

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Judiciary Committee

BILL: SB 1354
 INTRODUCER: Senators Hill and Joyner
 SUBJECT: Florida Civil Rights Hall of Fame
 DATE: March 17, 2010 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Anderson	Maclure	JU	Favorable
2.	_____	_____	GO	_____
3.	_____	_____	GA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides for the establishment and location of the Florida Civil Rights Hall of Fame. The bill sets out the procedure for selection of hall-of-fame members by the Governor upon recommendations by the Florida Commission on Human Relations. The bill includes criteria for recommendation of those people seeking to be added to the hall of fame. The commission is authorized to set time periods for nomination and selection of hall-of-fame members.

This bill creates section 760.065, Florida Statutes.

II. Present Situation:

Florida Civil Rights Act of 1992

The section of the Florida Statutes this bill creates would fall under the Florida Civil Rights Act of 1992. The general purposes of the Florida Civil Rights Act of 1992:¹

are to secure for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status and thereby to protect their interest in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights, and privileges of individuals within the state.²

¹ Sections 760.01-760.11, F.S.

² Section 760.01(2), F.S.

Pursuant to section 760.01(3), F.S., the Florida Civil Rights Act shall be construed according to the fair import of its terms and shall be liberally construed to further the general purposes stated in the Act and the special purposes of the particular provision involved. The policy of Florida embodied in this section of the Florida Statutes is patterned after the federal Civil Rights Act of 1964.³

Florida Commission on Human Relations

The Florida Legislature created the Florida Commission on Human Relations (FCHR or Commission) in 1969 to enforce the Florida Civil Rights Act and address discrimination issues through education, outreach, and partnerships. The Commission has investigated and closed more than 74,000 cases and has negotiated close to \$13 million in settlement amounts for more than 1,500 people through its mediation services.⁴

The FCHR consists of 12 members appointed by the Governor. Commissioners are subject to confirmation by the Florida Senate and serve four-year terms. The members of the Commission must broadly represent various racial, religious, ethnic, social, economic, political and professional groups within the state. At least one member of the Commission must be 60 years of age or older.⁵

The Commission is dedicated to upholding Florida's civil rights and fair housing laws, which say that it is illegal to discriminate on the basis of race, national origin, color, sex, disability, religion, age, marital or familial status. The Commission is responsible for investigating complaints of discrimination in the areas of employment, housing, public accommodations, and memberships in certain private clubs, as well as state employee whistle-blower retaliation.⁶

Halls of Fame in Florida

It is the intent of the Florida Legislature to recognize and honor those persons, living or dead, who have made significant contributions to this state. The Legislature has previously established Halls of Fame in Florida through creation of new sections of the Florida Statutes. Some examples of Halls of Fame that have been previously created in Florida include: Florida Women's Hall of Fame,⁷ Florida Artists Hall of Fame,⁸ Florida Educator Hall of Fame,⁹ and the Florida Sports Hall of Fame.¹⁰

³ Pub. L. 88-353, 78 Stat. 241 (1964).

⁴ Florida Commission on Human Relations, *History of the Commission*, http://fchr.state.fl.us/about_us/history (last visited Mar. 11, 2010).

⁵ Section 760.03, F.S.

⁶ Florida Commission on Human Relations, *Media Information*, <http://fchr.state.fl.us/fchr/content/download/2624/7431/file/FCHR%20Media%20Information.doc> (last visited Mar. 16, 2010).

⁷ Section 265.001, F.S.

⁸ Section 265.2865, F.S.

⁹ Chapter 98-281, s.13, Laws of Fla.; s. 231.63, F.S. (1998 Supp.).

¹⁰ Section 15.051, F.S.

III. Effect of Proposed Changes:

The bill provides for the creation of the Florida Civil Rights Hall of Fame. The Florida Civil Rights Hall of Fame will be located in the Capitol Building and maintained by the Department of Management Services. The Florida Commission on Human Relations will be responsible for the design, theme, and nomination process for the Florida Civil Rights Hall of Fame. The Governor will be responsible for the selection of up to three members to be added to the Florida Civil Rights Hall of Fame annually from 10 persons recommended by the Commission. This bill amends the Florida Civil Rights Act of 1992 by adding section 760.065, F.S.

This bill takes effect on July 1, 2010.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill places the Florida Civil Rights Hall of Fame under the Department of Management Services for the cost associated with its creation and maintenance. The department states the cost will be absorbed into its current budget and will not require additional funding.¹¹

VI. Technical Deficiencies:

None.

¹¹ Conversation with the Department of Management Services, legislative affairs representative (Mar. 11, 2010).

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
