

SENATE BILL 1911

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 5; Title 6, Chapter 54 and Title 13, Chapter 7, relative to the display of flags by property owners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following new section:

(a) As used in this section, "municipality" means any incorporated town, city, or metropolitan government.

(b) Except as provided in subsection (c), the governing body of a municipality shall not adopt or enforce an ordinance that prohibits, or has the effect of prohibiting, a property owner from displaying the flag of the United States or an official or replica flag of any branch of the United States armed forces on the property owner's property.

(c) The governing body of a municipality may adopt and enforce an ordinance that reasonably regulates the placement and manner for the display of the flag of the United States or an official or replica flag of any branch of the United States armed forces.

SECTION 2. Tennessee Code Annotated, Title 5, Chapter 5, Part 1, is amended by adding the following new section:

(a) Except as provided in subsection (b), a county legislative body shall not adopt or enforce a resolution or ordinance that prohibits, or has the effect of prohibiting, a property owner from displaying the flag of the United States or an official or replica flag of any branch of the United States armed forces on the property owner's property.

(b) A county legislative body may adopt and enforce a resolution or ordinance that reasonably regulates the placement and manner for the display of the flag of the United States or an official or replica flag of any branch of the United States armed forces.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.