

HOUSE BILL 177

E1

6lr1074

By: **Delegates Bromwell, Aumann, Brooks, Cluster, Folden, Grammer, Hettleman, Hornberger, Lafferty, Luedtke, Metzgar, Miele, Morgan, Morhaim, West, and C. Wilson**

Introduced and read first time: January 21, 2016

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 17, 2016

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Prohibition on Marking Flags – Repeal**

3 FOR the purpose of repealing a criminal prohibition on making certain markings on a
4 certain flag for exhibition or display, publicly exhibiting a certain flag that has
5 certain marks, or displaying merchandise with a certain flag to advertise, decorate,
6 or mark the merchandise; and generally relating to marking flags.

7 BY repealing

8 Article – Criminal Law

9 Section 10–703

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2015 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That the Laws of Maryland read as follows:

14 **Article – Criminal Law**

15 [10–703.

16 (a) This section applies to a flag of the United States or of this State, or a flag that
17 is authorized by law of the United States or of this State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) For exhibition or display, a person may not place or cause to be placed a word,
2 figure, mark, picture, design, or advertisement of any nature on a flag.

3 (c) A person may not publicly exhibit a flag with a word, figure, mark, picture,
4 design, or advertisement printed, painted, or produced on or attached to the flag.

5 (d) A person may not publicly display for sale, manufacture, or otherwise, or sell,
6 give, or possess for sale or for use as a gift or for any other purpose, an article of
7 merchandise or receptacle on which a flag is produced or attached to advertise, decorate, or
8 mark the merchandise.

9 (e) A person who violates this section is guilty of a misdemeanor and on conviction
10 is subject to a fine not exceeding \$500.]

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.