

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

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BILL #: [CS/CS/HB 1471](#)

TITLE: Systems of Law and Terrorist Organizations

SPONSOR(S): Cassel

COMPANION BILL: [CS/CS/SB 1632](#) (Grall)

LINKED BILLS: [CS/CS/HB 1473](#) (Cassel)

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 80 Y's

25 N's

GOVERNOR'S ACTION:

Pending

SUMMARY

Effect of the Bill:

CS/CS/HB 1471 prohibits a court or other adjudicatory body from applying or enforcing provisions of foreign or religious laws, foreign judgments and orders, and specified contractual provisions in certain situations. The bill creates a process by which the Chief of Domestic Security may designate a domestic or foreign terrorist organization if certain conditions are met, which designation may be approved or denied by a vote of the Governor and Cabinet. Notice of intent to designate an entity must generally be served upon such entity. The bill also provides criminal penalties for certain conduct, prohibits certain actions related to engaging with or funding a designated terrorist organization, and allows for administrative dissolution of a corporation designated as a terrorist organization.

The bill amends various provisions within Florida's education laws to:

- Require applicable schools in Florida to prohibit certain actions and prohibit certain expenditures.
- Authorize the withholding of state funds if certain expenditure prohibitions are violated.
- Expand provisions relating to student participation in disruptive activities.
- Require expulsion of a student for violations relating to the promotion of a terrorist organization.
- Prohibit awarding a grant or other specified monies to a student who promotes a terrorist organization.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on state government.

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ANALYSIS

EFFECT OF THE BILL:

Prohibition on Application and Enforcement of Religious Law or Foreign Law

CS/CS/HB 1471 creates s. 2.05, F.S., to prohibit a [court](#), [administrative law judge](#), hearing officer, agency, or arbitration panel, or any other authority or tribunal established by law or agreement of the parties, from applying any provision of religious law or foreign law that would result in a violation of a person's constitutional rights under the United States Constitution or the Florida Constitution. (Section [1](#)).

The bill prohibits a court from enforcing a foreign judgment or order that is the result of the application of any provision of foreign or religious law which is inconsistent with a person's constitutional rights or which violates the public policy of Florida or the United States by being repugnant to fundamental principles of what is decent and just. (Section [1](#)).

Additionally, the bill prohibits a court or other adjudicatory body from enforcing a choice of law clause of a contract which would violate a person's constitutional rights. The bill also prohibits a court from enforcing a forum selection clause of a contract which is likely to violate a person's constitutional rights. (Section [1](#)).

STORAGE NAME: h1471z

DATE: 3/20/2026

Definitions

With respect to the provisions of the bill, “religious law” and “foreign law” are defined as follows:

- “Religious law” means a legal code or formal system of law that is associated with a religion and is based on the sacred texts or traditions of such religion, and specifically includes [Sharia law](#).
- “Foreign law” means a legal code or formal system of law of a foreign country or nation, or of an international organization. (Section [1](#)).

However, the bill provides that the terms “religious law” and “foreign law” do not include any of the following:

- The [natural law](#) or natural rights, as those terms are understood within the legal tradition of the United States or the State of Florida.
- A provision of the U.S. Constitution or a Constitution of one of the States within the Union.
- A provision of federal law or a provision of state law.
- The [common law](#).
- A provision of law of a Native American tribe within a state or territory of the United States.
- A treaty that has been ratified by the United States and is in effect. (Section [1](#)).

The bill explicitly provides that it does not apply to the governance, administration, or adjudication of ecclesiastical matters of a religious organization, including, but not limited to:

- The selection, appointment, discipline, or removal of employees or clergy.
- The interpretation of doctrine. (Section [1](#)).

Designation of Terrorist Organizations

The bill creates [s. 943.03102, F.S.](#), to empower the Florida [Chief of Domestic Security](#) within the [Florida Department of Law Enforcement](#) to designate an organization as a “domestic terrorist organization” or a “[foreign terrorist organization](#)” if he or she finds that the organization meets specified criteria. The bill also:

- Requires the Department of Law Enforcement to adopt rules to implement this new section. (Section [8](#)).
- Requires the Chief of Domestic Security to maintain and publish a list of the designated foreign terrorist organizations and domestic terrorist organizations on the Florida Department of Law Enforcement’s website. (Section [8](#)).
- Adds a definition of “domestic terrorist organization” to various criminal statutes. (Sections [3-7](#)).

