

CHAPTER 179

INSTITUTIONS

SENATE BILL 94-071

BY SENATORS Roberts, Ament, Bird, Bishop, Blickensderfer, Mares, Mutzebaugh, Norton, Owens, R. Powers, Rizzuto, Schaffer, Schroeder, and Tebedo;
also REPRESENTATIVES Pankey, Allen, Anderson, Armstrong, Benavidez, Chlouber, Clark, Coffman, Duke, Dyer, Eisenach, Entz, Epps, Fleming, Friednash, George, Gordon, Grampsas, Greenwood, Hagedorn, Hernandez, Jerke, June, Kaufman, Keller, Kerns, Lawrence, Lyle, Mattingly, May, Moellenberg, Morrison, Nichol, Owen, Pierson, Prinster, Ratterree, Reeser, Romero, Shoemaker, Snyder, Strom, Sullivan, Taylor, and Tucker.

AN ACT**CONCERNING THE DISPLAY OF FLAGS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 27-2-108, Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

27-2-108. Display of flags. (1) The chief administrative officer of any state institution supported in whole or in part by the state and under the control of the state shall have erected and maintained, at the entrance of the institution or on the principal administrative building or grounds thereof, a suitable flagstaff with the attachments necessary for the display of flags and shall cause to be displayed thereon the flags of the United States and of the state of Colorado. The flag of the state of Colorado shall be the same size as the flag of the United States with which it is displayed. If both flags are displayed on one flagstaff, the flag of the state of Colorado shall be placed below the flag of the United States. Such flags shall be displayed each day, not earlier than sunrise and not later than sunset, except in inclement weather.

(2) (a) THE CHIEF ADMINISTRATIVE OFFICER OF ANY COURT FACILITY SUPPORTED IN WHOLE OR IN PART BY THE STATE AND UNDER THE CONTROL OF THE STATE SHALL CAUSE TO BE PERMANENTLY AND PROMINENTLY DISPLAYED THE FLAG OF THE UNITED STATES, AS DESCRIBED IN CHAPTER 1 OF TITLE 4, U.S.C., IN EACH COURTROOM WHEN A COURT PROCEEDING IS IN SESSION. ON AND AFTER SEPTEMBER 1, 1996, THE CHIEF ADMINISTRATIVE OFFICER OF ANY SCHOOL SUPPORTED IN WHOLE OR IN PART BY THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

STATE AND UNDER THE CONTROL OF THE STATE SHALL CAUSE TO BE DISPLAYED PERMANENTLY AND PROMINENTLY THE FLAG OF THE UNITED STATES, AS DESCRIBED IN CHAPTER 1 OF TITLE 4, U.S.C., IN EACH ACADEMIC CLASSROOM WHEN AN ACADEMIC CLASS IS IN SESSION. A FLAG DISPLAYED IN AN ACADEMIC CLASSROOM MUST MEASURE NO LESS THAN EITHER TWELVE BY EIGHTEEN INCHES IF IT IS DISPLAYED IN A FRAME OR TWO BY THREE FEET IF IT IS DISPLAYED ON A FLAGSTAFF. A FLAG DISPLAYED IN A COURTROOM MUST MEASURE THREE BY FIVE FEET. NO ALLEGED FAILURE TO CAUSE THE FLAG OF THE UNITED STATES TO BE PERMANENTLY AND PROMINENTLY DISPLAYED IN A COURTROOM SUPPORTED IN WHOLE OR IN PART BY THE STATE AND UNDER THE CONTROL OF THE STATE SHALL BE THE BASIS OF ANY CHALLENGE TO SUCH COURT'S AUTHORITY OR JURISDICTION OR FOR ANY APPEAL OF ANY DECISION, ORDER, OR JUDGMENT OF SUCH COURT.

(b) THE FLAGS OF THE UNITED STATES AND OF THE STATE OF COLORADO SHALL BE PERMANENTLY AND PROMINENTLY DISPLAYED IN ALL COMMITTEE ROOMS UNDER THE CONTROL OF THE GENERAL ASSEMBLY OF THE STATE OF COLORADO.

(3) THE CHIEF ADMINISTRATIVE OFFICER OF ANY SCHOOL OR COURT FACILITY SUPPORTED IN WHOLE OR IN PART BY THE STATE AND UNDER THE CONTROL OF THE STATE IS HEREBY AUTHORIZED TO ACCEPT DONATIONS OF FLAGS TO BE DISPLAYED IN CLASSROOMS OR COURTROOMS PURSUANT TO THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Effective date. This act shall take effect July 1, 1994.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 4, 1994