

# EXECUTIVE OFFICE OF THE GOVERNOR



## FLAG PROTOCOL

The Florida Department of State is the custodian of the official State of Florida Flag and maintains a Flag Protocol and Display web page at <http://www.dos.state.fl.us/office/admin-services/flag-main.aspx>.

The purposes of the Flag Protocol of the Executive Office of the Governor are to outline the procedures regarding the lowering of the National and State Flags to half-staff by directive; to provide information regarding the display of special flags; and to answer frequently asked questions received in this office about flag protocol.

Please direct any questions, inquiries, or comments to the Office of the General Counsel:

By mail:

Executive Office of the Governor  
Office of the General Counsel  
400 South Monroe Street  
The Capitol, Room 209  
Tallahassee, FL 32399

By phone: 850.717.9310

By email: [flags@eog.myflorida.com](mailto:flags@eog.myflorida.com)

By web: [www.flgov.com/flag-alert/](http://www.flgov.com/flag-alert/)

## **NATIONAL AND STATE FLAG POLICY**

By order of the President of the United States, the National Flag shall be flown at half-staff upon the death of principal figures of the United States government and the governor of a state, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be flown at half-staff according to presidential instructions or orders, in accordance with recognized customs or practices not inconsistent with law. (4 U.S.C. § 7(m)). The State Flag shall be flown at half-staff whenever the National Flag is flown at half-staff. Rules for particular Government officials follow:

1. President or former President of the United States: The National and State Flags shall be flown at half-staff for thirty days from the day of death over the State Capitol, at State facilities throughout Florida, and at all county courthouses and city halls throughout Florida.
2. Vice President, Chief Justice of the United States Supreme Court, retired Chief Justice of the United States Supreme Court, or Speaker of the House of United States Representatives: The National and State Flags shall be flown at half-staff for ten days from the day of death over the State Capitol, at State facilities throughout Florida, and at all county courthouses and city halls throughout Florida.
3. Associate Justice of the United States Supreme Court, secretary of an executive or military department, or former Vice President of the United States: The National and State Flags shall be flown at half-staff from the day of death until interment over the State Capitol, at State facilities throughout Florida, and at all county courthouses and city halls throughout Florida.
4. Member of Congress from Florida: The National and State Flags shall be flown at half-staff on the day of death and the following day over the State Capitol, at State facilities throughout Florida, and at the county courthouse and city hall in the decedent's hometown.

In the event of the death of a present or former official of the Florida State government or the death of a member of the Armed Forces from Florida who dies while serving on active duty, the Governor may proclaim that the National and State Flags shall be flown at half-staff, in accordance with 4 U.S.C. § 7. Rules for particular State Government officials and Armed Forces members follow:

1. Present or former Governor of Florida: The National and State Flags shall be flown at half-staff from the day of death until the day of interment over the State Capitol, at State facilities throughout Florida, and at all county courthouses and city halls throughout Florida.
2. Member of the Armed Forces from Florida who dies while serving on active duty: The National and State Flags shall be flown at half-staff on the day of interment (or day of family's preference) over the State Capitol and at the county courthouse and city hall in decedent's (or the family's) hometown.
3. Prominent present or former State of Florida officials: The National and State Flags shall be flown at half-staff on the day of interment over the State Capitol and at the county courthouse and city hall in the decedent's hometown.
4. Florida law enforcement officers and firefighters killed in the line of duty, and selected other State and local officials: The National and State Flags shall be flown at half-staff on the day of interment at the local agency where the decedent was employed and at the county courthouse and city hall in decedent's hometown.

## **REQUEST TO HAVE PERSONAL FLAG FLOWN OVER THE STATE CAPITOL**

A request may be made to have a National or State of Florida flag flown over the Capitol in honor of an event or person.

1. Forward request

By mail:

Executive Office of the Governor  
Office of the General Counsel  
400 South Monroe Street  
The Capitol, Room 209  
Tallahassee, FL 32399.

By phone: 850.717.9310

By email: [flags@eog.myflorida.com](mailto:flags@eog.myflorida.com)

By web: [www.flgov.com/flag-protocol](http://www.flgov.com/flag-protocol)

2. Provide relevant information to be included on the certificate such as the date to be flown, for whom, and the occasion.
3. Forward the flag (sized 3' by 5') to be flown to the Office of the General Counsel, 400 South Monroe Street, The Capitol, Room 209, Tallahassee, FL 32399.
4. Flag will be returned to requestor with certificate of flying.

## **DISPLAY OF THE NATIONAL FLAG**

1. It is custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.
2. The flag should be hoisted briskly and lowered ceremoniously.
3. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
4. **The flag should be displayed on all days, especially on:** New Year's Day, January 1; Inauguration Day, January 20; Martin Luther King, Jr.'s Birthday, third Monday in January; Lincoln's Birthday, February 12; Washington's Birthday; third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Flag Day, June 14; Father's Day, third Sunday in June; Independence Day, July 4; National Korean War Veterans Armistice Day, July 27; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day; October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; such other days as may be proclaimed by the President of the United States; the birthdays of the States (date of admission); and on State holidays.
5. **The flag should be lowered to half-staff on:** Peace Officers Memorial Day, May 15; Memorial Day (half-staff until noon), the last Monday in May; Patriot Day, September 11; National Fallen Firefighters Memorial Day, (variable); Pearl Harbor Remembrance Day, December 7; and such other days as directed.
6. The flag should be displayed daily on or near the main administration building of every public institution.
7. The flag should be displayed in or near every polling place on election days.
8. The flag should be displayed during school days in or near every schoolhouse.