Domestic Terrorist Organization Criteria

To designate an organization as a domestic terrorist organization, the Chief of Domestic Security must find that:

- The organization is based in or operates in the State of Florida or in the United States.
The organization is engaging in [terrorist activity](#) as defined in [s. 775.30, F.S.](#)
- The organization’s terrorist activity is an ongoing threat to the security of the State of Florida or the United States. (Section [8](#)).

Foreign Terrorist Organization Criteria

To designate an organization as a foreign terrorist organization, the Chief of Domestic Security must find that:

- The organization is designated as a foreign terrorist organization by the United States Secretary of State pursuant to Section 219 of the [Immigration and Nationality Act](#).
- The organization’s terrorist activity is an ongoing threat to the security of the State of Florida or the United States. (Section [9](#)).

Designation Process

The bill requires the Chief of Domestic Security to provide written notice to the Governor and [Cabinet](#) that he or she intends to make the designation, along with a summary for the basis of his or her findings relating to such proposed designation. The Governor and Cabinet may, after 7 days from the date of receipt of written notice of the designation is received, by a majority vote, approve or reject a designation of an organization as a domestic terrorist organization or a foreign terrorist organization. The Chief of Domestic Security must maintain a list of organizations with either designation and must review each designation every five years. (Section [8](#)).

If the subject organization has a readily discernible location or office and notice can be safely furnished to the organization, such notice of intent must be delivered to the organization. The notice of intent must include the date, time, and location of any public meeting regarding the designation as well as information on how to object to or appeal the designation. The written findings regarding the basis for the designation are not required to be included with the notice of intent. (Section [8](#)).

If a public meeting is held to consider the designation, meeting materials which are not otherwise confidential or exempt must be published and made available to the public. (Section [8](#)).

Notice and Challenge of Designation

If the Governor and Cabinet approve a designation, the Chief of Domestic Security must, within 7 days of such approval, publish the designation in the [Florida Administrative Register \(FAR\)](#). Within 30 days after publication in the FAR, the designated organization, or any member thereof, may challenge the designation in the circuit court of the Second Judicial Circuit (Leon County). A court is prohibited from compelling the public disclosure of any document that is confidential or exempt under state law, or is otherwise protected from public disclosure under federal law. Moreover, the following remedies may be utilized at any time:

- An organization may petition the Department of Law Enforcement for removal of its designation.
- The Governor and Cabinet may remove, by a majority vote, a designation. (Section [8](#)).

Legal Requirements, Prohibitions, and Consequences Relating to Terrorist Designation

The bill provides that, when an organization is designated as a domestic terrorist organization or a foreign terrorist organization, the following consequences attach:

- The Department of State may commence an administrative proceeding under [s. 617.1421, F.S.](#), to [dissolve a corporation](#) if:
 - The corporation has been designated as a domestic terrorist organization or foreign terrorist organization;
 - The designation as such has been published in the Florida Administrative Register; and
 - Any timely judicial challenge as provided for under s. 943.03102, F.S., has been resolved against the organization. (Section [2](#)).
- A state agency, political subdivision, or public school district may not expend state-appropriated funds or ad valorem taxes to support such organization or member thereof. (Section [8](#)).
- A state agency, political subdivision, or public school district may not accept any funds from a foreign terrorist organization or a domestic terrorist organization, or a member of such organization, whose designation as such has been published in the FAR. However, the prohibition on the acceptance of funds does not prohibit the acceptance of funds resulting from fines, penalties, forfeitures, taxes, or payment for goods and services. (Section [8](#)).
- The following terrorist-related crimes include, under the bill, conduct involving a domestic terrorist organization as designated by the Chief of Domestic Security:
 - The crime of using military-type training provided by a terrorist organization as prohibited by [s. 775.32, F.S.](#) (Section [4](#)).
 - The crime of providing material support or resources for terrorism or to terrorist organizations as prohibited in [s. 775.33, F.S.](#) (Section [5](#)).
 - The crime of willfully becoming a member of a terrorist organization as prohibited in [s. 775.34, F.S.](#) (Section [6](#)).

