

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2102

2015 Carryover

(BY DELEGATES KELLY, ROWAN, WESTFALL, BORDER,
STATLER, AZINGER, ROMINE, A. EVANS, ZATEZALO AND
SOBONYA)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §61-1-10, relating to prohibiting the sale of United States flags or West Virginia
 3 flags unless manufactured in the United States; and providing criminal penalty.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §61-1-10, to read as follows:

ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.

§61-1-10. Restricted flag sales.

1 (a) A person may not sell, or offer for sale at retail in this state, on or after July 1, 2015,
 2 any of the following flags, unless the flag was manufactured in the United States:

3 (1) The United States flag; or

4 (2) The state flag of West Virginia.

5 (b) For purposes of this section, "person" includes an individual, an owner or operator of
 6 a retail mercantile establishment, or an agent, employee, officer, director, franchisee, or
 7 independent contractor of the owner or operator.

8 (c) A person violating this section is guilty of a misdemeanor and, shall be fined \$100.

9 Each sale made in violation of this section is a separate offense.

NOTE: The purpose of this bill is to prohibit the sale of United States flags or West Virginia flags, unless manufactured in the United States.

This section is new; therefore, it has been completely underscored.