

CHAPTER 2016-50

House Bill No. 43

An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

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

Section 1. Section 761.061, Florida Statutes, is created to read:

761.061 Rights of certain churches or religious organizations or individuals.—

(1) The following individuals or entities may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization, formation, or celebration of any marriage if such an action would cause the individual or entity to violate a sincerely held religious belief of the individual or entity:

(a) A church;

(b) A religious organization;

(c) A religious corporation or association;

(d) A religious fraternal benefit society;

(e) A religious school or educational institution;

(f) An integrated auxiliary of a church;

(g) An individual employed by a church or religious organization while acting in the scope of that employment;

(h) A clergy member; or

(i) A minister.

(2) A refusal to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges under subsection (1) may not serve as the basis for:

(a) A civil cause of action against any entity or individual protected under subsection (1); or

(b) A civil cause of action, criminal cause of action, or any other action by this state or a political subdivision to penalize or withhold benefits or privileges, including tax exemptions or governmental contracts, grants, or licenses, from any entity or individual protected under subsection (1).

Section 2. This act shall take effect July 1, 2016.

Approved by the Governor March 10, 2016.

Filed in Office Secretary of State March 10, 2016.