



POLICY BRIEF

Why Florida Should Reject the 'Domestic Terrorist' Designation Bills

March 5, 2026

HB 1471, HB 1473, SB 1632, and SB 1634 would create a state-level system for designating organizations as "domestic terrorists", a power held by no state and not even the federal government. The bills would empower a small group of executive officials to apply the designation without prior notice or criminal conviction, ban Shari'a law from Florida courts, restrict school voucher access for affiliated institutions, authorize the immediate expulsion of college students who "promote" designated organizations, and shield the designation process from public records disclosure. United Voices For America urges Florida's lawmakers and the governor to reject these bills. They are unconstitutional, unnecessary, and target Florida's Muslim communities under the guise of public safety. The following brief outlines why.

I. A Federal Court Has Already Spoken

On March 4, 2026, U.S. District Judge Mark E. Walker of the Northern District of Florida [granted a preliminary injunction](#) [1] blocking Governor Ron DeSantis's Executive Order 25-244, which designated the Council on American-Islamic Relations (CAIR) a "terrorist organization." The court found the executive order constitutes unconstitutional First Amendment coercion — that the governor used the power of his office to pressure third parties into cutting ties with CAIR, suppressing its protected speech. The injunction is effective immediately, with no bond and no stay pending appeal.

"The First Amendment bars the Governor from continuing the troubling trend of using an executive office to make a political statement at the expense of others' constitutional rights." The judge described the governor as "choosing to be a bully — in the familiar sense of the term — from his pulpit" and concluded: "Political grandstanding does not an emergency make."

Judge Walker closed his ruling by quoting George Washington's 1790 letter to the Hebrew Congregation in Newport, Rhode Island, praising the American government for giving "to bigotry no sanction." He noted that Muslims make up less than 1% of Florida's population, making them "an especially easy target."

SB 1632 and SB 1634 were drafted to codify this executive order into law. A federal court has now ruled its foundation unconstitutional.

II. How These Bills Came to Be

The legislative effort now before the Senate did not originate from a public safety need. It originated from a political campaign targeting Florida's Muslim communities, timed to geopolitical events and driven by the governor's directives.

- **October 7, 2025:** Rep. Hillary Cassel (R-Dania Beach), who switched from Democrat to Republican in December 2024 over Israel, filed [HB 119](#) [2] (the "No Shari'a Act") on the anniversary of the October 7 Hamas attack. In [her statement announcing the bill](#) [3], she wrote: "I stand strong, proud, and unyielding in defense of freedom, in defiance of hate, and in solidarity with Israel and the Jewish people."
- **December 8, 2025:** Governor DeSantis signed Executive Order 25-244 designating CAIR and the Muslim Brotherhood as "foreign terrorist organizations." He [announced the order on X](#) [4] and within hours posted that ["Members of the FL Legislature are crafting legislation to stop the creep of sharia law, and I hope that they codify these protections for Floridians against CAIR and the Muslim Brotherhood in their legislation."](#) [5]
- **January 9, 2026:** Cassel withdrew HB 119 and filed [HB 1471](#) [6] and [HB 1473](#) [7] — far broader bills combining anti-Shari'a provisions with a domestic terrorist designation framework, campus expulsion provisions, voucher restrictions, and a public records exemption for the designation process. Sen. Erin Grall filed the Senate companions, [SB 1632](#) [8] and [SB 1634](#) [9].
- **February 25, 2026:** SB 1632 barely survived its second Senate committee hearing, passing 5-3 after a marathon session with overwhelming public opposition. Senators assured the public that the bill's problems would be addressed at the next committee.
- **February 26, 2026:** Instead of being fixed, SB 1632 was pulled from its third and final committee (Fiscal Policy) and placed directly on the special order calendar. The promised fixes never came.
- **March 3, 2026:** The House passed HB 1471 on an 81-26 vote. Cassel opened her floor speech by invoking the U.S. and Israeli strikes on Iran from 72 hours earlier — using a foreign military operation to justify a domestic law aimed at Florida's Muslim communities.

III. Existing Law Already Protects Floridians — These Bills Do Not

The bill's sponsors argue they are simply replicating what the federal government does in designating foreign terrorist organizations. This is misleading. **The federal government does not maintain a list of designated domestic terrorist organizations** — precisely because doing so would be unconstitutional. Congress has never passed a domestic terrorism designation law, and for good reason: it would inevitably sweep in First Amendment-protected beliefs, associations, and speech.

When domestic groups engage in terrorist conduct, federal and state law enforcement use existing criminal statutes to investigate, arrest, and prosecute — based on criminal conduct, not labels. Florida already has more than adequate tools to prosecute actual criminal conduct, including violent crimes and terrorism-related offenses.

