

1 A bill to be entitled
 2 An act relating to the display of flags by
 3 governmental entities; creating s. 256.045, F.S.;
 4 providing a definition; prohibiting certain
 5 governmental entities from erecting or displaying
 6 certain flags; requiring the governmental entity to
 7 remain neutral in certain circumstances; providing
 8 applicability; requiring certain governmental entities
 9 to display the United States flag in a certain
 10 position; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 256.045, Florida Statutes, is created
 15 to read:

16 256.045 Display of flags; governmental agencies, local
 17 governments, or other units of local government.—

18 (1) For purposes of this section, the term "governmental
 19 entity" means a governmental agency, a local government, or
 20 another unit of local government and includes public schools,
 21 public colleges, and public universities.

22 (2)(a) A governmental entity may not erect or display a
 23 flag that represent a political viewpoint, including, but not
 24 limited to, a politically partisan, racial, sexual orientation
 25 and gender, or political ideology viewpoint. The governmental

HB 901

2024

26 entity must remain neutral when representing political
27 viewpoints in displaying or erecting a flag.

28 (b) This subsection does not limit the ability of:

29 1. A private individual to express private speech or
30 viewpoints or exercise rights protected by the First Amendment
31 to the United States Constitution.

32 2. A governmental entity to display or erect a flag
33 required or authorized by general law.

34 (3) A governmental entity that displays the United States
35 flag must display the United States flag in a prominent position
36 that is superior to any other flag that is also displayed.

37 Section 2. This act shall take effect July 1, 2024.