

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gaetz offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 67-82 and insert:

5 760.07 Remedies for unlawful discrimination; deprivation
6 of rights, privileges, or immunities under color of law.-

7 (1) Any violation of any Florida statute making unlawful
8 discrimination because of race, color, religion, gender,
9 pregnancy, national origin, age, handicap, or marital status in
10 the areas of education, employment, housing, or public
11 accommodations gives rise to a cause of action for all relief
12 and damages described in s. 760.11(5), unless greater damages
13 are expressly provided for. If the statute prohibiting unlawful
14 discrimination provides an administrative remedy, the action for

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15 equitable relief and damages provided for in this section may be
 16 initiated only after the plaintiff has exhausted his or her
 17 administrative remedy. The term "public accommodations" does not
 18 include lodge halls or other similar facilities of private
 19 organizations which are made available for public use
 20 occasionally or periodically. The right to trial by jury is
 21 preserved in any case in which the plaintiff is seeking actual
 22 or punitive damages.

23 (2) Every person who, under color of any statute,
 24 ordinance, regulation, custom, or usage of any agency of
 25 government within this state, subjects or causes to be
 26 subjected, any citizen of the United States or other person
 27 within the jurisdiction thereof to the deprivation of any
 28 rights, privileges, or immunities secured by the Constitution of
 29 the United States, the laws of the United States, the
 30 Constitution of the State of Florida, or the laws of this state
 31 shall be liable to the party injured in any action at law, suit
 32 in equity, or other proper proceeding for redress, except that
 33 in any action brought against a judicial officer for an act of
 34 omission taken in such officer's judicial capacity, injunctive
 35 relief shall not be granted unless a declaratory decree was
 36 violated or declaratory relief was unavailable.

T I T L E A M E N D M E N T

Remove line 11 and insert:

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41 basis of pregnancy; providing a remedy for deprivation of
42 certain rights, privileges, or immunities under color of
43 law; amending s. 760.08, F.S.;

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