

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 the act
 10 commits a misdemeanor of the first degree; providing
 11 criminal penalties; providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 876.211, Florida Statutes, is created
 16 to read:

17 876.211 Prohibition against public display of a noose;
 18 exceptions; penalty.—

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

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

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

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

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

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

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

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

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

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