## **DISPLAY OF THE POW-MIA AND FIREFIGHTER MEMORIAL FLAGS**

1. Each state-owned building at which the flag of the United States is displayed must also display a POW-MIA flag, if such flag is available free of charge to the agency that occupies the building and if such display is in accordance with federal laws and regulations. (Fla. Stat. § 256.12)
2. The Florida Department of Transportation shall display the POW-MIA flag year-round at each of the rest areas along interstate highways in this state. (Fla. Stat. § 256.13)
3. The Department of Environmental Protection shall purchase and display the POW-MIA flag year-round at each of the state parks where the flag of the United States is displayed. (Fla. Stat. § 256.14)
4. The Division of State Fire Marshal of the Department of Financial Services shall design, produce, and implement the creation and distribution of an official state Firefighter Memorial Flag to honor firefighters who have died in the line of duty.
  - a. The flag may be displayed at memorial or funeral services of firefighters who have died in the line of duty, at firefighter memorials, at fire stations, at the Fallen Firefighter Memorial located at the Florida State Fire College in Ocala, by the families of fallen firefighters, and at any location designated by the State Fire Marshal.
  - b. The flag shall have a blue background, with a black horizontal stripe across the middle of the flag and a horizontal purple stripe above and below the black stripe. It shall also contain a red Maltese Cross or Cross of St. Florian in the center of the flag surrounding the Great Seal of the State of Florida. The phrase “Florida Fallen Firefighters” in gold capital letters shall be placed at the top of the flag and the phrase “Memorial Flag” shall be placed at the bottom of the flag. Each arm of the cross shall contain one of the words: “Courage,” “Honor,” “Sacrifice,” and “Valor.”
  - c. The Department of Financial Services may adopt rules relating to the production and distribution of the flag. (Fla. Stat. § 256.15)

## **FREQUENTLY ASKED QUESTIONS**

1. What hours should the flags be flown?

Answer: Normally, the flags may be flown from sunrise to sunset. Where facilities open later or close earlier, the flags may be flown during the normal business hours, if properly illuminated during hours of darkness.

2. May private citizens follow the Governor's request to lower the flags to half-staff?

Answer: Yes.

3. Should anyone lower the flags to half-staff without permission of the President or Governor?

Answer: No.

4. Is there a penalty for not raising or lowering the flags according to code or proclamation?

Answer: No, the Flag Code does not prescribe any penalties for non-compliance nor does it include enforcement provisions.

5. Why are the flags sometimes lowered to half-staff at the Capitol but not at all other state or local government buildings?

Answer: The directive issued for flag lowering directs when and where the flags are to be flown at half-staff. Many times the directive issued only allows for lowering over the Capitol in Tallahassee and the county courthouses and city hall of the decedent's (or family's) hometown.

6. Why are the flags sometimes lowered to half-staff at a county courthouses or city hall but not at the Capitol?

Answer: Custom and tradition, as well as the Flag Code, guide the Governor in determining when and where the flags should be flown at half-staff.

7. Can constituents request flags to be flown at half-staff for other reasons not addressed in the flag protocol?

Answer: Yes. Approval for displaying the flags at half-staff, however, resides with the Governor.

8. How can I be placed on the flag notification list?

Answer: You may submit your request via the Governor's website at [www.flgov.com/flag-protocol](http://www.flgov.com/flag-protocol), by emailing your contact information to [flags@eog.myflorida.com](mailto:flags@eog.myflorida.com), or by calling the Governor's legal office at 850.717.9310.

9. Who notifies state facilities when the flag(s) are to be lowered to half-staff?

Answer: Each state agency facility manager in Tallahassee will notify all their respective agency officers throughout Florida.

10. Are state flags flown at federal buildings?

Answer: Ordinarily state flags are not flown at federal buildings, except on the statehood anniversary date and on state holidays.

11. Is death "while serving" on active duty limited to combat?

Answer: No, death "while serving" in the Armed Forces includes non-combat deaths while on active duty.

12. Does the Governor honor a fallen service member as soon as the Governor learns of the death?

Answer: The Governor waits for the U.S. Department of Defense to notify the family before honoring a fallen service member.

13. Will the Governor order the lowering of the flags to half-staff for any fallen service member who has a nexus to Florida?

Answer: No. There are over 225,000 military members with some nexus to Florida, but only 60,000 who reside in the State. The Governor will order the lowering of the flags to half-staff for those who reside in Florida (a determination made by the Department of Defense) or for those who are interred in Florida.