as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.

Section 2. Paragraph (a) of subsection (1) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) The application must include the following information regarding the applicant:
1. Full name (first, middle or maiden, and last), sex, proof of social security card number satisfactory to the department, which may include a military identification card, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

   a. A driver license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

   b. A certified copy of a United States birth certificate;

   c. A valid, unexpired United States passport;

   d. A naturalization certificate issued by the United States Department of Homeland Security;

   e. A valid, unexpired alien registration receipt card (green card);

   f. A Consular Report of Birth Abroad provided by the United States Department of State;

   g. An unexpired employment authorization card issued by
the United States Department of Homeland Security; or

h. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove nonimmigrant classification, an applicant must provide at least one of the following documents. In addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) A notice of the approval of an application for adjustment of status issued by the United States Citizenship and Immigration Services.

(IV) An official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Citizenship and Immigration Services.

(V) A notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Citizenship and Immigration Services.

(VI) An order of an immigration judge or immigration officer granting relief that authorizes the alien to live and
work in the United States, including, but not limited to, asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

An identification card issued based on documents required in sub-subparagraph g. or sub-subparagraph h. is valid for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

Section 3. Paragraph (a) of subsection (2) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(2) Each such application shall include the following information regarding the applicant:

(a) Full name (first, middle or maiden, and last), sex, gender, proof of social security card number satisfactory to the
department, which may include a military identification card, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

Section 4. Paragraph (a) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)(a) The department shall, upon successful completion of all required examinations and payment of the required fee, issue to every qualified applicant a printed driver license that must bear a color photograph or digital image of the licensee; the name of the state; a distinguishing number assigned to the licensee, which, beginning November 1, 2023, must have a minimum of four randomly generated digits on each original, renewal, or replacement driver license; and the licensee's full name, date of birth, and residence address; a brief description of the licensee, including, but not limited to, the licensee's sex and height; and the dates of issuance and expiration of the license. A space shall be provided upon which the licensee shall affix his or her usual signature. A license is invalid until it has been signed by the licensee except that the signature of the licensee is not required if it appears thereon in facsimile or if the licensee is not present within the state at the time of issuance.

Section 5. Section 627.6411, Florida Statutes, is created...
(1) A health insurance policy that is delivered or issued to a person in the state may offer, for an appropriate additional premium, coverage for sex-reassignment prescriptions or procedures, as defined in s. 456.001, only if the same health insurance policy also provides coverage for treatment to detransition from the sex-reassignment prescriptions or procedures.

(2) A health insurer that delivers or issues a health insurance policy that provides coverage described under subsection (1) must also offer a health insurance policy that does not provide such coverage.

(3) A health insurance policy that is delivered or issued to a person in the state may not prohibit the coverage of mental health or therapeutic services to treat a person's perception that his or her sex, as defined in s. 456.001, is inconsistent with such person's sex at birth by affirming the insured's sex.

(4) This section applies to health insurance policies delivered, issued, or renewed on or after January 1, 2025.
or issued to any group in the state may offer, for an
appropriate additional premium, coverage for sex-reassignment
prescriptions or procedures, as defined in s. 456.001, only if
the same group health insurance policy also provides coverage
for treatment to detransition from the sex-reassignment
prescriptions or procedures.

(b) A group health insurer that delivers or issues a group
health insurance policy that provides coverage described under
paragraph (a) must also offer a group health insurance policy
that does not provide such coverage.

(c) A group health insurance policy that is delivered or
issued to any group in the state may not prohibit the coverage
of mental health or therapeutic services to treat a person's
perception that his or her sex, as defined in s. 456.001, is
inconsistent with such person's sex at birth by affirming the
insured's sex.

(d) This subsection applies to group health insurance
policies delivered, issued, or renewed on or after January 1, 2025.

Section 7. Paragraph (h) is added to subsection (5) of
section 627.6699, Florida Statutes, to read:

627.6699  Employee Health Care Access Act.—
(5) AVAILABILITY OF COVERAGE.—
(h)1. A health benefit plan that is delivered or issued to
an individual or a group in the state may offer, for an
appropriate additional premium, coverage for sex-reassignment prescriptions or procedures, as defined in s. 456.001, only if
the same health benefit plan also provides coverage for
treatment to detransition from the sex-reassignment
prescriptions or procedures.

2. A carrier that delivers or issues a health benefit plan
that provides coverage described under subparagraph 1. must also
offer a health benefit plan that does not provide such coverage.

3. A health benefit plan that is delivered or issued to an
individual or a group in the state may not prohibit the coverage
of mental health or therapeutic services to treat a person's
perception that his or her sex, as defined in s. 456.001, is
inconsistent with such person's sex at birth by affirming the
insured's sex.

4. This paragraph applies to health benefit plans
delivered, issued, or renewed on or after January 1, 2025.

Section 8. Subsection (48) is added to section 641.31,
Florida Statutes, to read:

641.31 Health maintenance contracts.—
(48)(a) A health maintenance contract that is delivered or
issued to a subscriber or group in the state may offer, for an
appropriate additional premium, coverage for sex-reassignment
prescriptions or procedures, as defined in s. 456.001, only if
the same health maintenance contract also provides coverage for
treatment to detransition from the sex-reassignment
prescriptions or procedures.

(b) A health maintenance organization that delivers or
issues a health maintenance contract that provides coverage
described under paragraph (a) must also offer a health
maintenance contract that does not provide such coverage.

(c) A health maintenance contract that is delivered or
issued to a subscriber or group in the state may not prohibit
the coverage of mental health or therapeutic services to treat a
person's perception that his or her sex, as defined in s.
456.001, is inconsistent with such person's sex at birth by
affirming the insured's sex.

(d) This subsection applies to health maintenance
contracts delivered, issued, or renewed on or after January 1,
2025.

Section 9. This act shall take effect July 1, 2024.