

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO DEFEAT HB 1011/SB 668, WHICH WOULD PROHIBIT THE DISPLAY OF THE CONCH REPUBLIC FLAG, THE PRIDE FLAG, OR ANY FLAG OTHER THAN THE UNITED STATES FLAG, THE FLORIDA STATE FLAG, AND THE POW-MIA FLAG ON PUBLIC PROPERTY IN THE CITY OF KEY WEST AND MONROE COUNTY; DIRECTING THE CITY CLERK TO PROVIDE THIS RESOLUTION TO CERTAIN MEMBERS OF THE FLORIDA LEGISLATURE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Florida House Bill 1011 and Florida Senate Bill 668 propose to restrict local government units to public display of only the United States flag, the Florida State Flag, the POW-MIA flag, and in limited locations and on limited occasions the state Firefighter Memorial Flag on public property; and

WHEREAS, this proposed regulation does not protect any public interest, and has been brought forward as a political statement against communities and individuals that choose to display flags in support of inclusion, diversity and local pride; and

WHEREAS, the current version of the bill(s) do not provide specific punitive actions against a government agency that defies the proposed protocol, however it has a chilling effect on the constitutional right to free speech; and

WHEREAS, the Florida Senate's Committee on Governmental Oversight and Accountability submitted a Bill Analysis and Fiscal Impact Statement on March 14, 2023 that states a specific concern that "This bill, by limiting the flags that may be displayed by governmental agencies [...], prohibits other flags and therefore may be determined to limit speech;" and

WHEREAS, in Key West, which was home (at least part-time) to the creators of both the Pride Flag and the Conch Republic Flag, which are internationally recognized, and essential to Key West's tourist economy, HB 1011/SB 668 represents partisan legislation, crafted purely to make a political statement that does not protect the welfare of any citizen; and

WHEREAS, the City Commission finds that HB 1011/SB 688 would have an adverse effect on the welfare and enjoyment of visitors and residents of the City of Key West; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the Key West City Commission urges the Florida Legislature to defeat House Bill 1011/SB 668, which would prohibit public display of the Conch Republic Flag, the Pride Flag, and many other flags on government property.

Section 2: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to Governor Ron DeSantis, Representative David Borrero (HB Sponsor), House Speaker Paul Renner, and Representative James "Jim" Mooney, Jr, Senator Nick DiCeglie (SB 1700 Sponsor), and Senator Ana Maria Rodriguez.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Filed with the Clerk on \_\_\_\_\_, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK