

By Senator Bullard

39-02512-08

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1 A bill to be entitled

2 An act relating to the public display of a noose; creating
3 s. 876.211, F.S.; prohibiting a person from placing a
4 noose in a public place, on the property of another
5 without first obtaining the written permission of the
6 owner or occupier of the property, or in an exhibit of any
7 kind with the intention of intimidating another person;
8 providing circumstances under which the provisions of the
9 act apply; providing that a person who violates any
10 provision of the act commits a misdemeanor of the first
11 degree; providing criminal penalties; providing an
12 effective date.

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

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16 Section 1. Section 876.211, Florida Statutes, is created to
17 read:

18 876.211 Prohibition against public display of a noose;
19 exceptions; penalty.--

20 (1) A person may not place a noose or cause a noose to be
21 placed:

22 (a) In a public place in this state.

23 (b) On the property of another person in this state without
24 first obtaining the written permission of the owner or occupier
25 of the property.

26 (c) In an exhibit of any kind with the intention of
27 intimidating another person, preventing another person from doing
28 any act that is lawful, or causing another person to do any act
29 that is unlawful.

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30 (2) Subsection (1) applies only if the person placed or
31 exhibited the noose with the intent to:

32 (a) Deprive another person or class of persons of the equal
33 protection of the laws of this state or of equal privileges and
34 immunities under the laws of this state or for the purpose of
35 preventing the constituted authorities of this state or any
36 subdivision thereof from, or hindering them in, giving or
37 securing to all persons within this state the equal protection of
38 the laws of this state;

39 (b) By force or threat of force, injure, intimidate, or
40 interfere with another person because of the person's exercise of
41 any right secured by federal, state, or local law or to
42 intimidate another person or class of persons from exercising any
43 right secured by federal, state, or local law; or

44 (c) Intimidate, threaten, abuse, or harass another person.

45 (3) A person who violates any provision of subsection (1)
46 commits a misdemeanor of the first degree, punishable as provided
47 in s. 775.082 or s. 775.083.

48 Section 2. This act shall take effect July 1, 2008.