

By Senator Gruters

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1                   A bill to be entitled  
2           An act relating to discrimination on the basis of  
3           personal health information; creating s. 322.144,  
4           F.S.; prohibiting business and governmental entities  
5           that require individuals to present driver licenses  
6           and identification cards for specified purposes from  
7           taking certain actions on the basis of individuals'  
8           vaccination status and proof of immunity from any  
9           virus; providing construction; creating s. 760.70,  
10          F.S.; prohibiting public accommodations from  
11          discriminating against individuals on the basis of  
12          vaccination or immunity status; providing  
13          construction; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17           Section 1. Section 322.144, Florida Statutes, is created to  
18 read:

19           322.144 Use of driver license or identification card in  
20 connection with vaccination or immunity status prohibited.-

21           (1) A business entity or a governmental entity that  
22 requires an individual to present a driver license or an  
23 identification card for identification purposes or as proof of  
24 driving or traveling privileges may not do any of the following:

25           (a) Connect an individual's vaccination status or proof of  
26 immunity from any virus to his or her driver license or  
27 identification card records.

28           (b) Require an individual to receive a vaccination or  
29 provide proof of immunity from any virus.

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30 (c) Discriminate against, deny services or access for, or  
31 otherwise penalize an individual for not receiving a vaccination  
32 or providing proof of immunity from any virus.

33 (2) This section shall prevail over any conflicting  
34 provisions in a general law, present or future, to the extent of  
35 the conflict; but if any such general law contains a specific  
36 exemption from this section, including a specific reference to  
37 this section, such general law shall prevail, but only to the  
38 extent of the exemption.

39 Section 2. Section 760.70, Florida Statutes, is created in  
40 part III of chapter 760, Florida Statutes, to read:

41 760.70 Discrimination on the basis of vaccination or  
42 immunity status prohibited.-

43 (1) A public accommodation may not discriminate against an  
44 individual on the basis of his or her vaccination or immunity  
45 status for any virus by doing any of the following:

46 (a) Providing any disposition, service, financial aid, or  
47 benefit to an individual which is different from, or which is  
48 provided in a different manner than, that provided to other  
49 members of the general public.

50 (b) Subjecting an individual to segregation or separate  
51 treatment in any matter related to his or her receipt of any  
52 disposition, service, financial aid, or benefit provided to  
53 other members of the general public.

54 (c) Restricting an individual in any way in the enjoyment  
55 of any advantage or privilege enjoyed by others receiving any  
56 disposition, service, financial aid, or benefit provided to  
57 other members of the general public.

58 (d) Treating an individual differently from others in

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59 determining whether he or she satisfies any admission,  
60 enrollment, quota, eligibility, membership, or other requirement  
61 or condition that individuals must meet in order to be provided  
62 any disposition, service, financial aid, function, or benefit  
63 available to other members of the general public.

64 (e) Denying an individual the opportunity to participate in  
65 a program through the provision of service or otherwise afford  
66 that individual an opportunity to do so which is different from  
67 that afforded to other members of the general public.

68 (2) This section prevails over any conflicting provisions  
69 in general law, present or future, to the extent of the  
70 conflict; but if any such general law contains a specific  
71 exemption from this section, including a specific reference to  
72 this section, such general law prevails, but only to the extent  
73 of the exemption.

74 Section 3. This act shall take effect July 1, 2021.