



## MEMORANDUM

### **ISSUE**

Request to file an amicus brief in support of Orange County's Human Rights Ordinance, which has been invalidated in a Circuit Court Judge ruling.

### **HISTORY**

A complaint of discrimination in a place of public accommodation under Orange County's Human Rights Ordinance was dismissed by a Circuit Court Judge who ruled that the ordinance was inconsistent with, and pre-empted by, Florida state law, as set forth under the Florida Civil Rights Act. That decision is currently under appeal. The underlying complaint concerned gender-based admission policies at an entertainment venue.

### **WHAT IT MEANS TO PINELLAS COUNTY**

If the Circuit Court Judge's decision is upheld, it could set a legal precedent that threatens municipal and county human rights to enact laws and already-in-place laws across the State of Florida. Many of these municipal and county laws include additional groups of "protected classes" from discrimination in employment, housing, and places of public accommodation that are not included in the Florida Civil Rights Act. For example, in Pinellas County, this means discrimination prohibitions adopted by the Board based on sexual orientation, gender identity and/or gender expression could no longer apply. Additionally, Chapter 70 of the Code relating to Human Relations prohibits discrimination in employment across a greater range of employers than is currently embraced under Florida state law.

### **WHAT ACTION IS BEING REQUESTED OF THE BOARD OF COUNTY COMMISSIONERS**

The Office of Human Rights requests the Board's support. OHR seeks to have the County join the local government's appeal by signing and/or filing an amicus brief. The brief is in support of the right of local governments to maintain civil rights protections greater than those found under Florida state law.