

1 A bill to be entitled
 2 An act relating to gay and transgender panic legal
 3 defenses; providing a short title; providing
 4 legislative findings; creating s. 900.06, F.S.;
 5 defining terms; prohibiting individuals from using a
 6 nonviolent sexual advance or specified perceptions or
 7 beliefs about another individual as a defense to a
 8 criminal offense, to excuse or justify an individual's
 9 conduct, or to mitigate the severity of an offense;
 10 providing an effective date.

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

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 14 Section 1. This act may be cited as the "Gay and
 15 Transgender Panic Legal Defenses Prohibition Act."

16 Section 2. The Legislature finds that gay and transgender
 17 panic legal defenses raised in criminal proceedings characterize
 18 sexual orientation and gender expression or gender identity as
 19 objectively reasonable excuses for a perpetrator's loss of self-
 20 control, and that these defenses thereby illegitimately attempt
 21 to mitigate the responsibility of the perpetrator for harm done
 22 to lesbian, gay, bisexual, or transgender individuals.

23 Section 3. Section 900.06, Florida Statutes, is created to
 24 read:

25 900.06 Use of gay and transgender panic legal defenses

26 prohibited.-

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

28 (a) "Gender expression" or "gender identity" means gender-
 29 related identity, appearance, or behavior, regardless of whether
 30 such gender-related identity, appearance, or behavior is
 31 different from that traditionally associated with a person's
 32 physiology or assigned sex at birth.

33 (b) "Sexual orientation" means an individual's actual or
 34 perceived heterosexuality, homosexuality, or bisexuality.

35 (2) A nonviolent sexual advance or the perception or
 36 belief, even if inaccurate, of the sex, sexual orientation,
 37 gender expression, or gender identity of an individual may not
 38 be used as a defense to a criminal offense, to excuse or to
 39 justify the conduct of an individual who commits a criminal
 40 offense, or to mitigate the severity of a criminal offense
 41 during sentencing.

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