Education Provisions Relating to Terrorist Designation

The bill amends the requirements for [private schools participating in state scholarship programs](#) to include a prohibition on:

- Employment of, or contracting with;
- Ownership or operation by; and
- Acceptance of funds from, a person or entity that is affiliated with or in any way controlled by:
 - A foreign terrorist organization, whose designation has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S., or a member of such organization;
 - A criminal gang or a criminal gang member as defined in [s. 874.03, F.S.](#);
 - A terrorist organization as defined in [s. 874.03, F.S.](#);
 - A transnational crime organization, as defined in [s. 874.03, F.S.](#), or a member of such organization;
 - A domestic terrorist organization as defined in [s. 775.32, F.S.](#);
 - A person or entity that has:
 - Provided material support or resources, as defined in [s. 775.33\(1\), F.S.](#), to; or
 - Received such support or resources, from, a foreign terrorist organization whose designation has been published in the FAR, or a criminal gang, terrorist organization, transnational crime organization, or domestic terrorist organization, as those terms are defined in [s. 874.03, F.S.](#);
 - A person or entity that has demonstrated a pattern or practice of supporting or advocating for terrorism as defined in [s. 775.30\(1\), F.S.](#)
 - A high school program or student group that promotes a domestic terrorist organization or a foreign terrorist organization whose designation has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S.; or
 - A school program or student group that promotes a person or entity providing material support to a domestic terrorist organization or foreign terrorist organization whose designation as such has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S. (Section [9](#)).

The bill creates s. 1003.035, F.S., to prohibit certain expenditures by a public school, including a charter school, school district, charter school administrator, or direct-support organization for such. Such institutions may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

- Promote a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S.
- Promote a person or entity providing material support to a domestic terrorist organization or a foreign terrorist organization whose designation as such has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S. (Section [10](#)).

The bill expands [prohibited expenditures](#) for a Florida College System (FCS) institution, state university, FCS institution direct-support organization, or state university direct-support organization to include the expenditure of state or federal funds to promote, support, or maintain any programs or campus activities that promote a domestic terrorist organization or a foreign terrorist organization, as designated by the Chief of Domestic Security in s. 943.03102, F.S. Additionally, the bill authorizes the State Board of Education or the Board of Governors to withhold performance-based funding from a FCS institution or state university that violates the prohibited expenditures provision. (Section [11](#)).

The bill expands provisions relating to [student participation in disruptive activities](#) by requiring a public postsecondary educational institution to report information relating to the current status of a student who is attending the institution on a student visa if the student promotes a foreign terrorist organization or a domestic terrorist organization whose designation as such has been published in the FAR pursuant to the procedures established by the bill in s. 943.03102, F.S. Under the bill, after a student of a state institution of higher learning has

been determined to have promoted a foreign terrorist organization or a domestic terrorist organization, such student must be immediately expelled from the institution. (Section [12](#)).

For the purposes of student participation in disruptive activities and other provisions in the bill relating to promotion of terrorist organizations, the bill defines the promotion of a foreign terrorist organization or domestic terrorist organization to mean making a statement or taking an action that supports, approves, or encourages a terrorist organization's extralegal violence and which in context:

- Is reasonably interpreted as a true threat of unlawful violence;
- Materially disrupts the orderly learning environment;
- Involves substantial disorder or the invasion of the rights of others; or
- Constitutes the provision of material support for or the recruitment of members for such an organization. (Sections [12](#) and [13](#)).

For the purposes of postsecondary educational scholarships, fees, and financial assistance, the bill defines the following terms:

- "Domestic terrorist organization" means an organization whose designation as such has been published in the FAR in accordance with the provisions of s. 943.03102, F.S.
- "Foreign terrorist organization" means an organization whose designation as such has been published in the FAR in accordance with the provisions of s. 943.03102, F.S. (Section [13](#)).

Regarding [FCS institution and state university tuition](#), the bill requires a student determined to have promoted a domestic terrorist organization or a foreign terrorist organization during any term of enrollment be immediately expelled from the institution and assessed the out-of-state fee. Similarly, such a student is prohibited from receiving any statutory fee waiver. (Sections [14-16](#)).

The bill prohibits awarding any institutional or state grants, financial aid, scholarships, or tuition assistance to a student who promotes a domestic terrorist organization or a foreign terrorist organization during any term of enrollment. (Section [17](#)).

