

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1757 (PCB EDK 04-01) Flags in the Classroom

**SPONSOR(S):** Education K-20

**TIED BILLS:**

**IDEN./SIM. BILLS:** SB612

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Education K-20	27 Y, 0 N	Porter	Bohannon
2)			
3)			
4)			
5)			

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### SUMMARY ANALYSIS

This bill requires that each public K-20 educational institution and each public educational institution providing postgraduate or professional programs in the state to daily display the United States flag in every classroom. The bill requires that each flag must be at least 2 feet by 3 feet and must be displayed in accordance with Title 4, United States Code.

The bill will take effect July 1, 2004.

### FULL ANALYSIS

#### I. SUBSTANTIVE ANALYSIS

##### A. DOES THE BILL:

- |                                      |                              |                             |        |
|--------------------------------------|------------------------------|-----------------------------|--------|
| 1. Reduce government?                | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A[X] |
| 2. Lower taxes?                      | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A[X] |
| 3. Expand individual freedom?        | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A[X] |
| 4. Increase personal responsibility? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A[X] |
| 5. Empower families?                 | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A[X] |

For any principle that received a "no" above, please explain:

##### B. EFFECT OF PROPOSED CHANGES:

Section 1000.06, F.S., currently requires every public K-20 educational institution in the state to display both the United States flag and the state flag daily on every district school board building or grounds and on the grounds of each post-secondary educational institution. When two or more buildings are adjacent to each other, one flag may be displayed for the entire group of buildings. Section 256.032, F.S., also requires that the state flag be displayed at each elementary and secondary public school.

The bill requires each public K-20 educational institution and each educational institution providing postgraduate or professional programs provided or authorized by the Constitution to daily display the

United States flag in every classroom. The bill requires that each flag must be at least 2 feet by 3 feet and must be displayed in accordance with Title 4, United States Code. The bill does not specify a specific construction material or style for the flags or which approved position the flags are to be displayed.

The bill requires community colleges, state universities and other post-secondary educational institutions to acquire enough flags to carry out the purpose of the bill. The bill instructs the president of each institution to solicit donations of flags or funds to acquire flags for one year before seeking the allocation of other funding sources for the purchase of flags. The bill requires the presidents to present the results of fund raising and donation activities for the flags to their governing board prior to requesting the board to approve a funding source for the purchase of flags.

All other educational institutions (effectively K-12 schools) must acquire enough flags to carry out the purpose of the bill. The head of each institution is instructed to seek flag donations and fund raising activities for one year prior to the allocation of other funding sources to the purchase of flags.

The bill amends requires all classrooms to have flags installed no later than August 1, 2005.

The bill takes effect July 1, 2004.

#### C. SECTION DIRECTORY:

Section 1 of the bill amends s. 1000.06, F.S. to require the display of the American Flag in all classrooms at public K-20 educational institution and each educational institution providing postgraduate or professional programs in the state.

Section 2 provides an effective date of July 1, 2004.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

The bill does not contain any revenue producing features for state government.

##### 2. Expenditures:

The bill does not contain any direct expense allocated to state government.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

The bill does not contain any revenue producing features for local governments.

##### 2. Expenditures:

The bill does not contain any direct expense allocated to local government.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill does not impact the private sector.

**D. FISCAL COMMENTS:**

The bill will require all public educational institutions to acquire flags for each classroom to be displayed on a daily basis. The bill also instructs the institutions seek donations of flags and fund raising activities for the purchase of flags for one year before actually purchasing flags for the classrooms using existing school funds for this purpose. There are several factors that affect the ability to determine the actual potential cost of the bill to these institutions. There is no reliable data available to determine how many classrooms currently display flags approved under the bill. There is also no way to determine the effectiveness of seeking donations and fund raising activities for the purchase of flags. It is entirely possible that there will be only a negligible cost, if any, to the institutions if their donation and fund raising activities are successful.

Flags vary in price, with average prices for 2' x 3' flags in a range of approximately \$8 - \$27. Flags at the lower end of the price range would be printed rather than sewn. Assuming that traditional flags are used (rather than depictions or pictures of flags), the total cost of putting a flag up in a classroom will include the cost of the flag, the flag pole, the flag bracket or holder, and labor.

The cost to implement the bill would vary widely by institution. SunTrust bank has previously donated funds to the University of Central Florida so that the university could place flags in every classroom. The University of Central Florida has estimated that, in its initiative to put a flag in every classroom, the cost totaled \$30 per flag, including the flag, pole, bracket and labor to put up the flags.

According to the Department of Education, there are approximately 156,000 classrooms in the K-12 schools in Florida. Assuming a flag cost in the middle of the average range set forth above (\$17.50), and assuming that none of these classrooms currently contain flags, the cost to furnish flags to comply with the bill's requirements (not including the flag holder or labor) would be approximately \$2,729,930. As noted, however, some of these classrooms certainly contain flags already, and veterans' organizations (or others) may donate them as well.

According to the Department of Education, Florida's community college system contains 3,293 classrooms and the state universities combined have approximately 2,000 classrooms. Assuming a flag cost in the middle of the average range set forth above (\$17.50), and assuming that none of these classrooms currently contain flags, the cost to furnish flags to comply with the bill's requirements (not including the flag holder or labor) would be approximately \$92,628.

The fiscal impact of the bill is exceptionally difficult to predict since there is no data available to determine how many classrooms currently have flags or the level to which donations will assist in the acquisition of flags.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

The bill does not require a city or county government to spend funds or to take any action requiring the expenditure of funds.

**2. Other:**

N/A

**B. RULE-MAKING AUTHORITY:**

The bill does not grant additional rule making authority to the Department of Education.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

The bill uses language that is consistent with s. 1006.06(1), F.S. but that is not very clear in definition. The bill refers to an "educational institution providing postgraduate or professional programs which is provided or authorized by the Constitution and laws of this state". This wording makes it difficult to determine which institutions are covered by the bill.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**