

**ORDINANCE NO. 2024-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY FLORIDA, TO BE KNOWN AS THE “MARION COUNTY HEALTH FREEDOM BILL OF RIGHTS”; PROVIDING FOR THE BOARD’S SUPPORT FOR CHAPTER 381, FLORIDA STATUTES IN ORDER TO SAFEGUARD HEALTHCARE RIGHTS AND FREEDOMS OF MARION COUNTY RESIDENTS; REJECTING THE AUTHORITY OF THE WORLD HEALTH ORGANIZATION AND OTHER INTERNATIONAL BODIES TO IMPOSE HEALTH MANDATES OR DIRECTIVES WITHIN MARION COUNTY, EXCEPT AS PROVIDED HEREIN; ADOPTING THE FLORIDA PATIENT’S BILL OF RIGHTS; PROVIDING FOR PROTECTIONS FOR MARION COUNTY EMPLOYEES; PROVIDING THAT MASKS AND VACCINATIONS WILL NOT BE REQUIRED OF EMPLOYEES AND PERSONS SEEKING ACCESS TO COUNTY BUILDINGS EXCEPT AS PROVIDED HEREIN; PROVIDING MARION COUNTY’S ASSISTANCE TO THE STATE OF FLORIDA IN THE ENFORCEMENT OF CHAPTER 381, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, numerous Marion County residents have expressed their concerns to the Board of County Commissioners (“Board”) over the federal government’s and the World Health Organization’s attempts to impose public health mandates, and to limit an individual’s healthcare freedoms and rights; and

**WHEREAS**, Marion County is a non-charter County and political subdivision of the State of Florida, deriving its powers from the Constitution and laws of the State of Florida; and

**WHEREAS**, the State of Florida has recognized the above-stated concerns and in May 2023, Governor DeSantis signed into law Committee Substitute for Senate Bill 252, now codified in Chapter 381, Florida Statutes, which prohibits discrimination based on health care choices, and the enforcement of international health organization guidelines, among other protections; and

**WHEREAS**, the State of Florida further protects its residents’ health-related rights and freedoms through Section 381.026, Florida Statutes, the Florida Patient’s Bill of Rights and Responsibilities, which promotes the interests and wellbeing of patients of healthcare providers and healthcare facilities; and

**WHEREAS**, the Board wishes to enact a local ordinance to complement the provisions of Chapter 381, Florida Statutes as provide herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA:**

**SECTION ONE: Title.** This ordinance shall be known and cited as the “Marion County Health Freedom Bill of Rights Ordinance.”

**SECTION TWO: Purpose and Intent.** The purpose of this ordinance is to enhance healthcare rights and freedoms of Marion County employees and Marion County residents by providing specific protections for County employees and those seeking services from Marion County offices; by complementing the role of the State of Florida with respect to the enforcement of Chapter 381, Florida Statutes, and by affirmatively rejecting any health mandates or directives of the World Health Organization or other international bodies.

**SECTION THREE: Definitions.** The terms used in this Ordinance shall be as defined in Chapter 381, Florida Statutes, as may be amended from time to time.

**SECTION FOUR: Applicability.** The operation and application of this Ordinance is limited to the unincorporated area of Marion County.

**SECTION FIVE: Access to Marion County Facilities and Services.** Marion County will not require any person to provide any documentation certifying vaccination with any vaccine, as defined in Florida Statutes Sec. 381.00316(2)(g), or post-infection recovery from COVID-19, or require a COVID-19 test, to gain access to, entry upon, or obtain service from the Marion County operations, or as a condition of contracting, hiring, of continued employment, except where mandated by State law or Florida agency rule, or Executive Order of the Governor.

- (a) For matters relating to vaccines other than those defined under subsection (a), Marion County shall provide for exemptions and reasonable accommodations for religious and medical reasons in accordance with federal law.
- (b) Marion County will not require a person to wear a face mask, a face shield, or any other facial covering that covers the mouth and nose, except for requirements for health care workers and as mandated by OSHA requirements for County employees.

**SECTION SIX: Private employer discrimination based on health care choices.**

- (a) Marion County shall complement the enforcement of Florida Statutes section 381.00316 and section 381.00317, by establishing a designated staff contact under the Assistant County Administrator for Administration, who shall receive complaints from Marion County residents regarding alleged violations of those statutes, and forward those complaints with supporting documentation to the State of Florida Department of Legal Affairs.
- (b) Such designated Marion County staff may also provide general information to private employers who may have questions about the applicability of those statutes to their individual businesses.

**SECTION SEVEN: Florida Patient’s Bill of Rights and Responsibilities.** Marion County hereby adopts in its entirety the Florida Patient’s Bill of Rights and Responsibilities, as codified in Florida Statutes Sec. 381.026, as may be amended from time to time.

**SECTION EIGHT: Directives from the World Health Organization and other International Bodies.** Marion County does not recognize any authority of the World Health Organization or any other international body to impose any health mandates or directives within Marion County unless compelled to do so under State law, rule, or executive order issued by the Governor of Florida.

**SECTION NINE: Enforcement.** The intent of this Ordinance is remedial rather than punitive. With respect to any complaints by Marion County employees or citizens with respect to the operations of Marion County government, the County Administrator is charged with the adoption of Policies and Procedures to ensure that the provisions of Chapter 381 are being adhered to, within 30 days of receipt of any complaint.

**SECTION TEN: Conflict and Severability.** In the event this Ordinance conflicts with State or Federal law, State or Federal law shall govern to the extent of such conflict. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

**SECTION ELEVEN: Inclusion in the Code of Laws and Ordinances.** The provisions of this Ordinance shall become and be made part of the Code of the laws and Ordinances of Marion County, Florida. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

**SECTION TWELVE: Effective Date.** A certified copy of this Ordinance shall be filed by the Clerk of the Board, by email, with the Office of the Secretary of the State of Florida within ten days after enactment, and shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office.

**DULY ADOPTED** with a quorum present and voting, by the Board of County Commissioners of Marion County, Florida, this \_\_\_\_ day of July, 2024.

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY FLORIDA**

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MICHELLE STONE, CHAIR

**ATTEST:**

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GREGORY C. HARRELL, CLERK