

111TH CONGRESS
1ST SESSION

H. R. 2546

To ensure that the right of an individual to display the Service Flag on residential property not be abridged.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Mr. BOCCIERI introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To ensure that the right of an individual to display the Service Flag on residential property not be abridged.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Blue Star/Gold Star
5 Flag Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act—

8 (1) the term “Service Flag” has the meaning
9 given such term under section 901 of Public Law
10 105–225 (36 U.S.C. 901);

1 (2) the terms “condominium association” and
2 “cooperative association” have the meanings given
3 such terms under section 604 of Public Law 96–399
4 (15 U.S.C. 3603);

5 (3) the term “residential real estate manage-
6 ment association” has the meaning given such term
7 under section 528 of the Internal Revenue Code of
8 1986 (26 U.S.C. 528); and

9 (4) the term “member”—

10 (A) as used with respect to a condominium
11 association, means an owner of a condominium
12 unit (as defined under section 604 of Public
13 Law 96–399 (15 U.S.C. 3603)) within such as-
14 sociation;

15 (B) as used with respect to a cooperative
16 association, means a cooperative unit owner (as
17 defined under section 604 of Public Law 96–
18 399 (15 U.S.C. 3603)) within such association;
19 and

20 (C) as used with respect to a residential
21 real estate management association, means an
22 owner of a residential property within a subdivi-
23 sion, development, or similar area subject to
24 any policy or restriction adopted by such asso-
25 ciation.

1 **SEC. 3. RIGHT TO DISPLAY THE SERVICE FLAG.**

2 A condominium association, cooperative association,
3 or residential real estate management association may not
4 adopt or enforce any policy, or enter into any agreement,
5 that would restrict or prevent a member of the association
6 from displaying the Service Flag on residential property
7 within the association with respect to which such member
8 has a separate ownership interest or a right to exclusive
9 possession or use.

10 **SEC. 4. LIMITATIONS.**

11 Nothing in this Act shall be considered to permit any
12 display or use that is inconsistent with—

13 (1) any regulations prescribed by the United
14 States Secretary of Defense regarding rules or cus-
15 toms pertaining to the proper display or use of the
16 Service Flag; or

17 (2) any reasonable restriction pertaining to the
18 time, place, or manner of displaying the Service Flag
19 necessary to protect a substantial interest of the
20 condominium association, cooperative association, or
21 residential real estate management association.

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