

## EXHIBIT B: NEW BUSINESS

The Florida Supreme Court, on its own motion, amended the current CLE rule which states in part that “[a]t least 5 of the 33 credit hours must be in approved legal ethics, professionalism, bias elimination, substance abuse, or mental health and wellness programs” by removing “bias elimination” from that list. “The Court believes that non-discrimination principles and civility can and should be addressed in the context of legal ethics and professionalism. Courses in “bias elimination” that meet The Florida Bar’s general course approval requirements will continue to count toward the fulfillment of Bar members’ overall 30-hour CLE requirement; but such courses will no longer count toward fulfillment of the five-hour sub-requirement specified in the rule.”

Below are excerpts from The Florida Bar News and the Fla. Sup. Ct. Order is attached.

### SUPREME COURT REDUCES THE NUMBER OF MANDATORY CLE HOURS

Jul 17, 2023

On its own motion, the court reduced the hours a lawyer must earn every three-year reporting cycle, from 33 to 30. Justices noted that the reduction restores the initial requirement when the Supreme Court first imposed mandatory CLE in 1987 and aligns lawyers with a continuing education requirement for judges. The order also adds a new requirement that Bar members complete a free “two-hour legal professionalism course produced by The Florida Bar and approved by this Court,” something the special committee recommended. But the order then points to a portion of the existing CLE rule that says “[a]t least 5 of the 33 credit hours be in approved legal ethics, professionalism, bias elimination, substance abuse, or mental health and wellness programs.” **Today, the court amends the rule by removing ‘bias elimination’ from the list,” the order states.** “The Court believes that non-discrimination principles and civility can and should be addressed in the context of legal ethics and professionalism.” Courses in ‘bias elimination’ that meet The Florida Bar’s general course approval requirements “will continue to count toward the fulfillment of Bar members’ overall 30-hour CLE requirement, but such courses will no longer count toward fulfillment of the five-hour sub-requirement specified in the rule,” the order states.

<https://www.floridabar.org/the-florida-bar-news/proposed-board-action-57/>

Published on August 11, 2023:

Pursuant to Standing Board Policy 1.60, the Board of Governors of The Florida Bar publishes this notice of intent to consider the following items at its September 8, 2023 board of governors meeting. This is governed by Rule 1-12.1, Rules Regulating The Florida Bar. If approved by the board, most rules amendments must still be formally filed with the Supreme Court of Florida, with further notice and opportunity to be heard, before they are officially approved and become effective. Amendments to section bylaws and standing board policies are final on board of governors’ action. Additionally, non-substantive edits to conform to the Florida Supreme Court style guide are not noted in the summary. To receive a full copy of the text of proposed amendments, email Kelly Smith at [ksmith@floridabar.org](mailto:ksmith@floridabar.org). Reference any requested proposal by its title and date of this publication.

### RULE 21-3.1 CONTINUING LEGAL EDUCATION

Within subdivision (c), changes required continuing legal education hours from 11 to 10 and deletes bias elimination.



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

27 |

28 |       Section 1. Section 110.1051, Florida Statutes, is created  
29 | to read:

30 |       110.1051 Personal titles and pronouns.-

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

32 |       (a) "Adverse personnel action" means the discharge,  
33 | suspension, transfer, or demotion of an employee or a contractor  
34 | or the withholding of bonuses, the reduction in salary or  
35 | benefits, or any other adverse action taken against an employee  
36 | or a contractor within the terms and conditions of employment by  
37 | an employer.

38 |       (b) "Contractor" means an individual, partnership,  
39 | corporation, or business entity that enters or attempts to enter  
40 | into a contract for services with an employer.

41 |       (c) "Employee" means an individual employed by, or  
42 | attempting to be employed by, an employer.

43 |       (d) "Employer" means the state or any county,  
44 | municipality, or special district or any subdivision or agency  
45 | thereof.

46 |       (e) "Sex" means the classification of a person as either  
47 | female or male based on the organization of the body of such  
48 | person for a specific reproductive role, as indicated by the  
49 | person's sex chromosomes, naturally occurring sex hormones, and  
50 | internal and external genitalia present at birth.

51       (2) It is the policy of the state that a person's sex is  
52 an immutable biological trait and that it is false to ascribe to  
53 a person a pronoun that does not correspond to such person's  
54 sex. This section does not apply to individuals born with a  
55 genetically or biochemically verifiable disorder of sex  
56 development, including, but not limited to, 46, XX disorder of  
57 sex development; 46, XY disorder of sex development; sex  
58 chromosome disorder of sex development; XX or XY sex reversal;  
59 and ovotesticular disorder.

