

# MIAMI BEACH

**City of Miami Beach**, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
Office of the City Clerk Tel: 305-673-7411

December 19, 2015

Town Clerk Jacqueline Wilson  
10720 Caribbean Blvd., Suite 105  
Cutler Bay, FL 33189

Dear Town Clerk Wilson,

Attached please find a copy of City of Miami Beach Resolution No. 2015-29215:

A Resolution Urging The Florida Legislature To Oppose Florida House Bill 401, Which Would (1) Provide Immunity From Liability For Health Care Facilities Or Health Care Providers That Refuse To Administer, Recommend, Or Deliver Medical Treatments Or Procedures That Would Be Contrary To Religious Or Moral Convictions Or Policies; (2) Provide Immunity From Liability For Individual Persons, Closely Held Organizations, Religious Institutions, Or Businesses Owned Or Operated By A Religious Institution That Refuse To Produce, Create, Or Deliver Custom Products Or Services That Would Be Contrary To Religious Or Moral Convictions Or Policies; (3) Provide 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; And (4) Preempt Local Regulations To The Contrary.

This Resolution was unanimously passed and adopted by the Mayor and City Commission of the City of Miami Beach on December 9, 2015.

If you need additional information, please do not hesitate to call.

Respectfully,



Rafael E. Granado  
City Clerk

c: Commissioner Micky Steinberg

RESOLUTION NO. 2015-29215

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE FLORIDA HOUSE BILL 401, WHICH WOULD (1) PROVIDE IMMUNITY FROM LIABILITY FOR HEALTH CARE FACILITIES OR HEALTH CARE PROVIDERS THAT REFUSE TO ADMINISTER, RECOMMEND, OR DELIVER MEDICAL TREATMENTS OR PROCEDURES THAT WOULD BE CONTRARY TO RELIGIOUS OR MORAL CONVICTIONS OR POLICIES; (2) PROVIDE IMMUNITY FROM LIABILITY FOR INDIVIDUAL PERSONS, CLOSELY HELD ORGANIZATIONS, RELIGIOUS INSTITUTIONS, OR BUSINESSES OWNED OR OPERATED BY A RELIGIOUS INSTITUTION THAT REFUSE TO PRODUCE, CREATE, OR DELIVER CUSTOM PRODUCTS OR SERVICES THAT WOULD BE CONTRARY TO RELIGIOUS OR MORAL CONVICTIONS OR POLICIES; (3) PROVIDE 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; AND (4) PREEMPT LOCAL REGULATIONS TO THE CONTRARY.**

**WHEREAS**, the City's Human Rights Ordinance, codified in Chapter 62 of the City Code, declares that "there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of prejudice against one another and antagonistic to each other because of differences of race, color, national origin, *religion*, sex, intersexuality, gender identity, sexual orientation, marital and familial status, age, or disability," and that "prejudice, intolerance, bigotry and discrimination and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the very institutions, foundations and bedrock of a free, democratic society"; and

**WHEREAS**, in view of this policy, the City's Human Rights Ordinance prohibits discrimination in employment, public accommodations, housing, and public services, on the basis of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, age, and disability; and

**WHEREAS**, the Miami-Dade County Board of County Commissioners recently expanded the Miami-Dade County Human Rights Ordinance to prohibit discrimination on the basis of gender identity and gender expression in housing, public accommodations, and employment; and

**WHEREAS**, Florida House Bill 401 (2016), if passed, would (1) provide 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; (2) provide 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; (3) provide 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; and (4) preempt local regulations to the contrary; and

**WHEREAS**, the Mayor and City Commission oppose House Bill 401 as it would sanction discrimination by healthcare providers and facilities, individual persons and business organizations, religious organizations and charities, and child-placement and adoption agencies with certain religious and moral convictions and, furthermore, by prohibiting cities and counties from protecting the right of every individual not to be denied access to the same goods and services as any other person notwithstanding any alleged privately held religious or moral belief or conviction of a person or group; and

**WHEREAS**, the Mayor and City Commission deem it in the best interest of the City and its citizens to urge the Florida Legislature to oppose House Bill 401; and

**WHEREAS**, the Mayor and City Commission wish to speak in a unified voice with our sister cities and counties that share our values of inclusion and nondiscrimination.

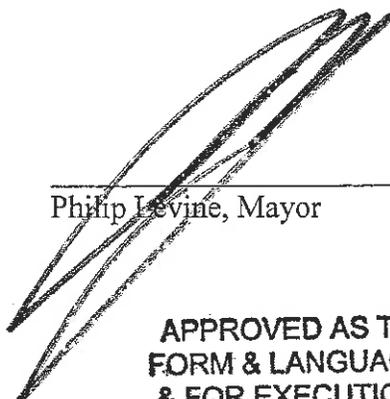
**NOW, THEREFORE, THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, hereby urge the Florida Legislature to oppose House Bill 401 (2016), urge our sister Florida cities and counties to pass similar resolutions, and direct the City Clerk to transmit this Resolution to Governor Rick Scott, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and other Florida local governments that share our commitment to inclusion, diversity, and nondiscrimination, asking each to consider passing and transmitting similar resolutions.

**PASSED and ADOPTED** this 9th day of December, 2015.

**ATTEST:**

  
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Rafael E. Granado, City Clerk

(Sponsored by Commissioner Micky Steinberg)

  
\_\_\_\_\_  
Philip Levine, Mayor

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney

11-23-15  
Date

