

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 829
Committee Substitute Favorable 6/1/05

Short Title: Display of Official Governmental Flags. (Public)

Sponsors:

Referred to:

March 22, 2005

1 A BILL TO BE ENTITLED
2 AN ACT PERTAINING TO THE DISPLAY OF OFFICIAL GOVERNMENTAL
3 FLAGS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 144 of the General Statutes is amended by adding a
6 new section to read:

7 "**§ 144-7.1. Display of official governmental flags; public restrictions.**

8 (a) A county, city, consolidated city-county, or unified government shall not
9 prohibit an official governmental flag from being flown or displayed if the official
10 governmental flag is flown or displayed:

11 (1) In accordance with the patriotic customs set forth in 4 U.S.C. §§ 5-10,
12 as amended; and

13 (2) Upon private or public property with the consent of either the owner of
14 the property or of any person having lawful control of the property.

15 (b) Notwithstanding subsection (a) of this section, for the purpose of protecting
16 the public health, safety, and welfare, reasonable restrictions on flag size, number of
17 flags, location, and height of flagpoles are not prohibited provided that such restrictions
18 shall not discriminate against any official governmental flag in any manner.

19 (c) For purposes of this section, an 'official governmental flag' shall mean any of
20 the following:

21 (1) The flag of the United States of America.

22 (2) The flag of nations recognized by the United States of America.

23 (3) The flag of the State of North Carolina.

24 (4) The flag of any state or territory of the United States.

25 (5) The flag of political subdivision of any state or territory of the United
26 States."

27 SECTION 2. The title of Chapter 144 of the General Statutes reads as
28 rewritten:

29 "Chapter 144.

1 **State Flag, Official Governmental Flags, ~~Motto~~-Motto, And Colors.**"

2 **SECTION 3.** This act becomes effective October 1, 2005, but it applies to
3 the construction of ordinances adopted or registered prior to its effective date.