[Whereas Clauses](#)

The bill includes several "whereas" clauses, which state that:

- The Legislature finds that the federal and State constitutions guarantee the free exercise of religion.
- The United States and the State of Florida have a long and cherished history of protecting religious freedom.
- The Supreme Court of the United States has acknowledged that the U.S. Constitution does not prohibit the regulation of conduct or actions, even if such conduct or actions are motivated by religion, if such conduct or actions "have invariably posed some substantial threat to public safety, peace, or order."
- The Florida Constitution provides that "[r]eligious freedom shall not justify practices inconsistent with public morals, peace or safety."
- The Legislature finds that certain practices inherent in some foreign legal systems violate fundamental due process rights, deny equal protection of the laws based on sex or religious belief, or authorize cruel and unusual punishments, and that such practices are incompatible with the United States and Florida Constitutions.
- Practices of some foreign or religious laws that are incompatible with the United States Constitution, Florida Constitution, or are repugnant to fundamental principles of what is decent and just, include, but are not limited to:
 - Practices that limit the testimony or weight of a woman's testimony in judicial proceedings; and
 - Practices that limit the testimony or weight of a person's testimony in judicial proceedings due to the person's religious beliefs.

- The Legislature has determined that no public or private authority or tribunal in Florida should apply any foreign law or enforce any foreign judgment or order or contractual choice of law or forum selection provision that would result in a violation of a person’s constitutional rights.

Subject to the Governor’s veto powers, the effective date of the bill is July 1, 2026. (Section [18](#)).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Terrorism](#)

[Terrorist Activity](#)

The crime of “terrorism,” or terrorist activity, is generally defined under Florida law as an activity that either:

- Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States or is a violation of [s. 815.06, F.S.](#); and
- Is intended to:
 - Intimidate, injure, or coerce a civilian population;
 - Influence the policy of a government by intimidation or coercion; or
 - Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.¹

Terrorism is a first-degree felony when it is committed in furtherance of:

- Intimidating or coercing the policy of a government; or
- Affecting the conduct of a government by mass destruction, assassination, or kidnapping.²

Terrorism is a life felony when it causes death or serious bodily injury.³

[Foreign Terrorist Organization](#)

Under current Florida law, a “[foreign terrorist organization](#)” means an organization that has been designated as a terrorist organization under Section 219 of the federal Immigration and Nationality Act.⁴ Examples of current federally designated [foreign terrorist organizations](#) include, but are not limited to:

- Lebanese Muslim Brotherhood.
- Clan del Golfo.
- Cartel de los Soles.
- Antifa Ost., aka Hammerbande.
- Informal Anarchist Federation/International Revolutionary Front (FAI/FRI).
- Armed Proletarian Justice.
- Cartel de Sinaloa.
- ISIS.
- Islamic Jihad Union.
- Army of Islam.
- Haqqani Network.⁵

¹ [S. 775.30\(1\), F.S.](#)

² [S. 775.30\(2\), F.S.](#)

³ [S. 775.30\(3\), F.S.](#)

⁴ [S. 775.32\(1\)\(b\), F.S.](#); see also [s. 775.33\(1\)\(a\), F.S.](#)

⁵ The complete list of Foreign Terrorist Organizations can be viewed on the U.S. Department of State’s website at <https://www.state.gov/foreign-terrorist-organizations>.

Florida Department of Law Enforcement

The Florida Constitution provides that the Florida Department of Law Enforcement is headed by the Governor as chair, the Chief Financial Officer, the Attorney General, and the Commissioner of Agriculture.⁶ The Constitution creates, within the Department, the Office of Domestic Security and Counterterrorism, which is required to provide support for prosecutors and law enforcement officers who investigate or analyze information relating to terrorism.⁷

Florida law provides that the executive director of the Florida Department of Law Enforcement, or another employee designated by the director, serves as the state [Chief of Domestic Security](#) for the purpose of coordinating Department efforts to prepare against and respond to terrorist activities within the state of Florida.⁸ The Chief of Domestic Security also has the responsibility to, among other duties:

- Coordinate the efforts of the Department in the ongoing assessment of Florida’s vulnerability to, and ability to detect, prevent, prepare for, respond to, and recover from, acts of terrorism within or affecting this state and immigration enforcement incidents within or affecting this state.
- Prepare recommendations based upon ongoing assessments to limit the vulnerability of Florida to terrorism and immigration enforcement incidents.
- Coordinate the collection of proposals to limit the vulnerability of the state to terrorism and immigration enforcement incidents.
- Use regional task forces to support certain duties of the Department.
- Use public or private resources to perform certain duties assigned to the Department.⁹

