

CHAPTER 39

GOVERNMENT - LOCAL

HOUSE BILL 08-1111

BY REPRESENTATIVE(S) Butcher, Casso, Frangas, Gagliardi, Gallegos, Garza-Hicks, Kerr A., Labuda, Marostica, McFadyen, Mitchell V., Rice, Rose, Soper, Todd, and White;
also SENATOR(S) Tochtrop, Boyd, Gibbs, Johnson, Kester, Penry, and Taylor.

AN ACT

CONCERNING THE REQUIREMENT THAT A GOVERNMENT ENTITY ONLY DISPLAY A FLAG OF THE UNITED STATES THAT IS MADE IN THE UNITED STATES.

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

SECTION 1. Title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 15.5
Flag of the United States

24-15.5-101. Display of flag of the United States - definitions. (1) ANY STATE AGENCY THAT PURCHASES A FLAG OF THE UNITED STATES FOR DISPLAY MAY ONLY DISPLAY SUCH FLAG IF IT HAS BEEN MADE IN THE UNITED STATES.

(2) FOR PURPOSES OF THIS ARTICLE, "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION, COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF STATE GOVERNMENT.

SECTION 2. Title 29, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 10.5
Flag of the United States

29-10.5-101. Display of flag of the United States - legislative declaration - definitions. (1) ANY LOCAL GOVERNMENT THAT PURCHASES A FLAG OF 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.

UNITED STATES FOR DISPLAY MAY ONLY DISPLAY SUCH FLAG IF IT HAS BEEN MADE IN THE UNITED STATES.

(2) FOR PURPOSES OF THIS ARTICLE, "LOCAL GOVERNMENT" MEANS A COUNTY, A MUNICIPALITY AS DEFINED IN SECTION 31-1-101 (6), C.R.S., A SCHOOL DISTRICT, OR A SPECIAL DISTRICT FORMED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 32, C.R.S.

(3) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE MATTER ADDRESSED IN THIS ARTICLE IS A MATTER OF STATEWIDE CONCERN.

SECTION 3. Effective date - applicability. (1) This act shall take effect September 11, 2009.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

(3) The provisions of this act shall apply to flags of the United States purchased for display on or after the applicable effective date of this act.

Approved: March 19, 2008