

1 **NEW SECTION. Section 2. Definitions.** For the purposes of [sections 1 through 3], the following
2 definitions apply:

3 (1) "Flag" means any physical or digital material designed for display on a flagpole, building, wall,
4 vehicle, or other structure. Flags typically serve as symbols of identity, allegiance, recognition, commemoration,
5 or advocacy, representing nations, states, political movements, or social causes.

6 (2) "Government property" means buildings, grounds, vehicles, uniforms, and any other property
7 owned, leased, or controlled by a state, county, municipal, or other GOVERNMENT entity, including public
8 schools, universities, and special districts.

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10 **NEW SECTION. Section 3. Display of flags and banners on government property.** (1) No flag or
11 banner may be displayed in or on government property, including but not limited to state buildings and grounds,
12 public schools, and other government-owned facilities, other than the following flags and banners:

13 (a) the United States flag;

14 (b) the official flag of the state of Montana, or any county, municipality, special district, or other
15 political subdivision within the state;

16 (c) the official flag of a school district, public university, or community college;

17 (d) the official flag of any state in the United States;

18 (e) the official flag of any federally recognized tribal nation;

19 (f) the official flag of any federally recognized foreign nation;

20 (g) the official flag of any of the branches and units of the United States military;

21 (h) official historical flags of the United States and the state of Montana, including but not limited to
22 the Betsy Ross flag, Gadsden flag, and other flags of historical significance;

23 (i) the POW/MIA flag, as provided in 1-1-541;

24 (j) flags or banners representing official school mascots and colors; and

25 (k) official law enforcement flags, including but not limited to flags honoring law enforcement
26 officers and fallen officers.

27 (2) (a) No flags or banners may be displayed on state property that represent a political viewpoint,
28 including but not limited to flags or banners regarding a political party, race, sexual orientation, gender, or

1 political ideology.

2 (b) Subsection (2)(a) does not apply to flags recognizing official government entities, law
3 enforcement agencies, military branches, or public service organizations.

4 (3) Nothing in [sections 1 through 3] may be construed to limit the private speech of individuals,
5 and nothing in [sections 1 through 3] may be interpreted to restrict expressions of personal belief outside of
6 official government displays.

7 (4) [Sections 1 through 3] do not apply to personal clothing, jewelry, or accessories worn by
8 government employees, except where specific uniform policies or official dress codes apply.

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10 NEW SECTION. Section 4. Codification instruction. [Sections 1 through 3] are intended to be
11 codified as an integral part of Title 1, chapter 1, part 6, and the provisions of Title 1, chapter 1, part 6, apply to
12 [sections 1 through 3].

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14 NEW SECTION. Section 5. Severability. If a part of [this act] is invalid, all valid parts that are
15 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
16 the part remains in effect in all valid applications that are severable from the invalid applications.

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18 NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

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