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**GOVERNMENT CODE - GOV**

**TITLE 1. GENERAL [100 - 7931.000]** ( Title 1 enacted by Stats. 1943, Ch. 134. )

**DIVISION 2. STATE SEAL, FLAG, AND EMBLEMS [399 - 447]** ( Division 2 enacted by Stats. 1943, Ch. 134. )

**CHAPTER 3. Display of Flags [430 - 439]** ( Chapter 3 added by Stats. 1953, Ch. 170. )

**430.** The Flag of the United States and the Flag of the State of California (the Bear Flag) shall be prominently installed, displayed, and maintained in the following places:

- (a) In the courtrooms of all courts of the State.
- (b) In all rooms where any court or any state, county, or municipal commission holds any sessions.

(Added by Stats. 1953, Ch. 170.)

**431.** The Flag of the United States and the Flag of the State shall be prominently displayed during business hours upon or in front of the buildings or grounds of or at each of the following places:

- (a) Each public building belonging to the State, a county, or a municipality.
- (b) At the entrance and exit of every state park.
- (c) At the entrance or upon the grounds of each campus of the University of California.
- (d) At the entrance or upon the grounds or upon the administration building of every university, college, high school, and elementary school, both public and private, within the State.
- (e) Upon or at every agricultural inspection station just inside California and located on every highway leading into California.
- (f) At the entrance of or within every state highway maintenance station where personnel reside or are on duty at the time necessary to raise and lower the Flag.

(Amended by Stats. 1953, Ch. 1227.)

**432.** The Flag of the United States and the Flag of the State shall be prominently displayed during any and all games and performances of every kind which take place in a coliseum, stadium, bowl, or other open air sites, and at all race tracks where racing is being conducted.

(Added by Stats. 1953, Ch. 170.)

**433.** The National and State Flags shall be carried at the head of any procession or parade of:

- (a) The National Guard.
- (b) The California State Guard.
- (c) Any other state military organization.
- (d) Sheriff's posse.
- (e) City police or fire department.

(Added by Stats. 1953, Ch. 170.)

**434.** Where the installation or display of the Flag of the United States and the Flag of the State in a place publicly owned, whether by the State, a county, or a municipality, is prescribed, public officials charged with furnishing the place shall provide for the acquisition of the flags and their installation, display, and maintenance pursuant to this chapter.

(Added by Stats. 1953, Ch. 170.)

**434.5.** (a) As used in this section, the following terms have the following meaning:

- (1) "Legal right" means the freedom of use and enjoyment generally exercised by owners and occupiers of land.

(2) "Local government agency" means a county, city, whether general law or chartered, city and county, town, municipal corporation, school district or other district, political subdivision, or any board, commission, or agency thereof, or other local agency.

(b) (1) No person, private entity, or governmental agency shall adopt any rule, regulation, or ordinance, or enter into any agreement or covenant, that prevents any person or private entity that would otherwise have the legal right to display a Flag of the United States on private property from exercising that right, unless it is used as, or in conjunction with, an advertising display.

(2) Nothing in this subdivision shall be construed to prevent a city, county, or city and county from imposing reasonable restrictions as to the time, place, and manner of placement or display of a Flag of the United States when necessary for the preservation of the public's health, safety, or order.

(c) (1) A local government agency may not adopt any policy or regulation that prohibits or restricts an employee of that agency from displaying a Flag of the United States, or a pin of that flag, on his or her person, in his or her workplace, or on a local government agency vehicle operated by that employee.

(2) Nothing in this subdivision shall be construed to prevent a local government agency from imposing reasonable restrictions as to the time, place, and manner of placement or display of a Flag of the United States when necessary for the preservation of the order or discipline of the workplace.

(d) No restrictions solely to promote aesthetic considerations shall be imposed pursuant to paragraph (2) of subdivision (b) or paragraph (2) of subdivision (c).

*(Amended by Stats. 2002, Ch. 73, Sec. 1. Effective January 1, 2003.)*

**434.7.** (a) On and after January 1, 2017, any Flag of the United States or the Flag of the State of California purchased by the state or any local government agency shall be made in the United States.

(b) For purposes of this section, the term "local government agency" means a county, city, city and county, town, municipal corporation, school district or other district, political subdivision, or any board, commission, or agency thereof, or other local agency.

*(Added by Stats. 2016, Ch. 717, Sec. 1. (SB 1012) Effective January 1, 2017.)*

**435.** Where a city or county has adopted an official flag, it is unlawful for any other city or county to adopt an official flag so similar that it might deceive or mislead anyone as to the city or county to which it belongs.

*(Added by Stats. 1953, Ch. 170.)*

**436.** Where the National and State Flags are used, they shall be of the same size. If only one flagpole is used, the National Flag shall be above the State Flag and the State Flag shall be hung in such manner as not to interfere with any part of the National Flag. At all times the National Flag shall be placed in the position of first honor.

*(Added by Stats. 1953, Ch. 170.)*

**437.** The superior court having jurisdiction of the offense shall enforce this chapter on the complaint of any citizen of the county.

*(Added by Stats. 1953, Ch. 170.)*

**438.** All United States Flags now in the possession of state, county, city, and district agencies, or hereafter acquired by such agencies under contracts awarded prior to March 18, 1959, may be utilized until unserviceable.

*(Added by Stats. 1959, Ch. 1521.)*

**439.** The Adjutant General shall, by regulation, prescribe rules regarding the times, places, and manner in which the State Flag may be displayed. He shall, periodically, compile the laws and regulations regarding the State Flag. Copies of the compilation shall be printed and made available to the public at cost by the Department of General Services.

*(Amended by Stats. 1965, Ch. 371.)*