Conceptions of Law

The following terms relating to law have the following general meanings:

- The “[common law](#)” generally refers to precedents that are established by court decisions, rather than statutes that are passed by a legislature.¹⁰ In Florida, the “common law” and statute laws of England which are consistent with the Constitution and laws of the United States are still in force.¹¹
- The “[natural law](#)” generally refers to a set of principles that are inherent in nature and have universal application in determining whether conduct is right or wrong.¹² Natural law is sometimes contrasted with “positive law,” which is written down.¹³

The Religion of Islam and Sharia Law

The religion of Islam was founded by Muhammad between 610 A.D. and 632 A.D. in the Arabic cities of Mecca and Medina.¹⁴ Today, Islam has over two billion followers globally and is the world’s second-largest religion, after Christianity.¹⁵ In the United States, however, Muslims make up only about 1% of the population.¹⁶

⁶ Art. IV, s. 4(g), Fla. Const.

⁷ *Id.*

⁸ [S. 943.03, F.S.](#)

⁹ [S. 943.0311, F.S.](#)

¹⁰ *The American Heritage Dictionary* 372 (5th ed. 2011).

¹¹ [S. 2.01, F.S.](#)

¹² *The American Heritage Dictionary* at 1174.

¹³ *Id.* at 1375.

¹⁴ Samir Khalil Samir, 111 Questions on Islam 31 (Wafik Nasry, Ignatius Press 2008) (2002).

¹⁵ World Population Review, *Muslim Population by Country 2026*, <https://worldpopulationreview.com/country-rankings/muslim-population-by-country> (last visited March 17, 2026).

¹⁶ Pew Research Center, *How U.S. Muslims Compare with other Americans Religiously and Demographically*, <https://www.pewresearch.org/short-reads/2025/06/18/how-us-muslims-compare-with-other-americans-religiously-and-demographically/> (last visited March 17, 2026).

The sacred scripture of Islam is the Quran, which generally styles itself as divine speech.¹⁷ Muhammad claimed the Quran as his own miracle, though it was not assembled into one volume until about twenty years after his death.¹⁸ Today, Muslims consider the Quran to be a divine book that was sent down from heaven to Muhammad, who then communicated it to his followers.¹⁹

The Islamic code of law is known as Sharia.²⁰ It is derived from two sources: the Quran and the recorded sayings of Muhammad.²¹ Because Islam understands itself to be a global project that relates to all aspects of human life, it dictates not only how persons should live religiously but also how civil government should be ordered.²² Put another way, the religious law determines the civil law and organizes the private and communal life of those who live in a Muslim society.²³ Various Muslim-majority countries adhere to Sharia law, but to differing degrees.²⁴

The concept of Sharia, as it intersects with Western values within Western countries, has become a topic of debate,²⁵ especially in the areas of free speech,²⁶ corporal punishment, the use of violence, religious tolerance,²⁷ democracy, women's rights,²⁸ and LGBT rights.²⁹

Terms Used in Florida Government

[Florida Court System](#)

The Florida Court System is established by Article V of the Florida Constitution, and is composed of a Supreme Court, six district courts of appeal, and various circuit and county courts.³⁰ The judicial power of the State of Florida is vested in the courts, which rule on disputes between litigants.³¹ The right to access the courts is expressly protected by the Florida Constitution's Declaration of Rights.³²

[Administrative Law Judge \(ALJ\)](#)

¹⁷ Britannica, *Quran*, <https://www.britannica.com/topic/Quran> (last visited March 17, 2026).

¹⁸ Questions on Islam at 44 and 47.

¹⁹ *Id.* at 42 and 44.

²⁰ *The American Heritage Dictionary* at 1611; see Britannica, *Sharia*, <https://www.britannica.com/topic/sharia> (last visited March 17, 2026).

²¹ Questions on Islam at 90.

²² *Id.* at 100.

²³ See *id.* at 101.

²⁴ World Population Review, *Sharia Law Countries 2026*, <https://worldpopulationreview.com/country-rankings/sharia-law-countries> (last visited March 17, 2026).

