

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0091.01 Amanda King

SENATE BILL 11-033

SENATE SPONSORSHIP

Kopp,

HOUSE SPONSORSHIP

Kerr J.,

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE HONOR AND REMEMBER FLAG.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently, it is a class 1 petty offense to display a flag other than the flag of the United States or certain other flags on a permanent flagstaff located on public buildings or grounds. The bill adds the honor and remember flag to the list of other flags allowed to be displayed.

On certain holidays, the bill requires the honor and remember flag to be displayed at the state capitol and permits the honor and remember flag to be displayed on other state-owned flagstaffs.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** 18-11-205 (4) (a) (V), Colorado Revised Statutes,
3 is amended to read:

4 **18-11-205. Unlawful to display flag - exceptions.** (4) (a) This
5 section does not apply to:

6 (V) The display of a prisoners of war and missing in action flag
7 or other appropriate veteran commemorative, United States or state armed
8 forces, or military commemorative flag, when displayed in accordance
9 with 4 U.S.C. sec. 7, OR OF AN HONOR AND REMEMBER FLAG, AS DEFINED
10 IN SECTION 27-91-108 (1) (b) (II), C.R.S., WHEN DISPLAYED IN
11 ACCORDANCE WITH 4 U.S.C. SEC. 7;

12 **SECTION 2.** 27-91-108 (1), Colorado Revised Statutes, is
13 amended to read:

14 **27-91-108. Display of flags.** (1) (a) The chief administrative
15 officer of any state institution supported in whole or in part by the state
16 and under the control of the state shall have erected and maintained, at the
17 entrance of the institution or on the principal administrative building or
18 grounds thereof, a suitable flagstaff with the attachments necessary for
19 the display of flags and shall cause to be displayed thereon the flags of the
20 United States and of the state of Colorado. The flag of the state of
21 Colorado shall be the same size as the flag of the United States with
22 which it is displayed. If both flags are displayed on one flagstaff, the flag
23 of the state of Colorado shall be placed below the flag of the United
24 States.

25 (b) (I) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b.5) OF
26 SUBSECTION (2) OF THIS SECTION, AN HONOR AND REMEMBER FLAG MAY

1 BE DISPLAYED ON MEMORIAL DAY AND VETERANS' DAY ON A FLAGSTAFF
2 ERECTED AND MAINTAINED BY A STATE INSTITUTION. IF DISPLAYED
3 PURSUANT TO THIS PARAGRAPH (b), THE HONOR AND REMEMBER FLAG
4 SHALL BE PLACED BELOW THE FLAG OF THE STATE OF COLORADO, IF BOTH
5 FLAGS ARE DISPLAYED ON ONE FLAGSTAFF.

6 (II) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES, "HONOR AND REMEMBER FLAG" MEANS A FLAG CONSISTING OF
8 A RED FIELD ABOVE A SMALLER WHITE FIELD. A GOLD STAR WITH A WHITE
9 BORDER AND A BLUE OUTLINE SHALL APPEAR IN THE CENTER OF THE FLAG.
10 THE STAR SHALL CONTAIN A RED AND BLUE FLAME. BELOW THE STAR
11 SHALL BE A BLUE TRIANGLE WITH WHITE STARS THAT RESEMBLES A
12 FOLDED FLAG OF THE UNITED STATES. IN THE WHITE FIELD THE PHRASE
13 "HONOR AND REMEMBER" SHALL BE PRINTED IN BLUE LETTERS. ALL
14 HONOR AND REMEMBER FLAGS PURCHASED BY THE STATE SHALL BE MADE
15 IN THE UNITED STATES.

16 **SECTION 3.** 27-91-108 (2), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18 **27-91-108. Display of flags.** (2) (b.5) ON MEMORIAL DAY AND
19 VETERANS' DAY, AN HONOR AND REMEMBER FLAG SHALL BE DISPLAYED
20 ON EACH FLAGSTAFF ON THE CAPITOL GROUNDS. THE HONOR AND
21 REMEMBER FLAG SHALL BE PLACED BELOW THE FLAG OF THE STATE OF
22 COLORADO, IF BOTH FLAGS ARE DISPLAYED ON ONE FLAGSTAFF.

23 **SECTION 4. Act subject to petition - effective date.** This act
24 shall take effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part shall not take effect
3 unless approved by the people at the general election to be held in
4 November 2012 and shall take effect on the date of the official
5 declaration of the vote thereon by the governor.