Judge Walker's ruling reinforces this distinction. He noted that *Holder v. Humanitarian Law Project* — the primary legal authority cited by the bill's sponsors — explicitly stated that Congress could not extend material support prohibitions to domestic organizations. SB 1632 does exactly that.

These bills do not make Floridians safer. They are designed to silence and strip Floridians of constitutional rights.

IV. Constitutional Violations

First Amendment — Free Speech and Coercion

Judge Walker's ruling found that the executive order these bills seek to codify constitutes unconstitutional coercion under *Bantam Books v. Sullivan* and *NRA v. Vullo*: a government official "cannot do indirectly what he is barred from doing directly." The bills would criminalize "material support" and "promotion" of designated organizations — undefined terms that could encompass constitutionally protected speech, advocacy, and association. As the ACLU of Florida warned in its [written testimony](#) [10] to the Senate Appropriations Committee on Criminal and Civil Justice (February 16, 2026), the bills' "vague and over-broad language could easily be weaponized in bad faith against everyday Floridians engaged in First Amendment-protected activities."

First Amendment — Establishment Clause

The bill explicitly names Shari'a law — the religious legal tradition of Islam — while amendments secured by the Florida Conference of Catholic Bishops exempt "the governance, administration, or adjudication of ecclesiastical matters of a religious organization." This exemption effectively shields the Catholic Church's internal legal system from the bill's reach — but Shari'a remains named by name in a bill titled "Ideologies Inconsistent with American Principles." Shari'a, like Halakha in Judaism, governs internal religious matters including prayer, charity, family law, and ethical conduct. Selectively targeting one faith's religious traditions while protecting another's violates the Establishment Clause's prohibition on government action that favors or disfavors any religion. On the House floor, Rep. Ashley Gantt (D-Miami) proposed an amendment to remove references to Shari'a law from the bill, arguing the language was unconstitutional. Cassel insisted on keeping it, claiming Shari'a is "not a religious practice" but rather "a foreign framework." That characterization contradicts the understanding of nearly two billion Muslims worldwide, for whom Shari'a — literally meaning "the path" or "the way" — is by definition a religious practice.

Due Process

The bills allow designation without prior notice, without a pre-designation opportunity to be heard, and without any criminal charge or conviction. Consequences — including loss of public funding, campus expulsions, and potential criminal liability — take effect immediately upon designation, before judicial review is available. As the SPLC's Florida policy director Jonathan Webber stated: "The legislation allows an organization to be branded a domestic terrorist organization without any prior criminal conviction of the group, its leaders or its members. That is punishment before due process." [11]

Vagueness

Key terms including "intimidate," "coerce," "promote," and "material support" are undefined or poorly defined in the legislation. [Bearing Arms](#) [12], a conservative pro-Second Amendment outlet, warned that the language is broad enough to sweep in gun rights organizations. Planned Parenthood testified that abortion providers could meet the bill's definition of "terrorist activity." When a bill's language can plausibly be read to cover gun rights rallies, reproductive health providers, and Muslim civil rights organizations alike, the problem is not with any one group — it is with the bill.

V. The Threat to Students and Religious Schools

Students at Florida's public colleges and universities who are deemed to "promote" — an undefined term — a designated organization face immediate 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, without any criminal charge or conviction, and could be based

solely on protected political speech. The Supreme Court in *Healy v. James* (1972) affirmed that "nowhere is free speech more important than in our leading institutions of higher learning."

The bills would also restrict voucher access for schools affiliated with organizations designated under this statute. About two dozen Islamic schools out of more than 3,200 private schools participating in Florida's nearly \$4 billion voucher program could lose funding — not because of any criminal conduct or wrongdoing, but because of their religious identity and the potential that any organization associated with them could be designated under this statute.

VI. Conclusion — Vote No on SB 1632 and SB 1634

A federal court has blocked the executive order that started this entire legislative campaign. The promised fixes to the bill's constitutional problems never materialized — the bill was pulled from its final committee rather than subjected to further scrutiny. Federal and Florida laws already protect Floridians from terrorism. These bills do not make anyone safer. They create a framework for silencing disfavored speech, targeting minority religious communities, punishing students for political advocacy, and stripping constitutional rights from Floridians without due process.

Florida's lawmakers should reject HB 1471, HB 1473, SB 1632, and SB 1634. Governor DeSantis should put the U.S. and Florida Constitutions first and veto these bills if they reach his desk.

References

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- [2] HB 119, Florida Legislature (2026 Session): <https://www.flsenate.gov/Session/Bill/2026/119>
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- [7] HB 1473, Florida Legislature (2026 Session): <https://www.flsenate.gov/Session/Bill/2026/1473>
- [8] SB 1632, Florida Legislature (2026 Session): <https://www.flsenate.gov/Session/Bill/2026/1632>
- [9] SB 1634, Florida Legislature (2026 Session): <https://www.flsenate.gov/Session/Bill/2026/1634>
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