

# FLORIDA FAMILY POLICY COUNCIL

## Creating Special Rights for LGBT Citizens

(a/k/a “Florida’s Competitive Workforce Act”)



**VOTE NO: HB 45/ SB 120 – Minority Whip Sen. Abruzzo (D)/Rep. Raschein (R)**

**BILL PROVISIONS:** Bill is called “Florida’s Competitive Workforce Act,” but primarily adds sexual orientation and gender identity or expression to Florida’s Civil Rights Act of 1992 as impermissible grounds for discrimination.

**BACKGROUND:** All across the country these new laws are creating weapons to punish Christians who are simply living out their faith in as a small business owner or employer. This bill would allow individuals to sue employers and landowners based on new protected classes of sexual orientation and gender identity or expression. More importantly, around the country, similar laws have created privacy and security issues, allowing men to have unrestricted access to women’s showers, bathrooms and locker rooms in facilities declared a public accommodation (such as YMCAs, Adult and Youth Sports Leagues & Homeless and Domestic Violence Shelters and other similar public facilities)

### **RATIONALE TO OPPOSE BILL:**

- Adds new and subjective categories of sexual orientation and gender identity or expression as protected classes to Florida’s Civil Rights Act of 1992. This action would place sexual orientation, gender identity or expression on the same level as and provide the same penalties for discrimination as race, religion, age, handicap, etc.
- This bill elevates newfound “sexual liberty” over and above constitutionally protected free speech, religious liberty and privacy interests. Existing protected classes in statute can be verified by objective evidence. These new proposed classes are totally subjective and based on the perception of one’s identity rather than actual physical characteristics.
- This bill creates a new cause of action for the LGBT community to sue employers and small businesses for alleged acts of discrimination. Similar bills have been used across US as weapons by the LGBT community to punish people of faith who wish to act on their sincerely held values in the public square when engaging in commerce and business. Especially being targeted are cake bakers, videographers, photographers, bed-and-breakfast owners, marriage pavilion owners and other commercial vendors, in cases where they were unable to voluntarily provide goods and services for same-sex wedding or commitment ceremonies due to their sincerely-held religious beliefs.
- Simply asserting that the bill “does not limit the free exercise of religion guaranteed by the United States Constitution and the State Constitution” does not remedy the constitutional problems which will arise, and have arisen around the country already, from the effect of the bill.
- While proponents of this bill say it is necessary for economic growth, there is no evidence that passage of this bill would in fact stimulate the economy or attract the “best and brightest” workers to Florida. Free market principles ensure that businesses will create policies that foster a hospitable environment for all employees, regardless of sexual orientation or gender identity.

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