

1 A bill to be entitled
 2 An act relating to homeowners' rights; amending s.
 3 720.304, F.S., relating to right of homeowners to
 4 peaceably assemble, display specified flags and signs,
 5 construct access ramps, and be protected from SLAPP suits;
 6 authorizing homeowners to display certain flags in a
 7 specified manner and to erect certain flagpoles for such
 8 display; providing for application of the section to
 9 homeowners' associations and community development
 10 districts; 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. Subsection (2) of section 720.304, Florida
 15 Statutes, is amended, and subsection (7) is added to that
 16 section, to read:

17 720.304 Right of owners to peaceably assemble; display of
 18 flag; SLAPP suits prohibited; application to homeowners'
 19 associations and community development districts.--

20 (2) (a) Any homeowner may display one portable, removable
 21 United States flag or official flag of the State of Florida in a
 22 respectful manner, and one ~~on Armed Forces Day, Memorial Day,~~
 23 ~~Flag Day, Independence Day, and Veterans Day may display in a~~
 24 ~~respectful manner~~ portable, removable official flag ~~flags~~, not
 25 larger than 4 1/2 feet by 6 feet, which represents ~~represent~~ the
 26 United States Army, Navy, Air Force, Marine Corps, or Coast
 27 Guard, regardless of any covenants, restrictions, bylaws,
 28 ~~declaration rules,~~ or requirements of the homeowners'

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29 association dealing with flags or decorations.

30 (b) Any homeowner may erect a freestanding flagpole no
31 more than 20 feet in height on any portion of the homeowner's
32 real property, regardless of any covenants, restrictions,
33 bylaws, rules, or requirements of the homeowners' association,
34 provided that the flagpole does not obstruct sight lines at
35 intersections and is not erected within any easement. The
36 homeowner may display in a respectful manner from that flagpole,
37 regardless of any covenants, restrictions, bylaws, rules, or
38 requirements of the homeowners' association, one official United
39 States flag, not larger than 4 1/2 feet by 6 feet, and may
40 additionally display one official flag of the State of Florida,
41 the United States Army, Navy, Air Force, Marine Corps, or Coast
42 Guard, or the POW-MIA flag, which additional flag must be equal
43 in size or smaller than the United States flag.

44 (7) This section applies to all homeowners' associations,
45 whether or not such associations are authorized to impose
46 assessments that may become a lien on the parcel, and to all
47 community development districts.

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