

# EOG FLAG PROTOCOL



The purpose of this Flag Protocol is to fulfill the Governor’s duties under section 256.015, Florida Statutes, to adopt a flag protocol that “provide[s] guidelines for the proper display of the state flag and for the lowering of the state flag to half-staff on appropriate occasions, such as on holidays and upon the death of high-ranking state officials, uniformed law enforcement and fire service personnel, and prominent citizens.”

The Florida Department of State maintains a guide for displaying the flags of the State of Florida and United States of America on its [website](#).

If you have further questions, don’t hesitate to contact the Office of the General Counsel.

Executive Office of the Governor  
Office of the General Counsel  
The Capitol, Rm 209  
400 S. Monroe Street  
Tallahassee, FL 32399  
(850) 717-9310  
[flags@eog.myflorida.com](mailto:flags@eog.myflorida.com)  
[www.flgov.com/flag-alert/](http://www.flgov.com/flag-alert/)

## NATIONAL AND STATE FLAG POLICY

The United States Flag Code can be found in Title 4 of the United States Code. The Florida Flag Code is located in chapter 256 of the Florida Statutes. A detailed guide to properly displaying both the National and State flag can be found at the [website](#) for the Florida Department of State and at Title 4, Section 7 of the United States Code.

The flag of the United States of America (the National flag) should be flown daily near the main entrance of the main administration building of every public institution, in or near every schoolhouse on school days, and in or near every polling place on election day. 4 U.S.C. § 6(a), (e)–(g); *see* §§ 256.011, .032, Florida Statutes. In Florida, the National flag should also be flown at each county courthouse in the State. § 256.01. “It is the universal 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.” 4 U.S.C. § 6(a).

The following rules should be observed when displaying the National flag (a complete guide can be found at the website for the Florida Department of State):

- The National Flag should always be flown above other flags, or if flown on the same level, the National Flag should be on the flag’s right (observer’s left).
- When displaying the flag over the middle of a street, the flag should be suspended vertically with the union (blue field and stars) at the top and on the north side in a street running east-west and to the east in a street running north-south.
- When displaying the flag with another flag, staffs crossed, the National flag should be on the flag’s right (observer’s left), with its staff in front.
- When displaying the flag with more than one other flag from staffs, the National flag should be in the center and should be the highest flag.

The State flag should, unless being flown with the National Flag, always be flown above other flags. However, the State flag will take third position when a foreign visitor is being honored in Florida by an agency or department of the United States Government or when POW/MIA flag is being displayed.

## **FLYING THE NATIONAL AND STATE FLAGS AT HALF-STAFF**

To fly the flag at half-staff, it “should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.” 4 U.S.C. § 7(m). Because the State flag should never fly above the National flag, anytime the National flag is at half-staff, the State flag must also be at half-staff.

The Governor will order the National and State flags to be flown at half-staff upon the issuance of a lawful order of the President. The President must order the National flag flown at half-staff for the death of principal figures of the United States Government and the Governor of a State, territory, or possession. 4 U.S.C. § 7(m). The President may order the National flag to be flown at half-staff to memorialize the death of other officials or foreign dignitaries. 4 U.S.C. § 7(m).

The Governor may order the National and State flags to both be flown at half-staff in the absence of a Presidential order for the death of a present or former State official, member of the Armed Forces from Florida that died while serving on active duty, or a Florida first responder that died in the line of duty. 4 U.S.C. § 7(m). If the Governor makes such a proclamation, National flags flown at any Federal installations or facilities in the area covered by the Governor’s proclamation should also be flown at half-staff. 4 U.S.C. § 7(m).

The Governor is also given the authority to lower the State flag to half-staff, “on appropriate occasions, such as on holidays and upon the death of high-ranking state officials, uniformed law enforcement and fire service personnel, and prominent citizens.” § 256.015, Fla. Stat. (2018).

Therefore, the National and State flag should be flown at half-staff according to the following rules:

1. The President or a former President: The National and State flags will be flown at half-staff for thirty days from the day of death at all facilities required to fly a flag as detailed above by order of the President.
2. The Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives: The National and State flags will be flown at half-staff for ten days from the day of death at all facilities required to fly a flag as detailed above by order of the President.
3. An Associate Justice of the United States, Secretary of an executive or military department, the Governor or former Governor of a State, territory, or possession, or former Vice President of the United States: The National and State flags will be flown at half-staff from the day of death until interment at all facilities required to fly a flag as detailed above by order of the President.

4. A member of Congress: The National and State flags will be flown at half-staff on the day of death and the day after as detailed above by order of the President.
5. A member of the Armed Forces from Florida who dies on active duty: The National and State flags may be flown at half-staff for one day over the State Capitol, at the county courthouse, and city hall in the decedent's hometown per the direction of the Governor.
6. A member of Congress from Florida or any other high-ranking official of the State (present or former): The National and State flags may 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 per the direction of the Governor.
7. A Florida law enforcement officer or firefighter killed in the line of duty: The National and State flags may be flown at half-staff for one day at the local agency where the decedent was employed and at the county courthouse and city hall in decedent's hometown per the direction of the Governor.
8. A prominent citizen: The State flag may be flown at half-staff for one day over the State Capitol, and at any government buildings in the decedent's hometown per the direction of the Governor.

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

A request may be made to have a **United States or State of Florida** flag flown over the Capitol in honor of an event or person. Not all requests will be granted.

1. Submit request to the Flag Coordinator in the Office of the General Counsel in the Executive Office of the Governor

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)

2. Send the flag (size 3' by 5')

By Mail:

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

3. Provide relevant information such as the date to be flown, for whom, the occasion, the date the flag is needed back, contact information of the requestor, and the address for the flag to be returned to.
4. If the request is granted, the flag will be returned to the requestor with a certificate.

## **DISPLAY OF THE NATIONAL FLAG**

1. It is custom to display the flag only from sunrise to sunset on buildings and on stationary flagstuffs 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 (unless that day is also Armed Forces Day); 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 National flag 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. § 256.12
2. The Florida Department of Transportation must display the POW-MIA flag year-round at each of the rest areas along interstate highways in this state. § 256.13
3. The Department of Environmental Protection must purchase and display the POW-MIA flag year-round at each of the state parks where the flag of the United States is displayed. § 256.14
4. The Division of State Fire Marshal of the Department of Financial Services must 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 must 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 must be placed at the top of the flag and the phrase "Memorial Flag" must be placed at the bottom of the flag. Each arm of the cross must 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. § 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 <https://www.flgov.com/flag-information>, 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. 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.

12. 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.