

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

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

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

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

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

(2)(a) A governmental entity may not erect or display a flag that represent a political viewpoint, including, but not limited to, a politically partisan, racial, sexual orientation 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.