

By Senator Yarborough

4-00812-26

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A bill to be entitled
An act relating to the adoption and display of flags
by governmental entities; creating s. 256.18, F.S.;
defining the term "governmental entity"; prohibiting a
governmental entity from displaying, placing, or
causing to be placed certain flags on real property;
providing a penalty; specifying flags a governmental
entity may display on such property; providing
requirements for a governmental entity that displays
the flag of the United States; creating s. 256.19,
F.S.; defining the term "local government";
prohibiting a local government from adopting certain
ordinances or regulations relating to the flag of the
local government; providing that certain ordinances
and regulations are void; providing an effective date.

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

Section 1. Section 256.18, Florida Statutes, is created to
read:

256.18 Governmental entities; display of flags.-

(1) As used in this section, the term "governmental entity"
means a state, county, municipality, special district, or other
political subdivision, whether executive, judicial, or
legislative, including, but not limited to, a department,
division, board, bureau, commission, authority, or district, or
an agency thereof, or a public school, Florida College System
institution, state university, or associated board.

(2) (a) A governmental entity may not:

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30 1. Display any flag on real property other than a flag
31 listed in subsection (3).

32 2. Place or cause to be placed a flag authorized to be
33 displayed under subsection (3) which contains or depicts any
34 word, figure, mark, picture, design, drawing, symbol, or
35 advertisement of any nature which represents political
36 partisanship, political ideology, race, gender, or sexual
37 orientation.

38 (b) A governmental entity that violates this subsection is
39 liable for a civil fine in the amount of \$500 per day. Proceeds
40 from fines collected by the Department of State shall be
41 deposited into the General Revenue Fund.

42 (3) A governmental entity may display on real property:

43 (a) The flag of the United States.

44 (b) The state flag.

45 (c) The flag of another state or another country.

46 (d) The flag of a city, county, municipality, or other
47 political subdivision of this state.

48 (e) The flag of a branch of the United States Armed Forces.

49 (f) A POW-MIA flag pursuant to this chapter.

50 (g) The flag of an Indian tribe recognized by the United
51 States.

52 (h) The official flag of a public school, Florida College
53 System institution, or state university.

54 (i) A flag of historical significance to the government of
55 the United States or this state.

56 (j) The official flag of the United States Paralympic
57 Committee, the International Olympic Committee, or the
58 International Paralympic Committee.

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59 (k) The Olympic flag or Paralympic flag representing games
60 that have occurred or will occur in this state.

61 (l) The flag of any sporting organization that is hosting,
62 has hosted, or will host a sporting event in this state.

63 (4) A governmental entity that displays the United States
64 flag must display the flag in a prominent position that is
65 superior to any other flag on display.

66 Section 2. Section 256.19, Florida Statutes, is created to
67 read:

68 256.19 Local government flags; prohibited acts.—

69 (1) As used in this section, the term "local government"
70 means a city, county, municipality, or other political
71 subdivision of this state.

72 (2) A local government may not adopt an ordinance or
73 regulation that authorizes the flag of the local government to
74 contain or depict any word, figure, mark, picture, design,
75 drawing, symbol, or advertisement of any nature which represents
76 political partisanship, political ideology, race, gender, or
77 sexual orientation.

78 (3) Any existing or future ordinance or regulation adopted
79 by a local government which is in conflict with subsection (2)
80 is void.

81 Section 3. This act shall take effect July 1, 2026.