



451724

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/06/2024	.	
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The Committee on Governmental Oversight and Accountability
(Polsky) recommended the following:

Senate Amendment (with title amendment)

Delete lines 21 - 41

and insert:

256.045 Erecting of flags; governmental agencies, local governments, or other units of local government.-

(1) For purposes of this section, the term "governmental entity" means a governmental agency, a local government, or another unit of local government and includes public schools, public colleges, and public universities.



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11 (2) (a) A governmental entity may not erect a flag that
12 represents a political viewpoint, including, but not limited to,
13 a politically partisan, racial, sexual orientation and gender,
14 or political ideology viewpoint. The governmental entity must
15 remain neutral when representing political viewpoints in
16 erecting a flag.

17 (b) This subsection does not limit the ability of:

18 1. A private individual to express private speech or
19 viewpoints or exercise rights protected by the First Amendment
20 to the United States Constitution.

21 2. A governmental entity to erect a flag required or
22 authorized by general law.

23 (3) A governmental entity that erects the United States
24 flag must erect the United States flag in a prominent position
25 that is superior to any other flag that is also erected.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete lines 2 - 9

30 and insert:

31 An act relating to the erection of flags by
32 governmental entities; creating s. 256.045, F.S.;
33 providing a definition; prohibiting certain
34 governmental entities from erecting certain flags;
35 requiring the governmental entity to remain neutral in
36 certain circumstances; providing applicability;
37 requiring certain governmental entities to erect the
38 United States flag in a certain