²⁵ Council on Foreign Relations, *Understanding Sharia: The Intersection of Islam and the Law*, <https://www.cfr.org/backgrounders/understanding-sharia-intersection-islam-and-law> (last visited March 17, 2026); Office of the Texas Governor Press Release, *Governor Abbott Announces EPIC City May Not Begin Construction* (Apr. 1, 2025), <https://gov.texas.gov/news/post/governor-abbott-announces-epic-city-may-not-begin-construction>;

²⁶ See Britannica, *Paris Attacks of 2015*, <https://www.britannica.com/event/Paris-attacks-of-2015> (last visited March 17, 2026); Le Monde, *France Remembers 'Charlie Hebdo' Attacks 10 Years On*, https://www.lemonde.fr/en/france/article/2025/01/07/france-remembers-charlie-hebdo-attacks-10-years-on_6736797_7.html (last visited March 17, 2026).

²⁷ Pew Research Center, *Interfaith Relations*, <https://www.pewresearch.org/religion/2013/04/30/the-worlds-muslims-religion-politics-society-interfaith-relations/> (last visited March 17, 2026).

²⁸ Pew Research Center, *Women in Society*, <https://www.pewresearch.org/religion/2013/04/30/the-worlds-muslims-religion-politics-society-women-in-society/> (last visited March 17, 2026).

²⁹ Shafiqah Ahmadi, *Islam and Homosexuality: Religious Dogma, Colonial Rule, and the Quest for Belonging*, *Journal of Civil Rights and Economic Development* (Spring 2012).

³⁰ Art. V, ss. 1, 3, 4, 5, and 6, Fla. Const.; [s. 35.01, F.S.](#)

³¹ See art. V, s. 1, Fla. Const.

³² Art. I, s. 21, Fla. Const.

An administrative law judge, or “ALJ,” is a statutory judge who is authorized to hear certain types of cases, many of which involve administrative law and are governed by chapter 120, F.S.³³ Administrative proceedings are typically appealable, ultimately, to Article V judges within the Florida court system.³⁴

[Cabinet](#)

The Florida Cabinet is an Executive Branch body created by the Florida Constitution, and composed of the Florida Attorney General, the Florida Chief Financial Officer, and the Florida Commissioner of Agriculture.³⁵

[Florida Administrative Code and Register](#)

The Florida Department of State is responsible for compiling and publishing electronically on a website the Florida Administrative Code, which contains the rules adopted by each state agency; and the Florida Administrative Register, which is a publication containing official state agency notices, proposed rules, and other materials.³⁶

[Administrative Proceedings for Dissolution of a Corporation](#)

Under current law, the Florida Department of State has the authority to commence an administrative proceeding to dissolve a corporation if the:

- Corporation has failed to file its annual report and pay the annual filing fee by the prescribed deadline;
- Corporation is without a registered agent or registered office in Florida for 30 days or more;
- Corporation does not notify the Department of State within 30 days after its registered agent or registered office has been changed, after its registered agent has resigned, or after its registered office has been discontinued;
- Corporation has failed to timely answer truthfully and fully, interrogatories propounded by the Department of State; or
- Corporation’s period of duration stated in its articles of incorporation has expired.³⁷

[Private School Participation in Scholarship Programs](#)

While each scholarship program has unique requirements for private schools, there are common criteria that each private school must meet in order to participate in any of the state’s scholarship programs.³⁸ A private school may be sectarian or nonsectarian, must meet Florida’s definition of a private school,³⁹ be registered with the state, and be in compliance with all the requirements of a private school.⁴⁰ Additionally, a private school must:⁴¹

- Comply with 42 U.S.C. s. 2000d which prohibits excluding a person from participation in federally assisted programs on the grounds of race, color, or national origin;
- Notify the Department of Education (DOE) of its intent to participate in a scholarship program;
- Notify the DOE of any changes in the school’s name, director, mailing address, or physical location within 15 days of the change;
- Provide the DOE or the Scholarship Funding Organization all required documentation for student registration and payment;

³³ [S. 120.65, F.S.](#)

³⁴ *See* [s. 120.68, F.S.](#)

³⁵ Art. IV, s. 4, Fla. Const.

