A bill to be entitled
An act relating to the protection of religious
freedom; amending s. 761.02, F.S.; conforming
provisions to changes made by the act; creating s.
761.06, F.S.; providing definitions; providing
immunity from liability for a health care facility or
health care provider that refuses to administer,
recommend, or deliver medical treatments or procedures
that would be contrary to religious or moral
convictions or policies; providing immunity from
liability for a person, closely held organization,
religious institution, or business owned or operated
by a religious institution that refuses to produce,
create, or deliver custom products or services that
would be contrary to religious or moral convictions or
policies; providing immunity from liability for a
private child-placing agency that refuses to perform,
assist in, recommend, consent to, or participate in
the placement of a child that would be contrary to
religious or moral convictions or policies; providing
an effective date.

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

Section 1. Section 761.02, Florida Statutes, is amended to
read:

CODING: Words stricken are deletions; words underlined are additions.
761.02 Definitions.—As used in ss. 761.01-761.05 this act:

1. "Act" or "this act" means the "Religious Freedom Restoration Act of 1998," ss. 761.01-761.05.

2. "Demonstrates" means to meet the burden of going forward with the evidence and of persuasion.

3. "Exercise of religion" means an act or refusal to act that is substantially motivated by a religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

4. "Government" or "state" includes any branch, department, agency, instrumentality, or official or other person acting under color of law of the state, a county, special district, municipality, or any other subdivision of the state.

Section 2. Section 761.06, Florida Statutes, is created to read:

761.06 Protection of religious or moral objection.—

1. As used in this section, the term:

   a. "Closely held organization" means an organization or a corporation owned by five or fewer individuals or members of a single family.

   b. "Custom product or service" means a product or service created to meet the particular specifications of a specific consumer or group of consumers.

   c. "Family" means all persons related by blood or marriage, all persons who are presently residing together as if related or who have resided together in the past as if related,
and all persons who are parents of a child in common regardless of their marital status.

(d) "Religious institution" means a church, an ecclesiastical or a denominational organization, including a bona fide religious group that does not maintain a specific place of worship, an established physical place for worship where nonprofit religious services and activities are regularly conducted and carried on, or a separate group or corporation that forms an integral part of a religious institution that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code and that is not primarily supported by funds solicited outside its own membership or congregation.

(2) A health care facility or an ambulatory surgery center licensed under chapter 395, a nursing home licensed under part II of chapter 400, an assisted living facility or extended congregate care facility licensed under part I of chapter 429, a hospice licensed under part IV of chapter 400 that is owned or operated by a religious institution, or a health care provider, is not required to administer, recommend, or deliver a medical treatment or procedure that would be contrary to the religious or moral convictions or policies of the facility or health care provider. The facility or health care provider is not liable for such refusal, except when withholding the medical treatment or procedure places the patient in imminent danger of loss of life or serious bodily injury. Such refusal does not form the basis for any disciplinary or other recriminatory action against the
facility or health care provider.

(3) A person, closely held organization, religious institution, or business owned or operated by a religious institution is not required to produce, create, or deliver a product or service that would be contrary to the religious or moral convictions or policies of the person, organization, institution, or business. Such person, organization, institution, or business is not liable for such refusal, except when withholding the custom product or service places the consumer in imminent danger of loss of life or serious bodily injury. Such refusal does not form the basis for any disciplinary or other recriminatory action against such person, organization, institution, or business.

(4) A private child-placing agency licensed under part I of chapter 409 is not required to perform, assist in, recommend, consent to, or participate in the placement of a child that would be contrary to the religious or moral convictions or policies of the agency. Such an agency or a person connected thereto is not liable for such refusal, and such refusal does not form the basis for any disciplinary or other recriminatory action against such an agency or a person connected thereto.

Section 3. This act shall take effect July 1, 2016.