GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025

Η

HOUSE BILL 244 Committee Substitute Favorable 3/11/25 PROPOSED COMMITTEE SUBSTITUTE H244-PCS40521-RN-10

Short Title: Depoliticize Government Property Act.

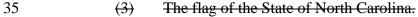
(Public)

D

	1	1 2	· · · · · · · · · · · · · · · · · · ·
Sponsors:			
Referred to:			

March 3, 2025

1		A BILL TO BE ENTITLED			
2	AN ACT TO PROVIDE THAT ONLY OFFICIAL GOVERNMENTAL FLAGS MAY BE				
3	FLOW	'N OR DISPLAYED ON PROPERTY OWNED BY THE STATE OR A POLITICAL			
4	SUBD	IVISION OF THE STATE.			
5	The Gener	al Assembly of North Carolina enacts:			
6		SECTION 1. G.S. 144-5 reads as rewritten:			
7	"§ 144-5.	Flags to conform to law; display and handling of a flag of the United States of			
8		America or the State of North Carolina an official governmental flag by State			
9		institutions and other political subdivisions of the State.			
10		-			
11	(b)	A flag of the United States of America or the State of North Carolina An official			
12	governme	ntal flag that is displayed by a State institution or a political subdivision of the State on			
13	the premi	ses of a building of a State institution or a political subdivision of the State under			
14	<u>G.S.</u> 144-'	7.1 shall be handled, displayed, stored, and respectfully disposed of in accordance with			
15	the federa	Flag Code, 4 U.S.C. §§ 1-10."			
16		SECTION 2. G.S. 144-7 reads as rewritten:			
17	"§ 144-7.	Display of official governmental flags; public restrictions.			
18	(a)	A county, city, consolidated city-county, or unified government shall not prohibit an			
19	official go	vernmental flag from being flown or displayed if the official governmental flag is			
20	flown or d	isplayed: displayed in accordance with all of the following:			
21		(1) In accordance with the <u>The</u> patriotic customs set forth in 4 U.S.C. §§ 5-10, as			
22		amended; and amended.			
23		(2) Upon private or public property with the consent of either the owner of the			
24		property or of any person having lawful control of the property.			
25		(3) The provisions in G.S. 144-7.1.			
26	(b)	Notwithstanding subsection (a) of this section, for For the purpose of protecting the			
27	public hea	lth, safety, and welfare, reasonable restrictions on flag size, number of flags, location,			
28	and height	t of flagpoles are not prohibited, provided that such restrictions shall not discriminate			
29	against a	ny official governmental flag in any manner.manner and shall comply with			
30	<u>G.S. 144-</u>	7 <u>.1.</u>			
31	(c)	For purposes of this section, an "official governmental flag" shall mean any of the			
32	following	is as defined in G.S. 144-7.1.			
33		(1) The flag of the United States of America.			
34		(2) The flag of nations recognized by the United States of America.			
25		(2) The flow of the State of North Caroline			





H 2 4 4 – P C S 4 O 5 2 1 – R N – 1 O

	General	Assemb	bly Of North Carolina Session 2025		
		(4)	The flag of any state or territory of the United States.		
		(5)	The flag of a political subdivision of any state or territory of the United States."		
		SECT	TION 3. Chapter 144 of the General Statutes is amended by adding a new		
	section to				
			lay of official governmental flags on State and local government property.		
	<u>(a)</u>		the following official governmental flags may be flown or displayed by a State		
			litical subdivision of the State on the premises of a building of a State institution		
	<u>or a politi</u>		division of the State:		
		<u>(1)</u>	The flag of the United States of America.		
		<u>(2)</u>	The flag of the State of North Carolina.		
		<u>(3)</u>	The flag of a county, city, or other governmental agency, school, or other		
			educational facility.		
		<u>(4)</u>	The flag of any military branch of the United States of America.		
		<u>(5)</u>	The Prisoner of War/Missing in Action (POW/MIA) flag.		
		<u>(6)</u>	The Honor and Remember flag.		
		<u>(7)</u>	The flag of nations recognized by the United States of America.		
		<u>(8)</u>	The flag of any state or territory of the United States.		
		<u>(9)</u>	The flag of a political subdivision of any state or territory of the United States.		
		<u>(10)</u>	The flag of any Indian tribe or Indian group recognized by State or federal		
			law.		
	<u>(b)</u>	-	urposes of this section, the term "displayed" means the governmental flag or an		
image of the governmental flag is placed anywhere, including the walls of a facility, employee					
			sidewalks.		
	<u>(c)</u>		section shall not apply to either of the following:		
		<u>(1)</u>	A historic display at a museum.		
		<u>(2)</u>	A reenactment of a prior war of the United States.		
	<u>(d)</u>	-	employee of the State or political subdivision of the State who violates this		
	section is subject to disciplinary action, including termination from employment."				
	SECTION 4. This act becomes effective October 1, 2025, and applies to violations				
	occurring on or after that date.				