³⁶ [S. 120.55, F.S.](#)

³⁷ [S. 617.1420, F.S.](#)

³⁸ *See* [s. 1002.421, F.S.](#)

³⁹ *See* [s. 1002.01\(3\), F.S.](#)

⁴⁰ [S. 1002.421\(1\), F.S.](#)

⁴¹ [S. 1002.421\(1\)\(a\)-\(s\), F.S.](#); *see also* r. 6A-6.03315, F.A.C.

- Annually complete and submit to the DOE a notarized scholarship compliance statement that includes certification that all school employees and contracted personnel with direct student contact have undergone required background screening and met the screening standards;
- Demonstrate fiscal soundness in accordance with statutory requirements;
- Meet applicable state and local health, safety, and welfare laws, codes, and rules;
- Employ or contract with teachers that meet specified requirements;
- Maintain a physical location in the state at which each student has regular and direct contact with teachers;
- Provide to parents, either on a website or in other written form, information regarding the school's programs, services, classroom teacher qualifications, and a statement that a parentally placed private school student with a disability does not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school under the Individuals with Disabilities Education Act (IDEA), as amended;
- Provide the parent, at least on a quarterly basis, a written report of the student's progress;
- Cooperate with a parent who wants a student to participate in Florida's statewide, standardized assessments;
- Adopt policies establishing standards of ethical conduct for educational support employees, instructional personnel, and school administrators; and
- Not be owned or operated by a person or an entity domiciled in, owned by, or in any way controlled by a foreign country of concern or foreign principal, as identified in law.

[Florida College System institution and State University System Prohibited Expenditures](#)

A FCS institution, state university, FCS institution direct-support organization, or state university direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion.⁴²

Additionally, they may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:⁴³

- Violate Florida Educational Equity Act.
- Advocate for diversity, equity, and inclusion, or promote or engage in political or social activism, as defined by rules of the State Board of Education and regulations of the Board of Governors.

The requirements for prohibited expenditures do not apply to student fees to support student-led organizations regardless of any speech or expressive activity by such organizations, but the public funds must be allocated to student-led organizations pursuant to written policies or regulations of each FCS institution or state university.⁴⁴ The requirements also do not apply to programs, campus activities, or functions required for compliance with general or federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation; or for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students from the FCS, students from low-income families, or students with unique abilities.⁴⁵

[Student Fees at Florida College System and State University System Institutions](#)

Under Florida law, "tuition" is defined as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state.⁴⁶ A student who is classified as a "resident for tuition purposes" is a student who qualifies for the in-state tuition rate.⁴⁷

⁴² S. [1004.06\(1\), F.S.](#)

⁴³ S. [1004.06\(2\), F.S.](#)

⁴⁴ *Id.* (Flush left provision at the end of the subsection).

⁴⁵ S. [1004.06\(3\), F.S.](#)

⁴⁶ S. [1009.01\(1\), F.S.](#) Additionally, the definition states that "[a] charge for any other purpose shall not be included within this fee."

The statutory resident undergraduate tuition rate at a state university is \$105.07 per credit hour.⁴⁸ For baccalaureate degree programs offered at a Florida College System (FCS) institution, the statutory resident tuition rate is \$91.79 per credit hour.⁴⁹ FCS institutions that offer programs leading to a career certificate or an applied technology diploma charge the standard tuition of \$2.33 per contact hour.⁵⁰ For postsecondary vocational programs offered by FCS institutions and career centers, the standard tuition is \$71.98 per credit hour.⁵¹

An “out-of-state fee” is the additional fee for instruction provided by a public postsecondary education institution in the state, and is charged to a student who does not qualify for the in-state tuition rate.⁵² Residents for tuition purposes are charged the statutory rates for tuition while non-residents pay out-of-state fees in addition to tuition, unless these costs are exempted or waived.⁵³

In addition to the out-of-state fee waiver, Florida law provides for various other tuition and fee waivers, which may be discretionary or mandatory.⁵⁴ Postsecondary institutions must report the number and value of all fee waivers granted annually to the Board of Governors and the State Board of Education, as appropriate.⁵⁵

