

Committee Substitute for
Committee Substitute for House Bill No. 9

An act relating to patriotic programs; creating s. 233.0655, F.S.; authorizing district school board rules to require patriotic programs; providing program requirements; requiring recitation of the pledge of allegiance; providing for exceptions and for a notice thereof; amending s. 256.11, F.S.; revising the penalty for willfully causing the flag to fail to be properly displayed; providing an effective date.

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

Section 1. Section 233.0655, Florida Statutes, is created to read:

233.0655 Patriotic programs; rules.—Each district school board is authorized to adopt rules to require, in all of the schools of the district, programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state; provided, that when the national anthem is played, students and all civilians shall stand at attention, men removing the headdress, except when such headdress is worn for religious purposes; and provided, further, that the pledge of allegiance to the flag, “I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all,” shall be rendered by students standing with the right hand over the heart. The pledge of allegiance to the flag, as stated herein, shall be recited at the beginning of the day in each elementary and secondary public school in the state. Each Student shall be informed by posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge. Upon written request by his or her parent or guardian, the student must be excused from reciting the pledge. When the pledge is given, civilians must show full respect to the flag by standing at attention, men removing the headdress, except when such headdress is worn for religious purposes, as provided by s. 7 of U.S. Pub. L. No. 623, approved June 22, 1942, as amended by U.S. Pub. L. No. 829, approved December 22, 1942.

Section 2. Subsection (2) of section 256.11, Florida Statutes, is amended to read:

256.11 Public auditoriums; display of the United States flag.—

(2) It is the duty of the person responsible for the administration of such auditorium to provide a suitable flag and cause it to be displayed in the manner provided in subsection (1). If any such person willfully causes fails to cause the flag to fail to be so displayed, except for the cleaning, repair, or replacement of such flag, such person is guilty of a noncriminal violation, punishable as provided in s. 775.083.

Section 3. This act shall take effect July 1, 1999.

Approved by the Governor June 8, 1999.

Filed in Office Secretary of State June 8, 1999.