



HOUSE BILL 244: Depoliticize Government Property Act.

2025-2026 General Assembly

Committee: House Judiciary 1. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House **Date:** March 11, 2025

Introduced by: Reps. Echevarria, N. Jackson, B. Jones, Biggs **Prepared by:** Brad Krehely

Analysis of: PCS to First Edition **Committee Co-Counsel**
H244-CSR-N-3

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 244 would provide that only official governmental flags may be flown or displayed on property owned by the State or a political subdivision of the State. The PCS does the following: (1) amends G.S. 144-5(b) to provide that official governmental flags (not just U.S. flags and State flags) must follow the flag code; (2) removes the prohibition on displaying official government flags on property leased by the State or a political subdivision; (3) removes the criminal penalty and provides that employees are subject to discipline for violating these provisions; (4) provides that the "official government flag" includes those flags currently listed in G.S. 144-7(c) and the flag of an Indian tribe or Indian group recognized by State or federal law; (5) amends the effective date; and (6) makes conforming changes.*

CURRENT LAW: A flag of the United States of America or the State of North Carolina that is displayed by a State institution or a political subdivision of the State on the premises of a building of a State institution or a political subdivision of the State must be handled, displayed, stored, and respectfully disposed of in accordance with the federal Flag Code, 4 U.S.C. §§ 1-10. G.S. 144-5(b).

A county, city, consolidated city-county, or unified government must not prohibit an official governmental flag from being flown or displayed if the flag is flown or displayed: (1) in accordance with the patriotic customs in the flag code and (2) upon private or public property with the consent of either the owner of the property or of any person having lawful control of the property. G.S. 144-7. "Official governmental flag" includes: the United States flag, the flag of nations recognized by the United States, the State flag, the flag of any territory of the United States, and the flag of any political subdivision or territory of the United States.

To protect the public health, safety, and welfare, reasonable restrictions on flag size, number of flags, location, and height of flagpoles are not prohibited, if these restrictions do not discriminate against any official governmental flag in any manner. G.S. 144-7(b).

BILL ANALYSIS:

Section 1 would provide that any official governmental flag that is displayed by a State institution or a political subdivision of the State must comply with the federal Flag Code.

Section 2 would make conforming changes.

Kara McCraw
Director



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Section 3 would provide that only the following official governmental flags may be flown or displayed by a State institution or a political subdivision of the State anywhere on the premises owned by a State institution or political subdivision of the State:

- The flag of the United States of America.
- The flag of the State of North Carolina.
- The flag of a county, city, or other governmental agency, school, or other educational facility.
- The flag of any military branch of the United States of America.
- The Prisoner of War/Missing in Action (POW/MIA) flag.
- The Honor and Remember flag.
- The flag of nations recognized by the United States of America.
- The flag of any state or territory of the United States.
- The flag of a political subdivision of any state or territory of the United States.
- The flag of any Indian tribe or Indian group recognized by State or federal law.

It also would provide that any employee of the State or political subdivision of the State who violates this section is subject to disciplinary action, including termination from employment.

EFFECTIVE DATE: The act would become effective October 1, 2025, and would apply to violations occurring on or after that date.