

1 A bill to be entitled
2 An act relating to protection of historical monuments
3 and memorials; providing a short title; creating s.
4 267.201, F.S.; defining the term "memorial";
5 prohibiting certain acts concerning historical
6 monuments and memorials; prohibiting the addition of
7 certain signs or other objects on or adjacent to a
8 memorial; providing for damages; providing for
9 standing to bring civil actions; providing exceptions;
10 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. This act may be cited as the "Historical
15 Monuments and Memorials Protection Act."

16 Section 2. Section 267.201, Florida Statutes, is created
17 to read:

18 267.201 Protection of historical monuments and memorials.—

19 (1) As used in this section, the term "memorial" means a
20 plaque, statue, marker, flag, banner, cenotaph, religious
21 symbol, painting, seal, tombstone, structure name, or display
22 constructed and located with the intent of being permanently
23 displayed or perpetually maintained which is dedicated to a
24 historic person, entity, event, or series of events and which
25 honors or recounts the military service of any past or present

26 military personnel, or past or present public service, of a
 27 resident of this state or another part of the United States.

28 (2) (a) A person or an entity may not take or remove a
 29 monument or memorial displayed on publicly owned property
 30 without authorization from the owner of the memorial or monument
 31 or commit any act constituting a violation of s. 806.135.

32 (b) A plaque, sign, picture, notice, or any other object
 33 used to convey information may not be placed on a memorial in
 34 existence on or before January 1, 2022, without the express
 35 written approval of the Secretary of State.

36 (3) A person or an entity that violates subsection (2) is
 37 liable for treble the amount of the full cost to return, repair,
 38 or replace such monument or memorial or to remove an object
 39 violating paragraph (2) (b) and may be subject to punitive
 40 damages.

41 (4) A public entity owning a monument or memorial, a legal
 42 resident of the state, or a private entity for the purpose of
 43 historic preservation, shall have standing to bring a civil
 44 action in the circuit court in the county in which the monument
 45 or memorial was located for any violation of subsection (2).

46 (5) A governmental agency may only relocate a monument or
 47 memorial when relocation is necessary for construction,
 48 expansion, or alteration of publicly owned buildings, roads,
 49 streets, highways, or other transportation projects. A monument
 50 or memorial relocated for such purpose shall be relocated to a

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51 site of similar prominence, honor, visibility, and access within
52 the same county or municipality in which the monument or
53 memorial was originally located.

54 Section 3. This act shall take effect July 1, 2023.