Participation by Students in Disruptive Activities

Current law provides that any person who accepts the privilege extended by the laws of this state of attendance at any public postsecondary educational institution shall, by attending such institution, be deemed to have given his or her consent to the policies of that institution, the SBE, and the Board of Governors regarding the State University System, and the laws of this state. Such policies shall include prohibition against disruptive activities at public postsecondary educational institutions.⁵⁶ After it has been determined that a student of a state institution of higher learning has participated in disruptive activities, such student may be immediately expelled from the institution for a minimum of 2 years.⁵⁷

Freedom of Speech

The First Amendment of the U.S. Constitution protects the freedom of speech and provides that “Congress shall make no law... abridging the freedom of speech...”⁵⁸ “Pure speech” has repeatedly been held by courts to be deserving of comprehensive protection under the First Amendment.⁵⁹ Pure speech and symbolic acts that are not actually or potentially disruptive conduct are expressions that fall within the protections of the Free Speech Clause of the First Amendment.⁶⁰ The First Amendment, however, does not protect individuals from engaging in violence, true threats,⁶¹ or the incitement of violence.⁶²

⁴⁷ S. [1009.21\(1\)\(g\), F.S.](#)

⁴⁸ S. [1009.24\(4\)\(a\), F.S.](#)

⁴⁹ S. [1009.23\(3\)\(b\), F.S.](#)

⁵⁰ S. [1009.22\(3\)\(c\), F.S.](#)

⁵¹ Ss. [1009.22\(4\)](#) and [1009.23\(3\)\(a\), F.S.](#)

⁵² S. [1009.01\(2\), F.S.](#) (adding that “[a] charge for any other purpose shall not be included within this fee”).

⁵³ Ss. [1009.22\(2\)](#), [1009.23\(2\)\(a\)](#), and [1009.24\(2\), F.S.](#)

⁵⁴ See generally ss. [1009.25](#), [1009.26](#), and [1009.265, F.S.](#)

⁵⁵ Ss. [1004.933](#), [1009.26\(9\)](#), [\(12\)\(b\)](#), [\(13\)\(c\)](#), [\(14\)\(c\)](#), [\(15\)](#), [\(16\)\(b\)](#), [\(17\)\(b\)](#), [\(18\)\(c\)](#), [\(19\)\(d\)](#), and [\(20\)\(d\), F.S.](#)

⁵⁶ S. [1006.61\(1\), F.S.](#) See e.g. Tallahassee State College, *Policy 8400 – Threatening and Disruptive Behaviors*, <https://go.boarddocs.com/fl/tcc/Board.nsf/goto?open&id=CCRKNS515961#> (last visited March 17, 2026) and University of Florida, *Regulation Number 1.008 Disruptive Behavior*, <https://policy.ufl.edu/regulation/1-008/> (last visited March 17, 2026).

⁵⁷ S. [1006.61\(2\), F.S.](#)

⁵⁸ U.S. Const. amend. I.

⁵⁹ *Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503 (1969), citing *Cox v. Louisiana*, 379 U.S. 536 (1966)).

⁶⁰ *Tinker*, 393 U.S. at 505.

⁶¹ *Virginia v. Black*, 538 U.S. 343, 359-60 (2003).

⁶² See *id.* at 359; *Texas v. Johnson*, 491 U.S. 397, 406 (1989) (“The government generally has a freer hand in restricting expressive conduct than it has in restricting the written or spoken word.”).

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	CS/CS/HB 1255 - Education	Trabulsy, Tramont/ <i>Calatayud</i>	The bill became law on July 1, 2025.
2025	SB 2502 - Implementing the 2025-2026 General Appropriations Act	McClure/ <i>Hooper</i>	The bill became law on July 1, 2025.
2024	CS/CS/HB 1403 - School Choice	Tomkow/ <i>Simon</i>	The bill became law on July 1, 2024.
2023	CS/CS/SB 846 - Agreements of Educational Entities with Foreign Entities	Canady/ <i>Avila</i>	The bill became law on July 1, 2023.
2023	CS/CS/CS/CS/HB 1 - Education	Tuck, Plasencia/ <i>Simon</i>	The bill became law on July 1, 2023.
2023	CS/CS/CS/SB 266 - Higher Education	Andrade/ <i>Grall</i>	The bill became law on July 1, 2023.
2023	CS/SB 7026 - Higher Education Finances	<i>Perry</i>	The bill became law on July 1, 2023.
2022	SB 7044 - Postsecondary Education	Mariano/ <i>Diaz</i>	The bill became law on July 1, 2022.