



2025-2026 General Assembly

HOUSE BILL 926: Regulatory Reform Act of 2025, Sec. 12: Limit Local Government Authority to Regulate the Display of American Flags on Private Property

Analysis of: S.L. 2025-94, Sec. 12

Date: October 6, 2025
Prepared by: Legislative Analysis
Division Staff

Section 12 of S.L. 2025-94 (House Bill 926) amends existing law that limits the authority of local governments to prohibit an official governmental flag from being flown or displayed if the official governmental flag is flown or displayed. The section enhances protections for the American flag and the State's flag to prohibit a local government from adopting or enforcing an ordinance that prohibits or restricts a property owner from displaying such flags on the property owner's property. A local government is, however, authorized to adopt an ordinance to reasonably regulate the manner and placement of the display of an American flag or a North Carolina flag only when necessary to protect public health and safety. To enforce such an ordinance against a particular property, a local government is required to produce written findings of fact documenting the public health and safety concerns. If a local government asserts a traffic based justification concerning a flag on a particular property, a site study conducted by the Department of Transportation must be performed to evaluate whether traffic concerns will actually arise with manner or placement of the display of the flag at the particular location, and a flag must only be prohibited if the Department of Transportation determines traffic concerns would in fact arise.

This section became effective October 6, 2025, and abates any citation, fine, penalty, action, proceeding, or litigation pending on that date which has resulted from application of an ordinance contrary to the provisions of this section.

Kara McCraw
Director



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