

February 16, 2026

DELIVERED VIA EMAIL

Chair Garcia
Senate Appropriations Committee
on Criminal and Civil Justice
404 South Monroe Street
Tallahassee, FL 32399

Re: ACLU of Florida Written Testimony in Opposition to SB 1632 and SB 1634/
HB 1471 and HB 1473



4343 W. Flagler St.
Miami, FL
(786) 363-2700
acluf.org

Bacardi L. Jackson
Executive Director

Kara Gross
Interim Political Director

Dear Chair Garcia and Committee members:

The ACLU of Florida is a nonpartisan organization whose mission is to protect, defend, strengthen, and promote the constitutional rights and civil liberties of all people in Florida. On behalf of our members and supporters in Florida, we write in strong opposition to SB 1632 and SB 1634/ HB 1471 and HB 1473 and respectfully request that you vote “No” on these bills.

Executive Overreach

Under these bills, a small group of state officials could claim sweeping power to brand civil-society groups—including nonprofits operating for religious, charitable, and social justice purposes—as “domestic terrorists” without notice, clear standards, independent and meaningful oversight, or basic due process, such as a pre-designation opportunity to be heard. The legislation opens the door to arbitrary enforcement and political targeting. It also imposes, or threatens to impose, potentially devastating consequences on targeted groups and individual Floridians—particularly students, and could lead to criminal charges based on association and other First Amendment protected activities.

Florida already has more than adequate tools to prosecute actual criminal conduct, including violent crimes. Without making anyone safer, SB 1632/HB 1471’s vague and overbroad language could easily be weaponized in bad faith against everyday Floridians engaged in First Amendment-protected activities. No matter where Floridian civil-society organizations and activists might fall across the ideological spectrum, from left to right, nonpartisan to partisan, religious or not, everyone’s rights could be at risk. In short, this legislation would threaten the constitutional rights of all Florida residents and could have a profound chilling effect on civic engagement and political advocacy in our state.

Problems with “Domestic Terrorism” Designations

Congress has never passed a law creating a domestic terrorism designation system, and for very good reason. Doing so would almost certainly sweep in First

Amendment-protected beliefs, associations, and speech. Florida is now attempting to create exactly what Congress has wisely avoided: a state-level domestic terrorism designation scheme that could easily be abused to target groups and individuals based on their First Amendment protected beliefs. A new state law that grants a small group of executive officials the power to brand organizations as “terrorist” and then purports to criminalize association with them would dangerously expand state power to target Floridians who disagree with the government and subject them to unjustified surveillance, investigation, and criminal and civil punishments.

What a particular state official decides to label as terrorism or not on a given day may be deeply influenced by political, racial, religious, and ideological biases, as well as corporate interests. In public discourse today by those in power, the label “terrorism” is all too often directed to individuals who are Muslim or are perceived to be Muslim and away from extremist white supremacists or far-right hate groups. Tomorrow that might look different. The reality is that both Florida and the federal government already possess abundant investigative and prosecutorial tools to identify, investigate, and prosecute terrorism-related crimes, whether committed in the United States or abroad.

This Bill Could Harm People Who Have Engaged in No Criminal Wrongdoing

Wrongly designating a group as “terrorist” or accusing someone of “material support for terrorism,” even if they are never charged or convicted, can have serious long-term consequences. The stigma of being falsely labeled as a supporter of terrorism can have a devastating impact on an individual’s personal and professional lives. The state could abuse this authority to target its political opponents by relying on the stigma of the designation and the fear of criminal charges and crippling legal fees to stifle dissent and chill speech and advocacy.

Our country already has a long and painful record of abusive and discriminatory surveillance, investigation, invasion of privacy, and prosecution of individuals and organizations accused of violating material-support laws, disproportionately impacting Black and brown communities and ally civil-society organizations. Over the past 20 years, the ACLU has challenged or filed amicus briefs in numerous material-support cases in which the government infringed on or violated free expression or association rights. We cannot allow Florida to repeat these injustices.

Ultimately, the bill risks ensnaring innocent individuals when true public safety is built by investing in our communities, not by seeking to silence or criminalize them.

The Threat to Students

SB 1632/ HB 1471 pose a grave threat to students at Florida’s public colleges and universities. Students who are deemed to “promote”—an undefined term—an

alleged “designated organization” face expulsion, assessment of out-of-state fees, loss of all fee waivers, and complete ineligibility for scholarships, grants, and financial aid. These consequences would apply immediately upon designation of a group, without any criminal charge or conviction, and could be based solely on protected political speech.

The Supreme Court has repeatedly recognized students’ right to free speech, including in times of actual crisis. In *Healy v. James* (1972), the Court affirmed that the First Amendment protects the right of student groups to associate and to speak out on matters of public concern, free from censorship by public university officials. As the Court said, “nowhere is free speech more important than in our leading institutions of higher learning.”

Students at Florida’s public universities have a First Amendment right to speak out on political issues, organize or attend protests, or otherwise advocate or support a cause or movement while in school as long as they don’t significantly disrupt the core functioning of the university or violate valid, viewpoint-neutral school policies. A college or university cannot fulfill its mission as a forum for vigorous debate if its leaders are censoring students or punishing them for their protected speech and associations. Such attempts chill speech, foster an atmosphere of mutual suspicion, and betray the spirit of free inquiry.

Conclusion

SB 1632 and SB 1634/ HB 1471 and HB 1473 are unnecessary, invite bad-faith and unconstitutional enforcement, and do not make Floridians safer. These types of laws, though not new in recent U.S. history, implicate the free speech rights of everyone in Florida and create a chilling effect on those speaking out about their political beliefs or other pressing issues. At a time of widespread anti-Muslim discrimination, antisemitism, government surveillance and censorship of race and gender, and government interference with our bodily autonomy, Floridians’ freedoms of belief, speech, and association are particularly at risk.

For all these reasons, we respectfully urge you to oppose these dangerous bills. Please do not hesitate to contact Kara Gross, Interim Political Director, at kgross@aclufl.org, if you have any questions or would like any additional information.

Sincerely,



Bacardi L. Jackson
Executive Director



Kara Gross
Interim Political Director