

First Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 03-0922.01 Jeff Conway

SENATE BILL 03-235

SENATE SPONSORSHIP

Lamborn

HOUSE SPONSORSHIP

Mitchell

Senate Committees

House Committees

State Veterans & Military Affairs

A BILL FOR AN ACT

101 CONCERNING THE RIGHT TO DISPLAY NATIONAL SYMBOLS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Declares that each person has the right to display reasonably the United States flag or other commonly recognized emblems or symbols of the nation or of a person's patriotism:

On his or her person;

Anywhere on his or her personal or real property;

In his or her place of employment;

In his or her school; and

In the buildings or on the grounds of any tax-supported property in the state.

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.

Specifies that those rights are deemed a protected form of expression under the United States constitution and the state constitution.

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

2 **SECTION 1.** Article 2 of title 27, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **27-2-108.5. Personal display of flags and related articles.**

5 (1) A PERSON SHALL HAVE THE RIGHT TO DISPLAY REASONABLY THE FLAG
6 OF THE UNITED STATES OR OTHER COMMONLY RECOGNIZED EMBLEMS OR
7 SYMBOLS OF THE NATION OR OF A PERSON'S PATRIOTISM:

8 (a) ON HIS OR HER PERSON;

9 (b) ANYWHERE ON HIS OR HER PERSONAL OR REAL PROPERTY;

10 (c) IN HIS OR HER PLACE OF EMPLOYMENT;

11 (d) IN HIS OR HER SCHOOL; AND

12 (e) IN THE BUILDINGS OR ON THE GROUNDS OF ANY
13 TAX-SUPPORTED PROPERTY IN THE STATE.

14 (2) A RIGHT DESCRIBED IN SUBSECTION (1) OF THIS SECTION IS A
15 CIVIL RIGHT OF FREE SPEECH AND A PROTECTED FORM OF EXPRESSION
16 UNDER THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION AND
17 SECTION 10 OF ARTICLE II OF THE STATE CONSTITUTION.

18 **SECTION 2. Effective date.** This act shall take effect at 12:01
19 a.m. on the day following the expiration of the ninety-day period after
20 final adjournment of the general assembly that is allowed for submitting
21 a referendum petition pursuant to article V, section 1 (3) of the state
22 constitution; except that, if a referendum petition is filed against this act
23 or an item, section, or part of this act within such period, then the act,
24 item, section, or part, if approved by the people, shall take effect on the

- 1 date of the official declaration of the vote thereon by proclamation of the
- 2 governor.