60       (3) An employee or a contractor may not be required, as a  
61 condition of employment, to refer to another person using that  
62 person's preferred personal title or pronouns if such personal  
63 title or pronouns do not correspond to that person's sex.

64       (4) An employee or a contractor may not provide to an  
65 employer his or her preferred personal title or pronouns if such  
66 preferred personal title or pronouns do not correspond to his or  
67 her sex.

68       (5) An employee or a contractor may not be asked by an  
69 employer to provide his or her preferred personal title or  
70 pronouns or be penalized or subjected to adverse personnel  
71 action for not providing his or her preferred personal title or  
72 pronouns.

73       (6) (a) It is an unlawful employment practice for an  
74 employer to take adverse personnel action against an employee or  
75 a contractor because of the employee's or contractor's deeply

76 held religious or biology-based beliefs, including a belief in  
 77 traditional or Biblical views of sexuality and marriage, or the  
 78 employee's or contractor's disagreement with gender ideology,  
 79 whether those views are expressed by the employee or contractor  
 80 at or away from the worksite.

81 (b) An employee or a contractor aggrieved by a violation  
 82 of this subsection may avail himself or herself to the  
 83 administrative and civil remedies provided in s. 760.11.

84 (7) The Department of Management Services may adopt rules  
 85 to administer this section.

86 Section 2. Subsections (10) and (11) of section 760.10,  
 87 Florida Statutes, are renumbered as subsections (11) and (12),  
 88 respectively, and a new subsection (10) is added to that  
 89 section, to read:

90 760.10 Unlawful employment practices.—

91 (10) It is an unlawful employment practice for a nonprofit  
 92 organization or an employer who receives funding from the state  
 93 to require, as a condition of employment, any training,  
 94 instruction, or other activity on sexual orientation, gender  
 95 identity, or gender expression. For purposes of this subsection,  
 96 the term "nonprofit organization" means any organization that is  
 97 exempt from taxation pursuant to 26 U.S.C. s. 501, or any  
 98 federal, state, or local governmental entity.

99 Section 3. For the purpose of incorporating the amendment  
 100 made by this act to section 760.10, Florida Statutes, in a

101 reference thereto, Subsections (1) and (15) of section 760.11,  
102 Florida Statutes, are reenacted to read:

103 760.11 Administrative and civil remedies; construction.—

104 (1) Any person aggrieved by a violation of ss. 760.01-  
105 760.10 may file a complaint with the commission within 365 days  
106 of the alleged violation, naming the employer, employment  
107 agency, labor organization, or joint labor-management committee,  
108 or, in the case of an alleged violation of s. 760.10(5), the  
109 person responsible for the violation and describing the  
110 violation. Any person aggrieved by a violation of s. 509.092 may  
111 file a complaint with the commission within 365 days of the  
112 alleged violation naming the person responsible for the  
113 violation and describing the violation. The commission, a  
114 commissioner, or the Attorney General may in like manner file  
115 such a complaint. On the same day the complaint is filed with  
116 the commission, the commission shall clearly stamp on the face  
117 of the complaint the date the complaint was filed with the  
118 commission. In lieu of filing the complaint with the commission,  
119 a complaint under this section may be filed with the federal  
120 Equal Employment Opportunity Commission or with any unit of  
121 government of the state which is a fair-employment-practice  
122 agency under 29 C.F.R. ss. 1601.70-1601.80. If the date the  
123 complaint is filed is clearly stamped on the face of the  
124 complaint, that date is the date of filing. The date the  
125 complaint is filed with the commission for purposes of this

126 section is the earliest date of filing with the Equal Employment  
127 Opportunity Commission, the fair-employment-practice agency, or  
128 the commission. The complaint shall contain a short and plain  
129 statement of the facts describing the violation and the relief  
130 sought. The commission may require additional information to be  
131 in the complaint. The commission, within 5 days of the complaint  
132 being filed, shall by registered mail send a copy of the  
133 complaint to the person who allegedly committed the violation.  
134 The person who allegedly committed the violation may file an  
135 answer to the complaint within 25 days of the date the complaint  
136 was filed with the commission. Any answer filed shall be mailed  
137 to the aggrieved person by the person filing the answer. Both  
138 the complaint and the answer shall be verified.

139 (15) In any civil action or administrative proceeding  
140 brought pursuant to this section, a finding that a person  
141 employed by the state or any governmental entity or agency has  
142 violated s. 760.10 shall as a matter of law constitute just or  
143 substantial cause for such person's discharge.

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