A bill to be entitled
An act relating to gender identity employment practices; creating s. 110.1051, F.S.; providing definitions; specifying an employment policy of the state relating to a person's sex; providing applicability; prohibiting employees and contractors of certain employers from being required to use, from providing, and from being asked to provide certain titles and pronouns; prohibiting employees and contractors from being penalized or subjected to certain actions for not providing certain titles and pronouns; prohibiting adverse personnel action on the basis of deeply held religious or biology-based beliefs; providing administrative and civil remedies; authorizing the Department of Management Services to adopt rules; amending s. 760.10, F.S.; providing that it is an unlawful employment practice for a nonprofit organization and certain employers to require certain training, instruction, or activity as a condition of employment; defining the term "nonprofit organization"; reenacting s. 760.11(1) and (15), F.S., relating to administrative and civil remedies, to incorporate the amendment made to s. 760.10, F.S., in references thereto; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 110.1051, Florida Statutes, is created to read:

110.1051 Personal titles and pronouns.—

(1) As used in this section, the term:

(a) "Adverse personnel action" means the discharge, suspension, transfer, or demotion of an employee or a contractor or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee or a contractor within the terms and conditions of employment by an employer.

(b) "Contractor" means an individual, partnership, corporation, or business entity that enters or attempts to enter into a contract for services with an employer.

(c) "Employee" means an individual employed by, or attempting to be employed by, an employer.

(d) "Employer" means the state or any county, municipality, or special district or any subdivision or agency thereof.

(e) "Sex" means the classification of a person as either female or male based on the organization of the 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.
(2) It is the policy of the state that a person's sex is an immutable biological trait and that it is false to ascribe to a person a pronoun that does not correspond to such person's sex. This section does not apply to individuals born with a genetically or biochemically verifiable disorder of sex development, including, but not limited to, 46, XX disorder of sex development; 46, XY disorder of sex development; sex chromosome disorder of sex development; XX or XY sex reversal; and ovotesticular disorder.

(3) An employee or a contractor may not be required, as a condition of employment, to refer to another person using that person's preferred personal title or pronouns if such personal title or pronouns do not correspond to that person's sex.

(4) An employee or a contractor may not provide to an employer his or her preferred personal title or pronouns if such preferred personal title or pronouns do not correspond to his or her sex.

(5) An employee or a contractor may not be asked by an employer to provide his or her preferred personal title or pronouns or be penalized or subjected to adverse personnel action for not providing his or her preferred personal title or pronouns.

(6)(a) It is an unlawful employment practice for an employer to take adverse personnel action against an employee or a contractor because of the employee's or contractor's deeply
held religious or biology-based beliefs, including a belief in
traditional or Biblical views of sexuality and marriage, or the
employee's or contractor's disagreement with gender ideology,
whether those views are expressed by the employee or contractor
at or away from the worksite.

(b) An employee or a contractor aggrieved by a violation
of this subsection may avail himself or herself to the
administrative and civil remedies provided in s. 760.11.

(7) The Department of Management Services may adopt rules
to administer this section.

Section 2. Subsections (10) and (11) of section 760.10,
Florida Statutes, are renumbered as subsections (11) and (12),
respectively, and a new subsection (10) is added to that
section, to read:

760.10 Unlawful employment practices.—
(10) It is an unlawful employment practice for a nonprofit
organization or an employer who receives funding from the state
to require, as a condition of employment, any training,
instruction, or other activity on sexual orientation, gender
identity, or gender expression. For purposes of this subsection,
the term "nonprofit organization" means any organization that is
exempt from taxation pursuant to 26 U.S.C. s. 501, or any
federal, state, or local governmental entity.

Section 3. For the purpose of incorporating the amendment
made by this act to section 760.10, Florida Statutes, in a
reference thereto, Subsections (1) and (15) of section 760.11, Florida Statutes, are reenacted to read:

760.11 Administrative and civil remedies; construction.—
(1) Any person aggrieved by a violation of ss. 760.01-760.10 may file a complaint with the commission within 365 days of the alleged violation, naming the employer, employment agency, labor organization, or joint labor-management committee, or, in the case of an alleged violation of s. 760.10(5), the person responsible for the violation and describing the violation. Any person aggrieved by a violation of s. 509.092 may file a complaint with the commission within 365 days of the alleged violation naming the person responsible for the violation and describing the violation. The commission, a commissioner, or the Attorney General may in like manner file such a complaint. On the same day the complaint is filed with the commission, the commission shall clearly stamp on the face of the complaint the date the complaint was filed with the commission. In lieu of filing the complaint with the commission, a complaint under this section may be filed with the federal Equal Employment Opportunity Commission or with any unit of government of the state which is a fair-employment-practice agency under 29 C.F.R. ss. 1601.70-1601.80. If the date the complaint is filed is clearly stamped on the face of the complaint, that date is the date of filing. The date the complaint is filed with the commission for purposes of this
section is the earliest date of filing with the Equal Employment Opportunity Commission, the fair-employment-practice agency, or the commission. The complaint shall contain a short and plain statement of the facts describing the violation and the relief sought. The commission may require additional information to be in the complaint. The commission, within 5 days of the complaint being filed, shall by registered mail send a copy of the complaint to the person who allegedly committed the violation. The person who allegedly committed the violation may file an answer to the complaint within 25 days of the date the complaint was filed with the commission. Any answer filed shall be mailed to the aggrieved person by the person filing the answer. Both the complaint and the answer shall be verified.

(15) In any civil action or administrative proceeding brought pursuant to this section, a finding that a person employed by the state or any governmental entity or agency has violated s. 760.10 shall as a matter of law constitute just or substantial cause for such person's discharge.

Section 4. This act shall take effect July 1, 2024.