

By Senator Wilson

33-00263-10

2010252\_\_

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

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
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  
28 doing any act that is lawful, or causing another person to do  
29 any act that is unlawful.

33-00263-10

2010252

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  
38 of 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  
41 of any right secured by federal, state, or local law or to  
42 intimidate another person or class of persons from exercising  
43 any right secured by federal, state, or local law; or

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

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

48       Section 2. This act shall take effect July 1, 2010.