

SB4 INTRODUCED



1 SB4
2 V6N6LP-1
3 By Senator Allen
4 RFD: State Governmental Affairs
5 First Read: 06-Feb-24
6 PFD: 21-Sep-23



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SYNOPSIS:

This bill would provide that the 9/11 Remembrance Freedom Flag may be displayed on any publicly owned property or premises.

This bill would also provide that a person who displays an unapproved flag on publicly owned property commits a misdemeanor.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the section.



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A BILL
TO BE ENTITLED
AN ACT

Relating to flags; to provide that the Freedom Flag may be displayed on any publicly owned property or premises; to provide that a person who displays an unapproved flag on publicly owned property commits a misdemeanor; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Freedom Flag, created as a national symbol of remembrance of the victims of the terrorist attacks of September 11, 2001, is authorized to be displayed on any publicly owned property or premises.

Section 2. (a) It shall be unlawful for any individual to place, hoist, raise, or display any flag, standard, colors, or ensign upon any publicly owned property or premises other than any of the following:

- (1) The national flag of the United States.
- (2) The official flag of any nation or state that preceded the United States or the State of Alabama in controlling any territory currently constituting the State of Alabama.
- (3) The official flag of any state, territory, or



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57 district of the United States.

58 (4) The official flag of any municipality in this
59 state.

60 (5) The official flag of the Boy Scouts of America.

61 (6) The official flag of the Girl Scouts of the United
62 States of America.

63 (7) The official flag of the American Red Cross.

64 (8) The American Ex-Prisoner of War flag.

65 (9) The National League of Families POW/MIA flag.

66 (10) The Freedom Flag.

67 (11) Any other flag, standard, colors, or ensign
68 approved by the entity in control of the property.

69 (b) All roads, streets, highways, stadiums, arenas, and
70 athletic facilities are exempt from the restrictions of
71 subsection (a).

72 (c) A violation of subsection (a) is a Class C
73 misdemeanor.

74 Section 3. Although this bill would have as its purpose
75 or effect the requirement of a new or increased expenditure of
76 local funds, the bill is excluded from further requirements
77 and application under Section 111.05 of the Constitution of
78 Alabama of 2022, because the bill defines a new crime or
79 amends the definition of an existing crime.

80 Section 4. This act shall become effective on October
81 1, 2024.