

HB 4150

FILED

2008 MAR 28 PM 4: 28

OFFICE OF THE CLERK  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2008



**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 4150**

(By Delegates Yost, Caputo, Klempa, Burdiss, Eldridge,  
Hutchins, Tucker, Reynolds, Rodighiero and D. Poling)



Passed March 7, 2008

In Effect Ninety Days from Passage

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**H. B. 4150**

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(BY DELEGATES YOST, CAPUTO, KLEMPA, BURDISS,  
ELDRIDGE, HUTCHINS, TUCKER, REYNOLDS,  
RODIGHERO AND D. POLING)

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[Passed March 7, 2008; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §1-6-1; to amend and reenact §7-3-2a of said code; and to amend and reenact §18-5-24 of said code, all relating to requiring that the purchase of United States flag or flags of the State of West Virginia only be made from manufacturers in the United States when public funds are used.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §1-6-1; that §7-3-2a of said code be amended and reenacted; and that §18-5-24 of said code be amended and reenacted, all to read as follows:

**CHAPTER 1. THE STATE AND ITS SUBDIVISIONS.**

**ARTICLE 6. STATE PURCHASE OF AMERICAN-MADE  
FLAGS.**

**§1-6-1. Purchasing requirements.**

1 Any United States flag or flag of the State of West  
2 Virginia purchased with state funds must be manufactured in  
3 the United States.

**CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

**ARTICLE 3. COUNTY PROPERTY.**

**§7-3-2a. County commissions to purchase and display flags.**

1 The county commission of every county of the state shall  
2 purchase, out of its General Revenue Fund, a United States  
3 flag and a flag of the State of West Virginia, four feet by six  
4 feet in dimensions and of regulation bunting, or of other  
5 appropriate size and quality, for its courthouse, and shall  
6 require the flags to be displayed from the courthouse, or from  
7 an appropriate nearby staff or pole, every day between the  
8 hours of sunrise and sunset, except in inclement weather.  
9 Each county commission shall also purchase a United States  
10 flag and a flag of the State of West Virginia, and require the  
11 flags to be displayed at all times in the circuit courtroom of  
12 the county. Each county and any municipality therein may  
13 purchase a POW-MIA flag to be displayed from its  
14 courthouse or other governmental building alongside the state  
15 flag and United States flag on Memorial Day, Armed Forces  
16 Day, Flag Day, Independence Day, National POW/MIA  
17 Recognition Day and Veteran's Day each year. The  
18 custodian or other person in charge of the courthouse shall  
19 display the flags as required by this section.

20 Any United States flag or flag of the State of West  
21 Virginia purchased out of the general revenue of the county  
22 must be manufactured in the United States.

**CHAPTER 18. EDUCATION.**

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**

**§18-5-24. Purchase and display of United States flag; penalty  
for failure to display.**

1 Boards of education shall purchase United States flags,  
2 four by six feet, of regulation bunting, for schools in its  
3 district, and require the flags to be displayed from the schools  
4 during the time the school is in session, except in inclement  
5 weather. The teacher, custodian or other person in charge of  
6 the building during the session is responsible for this flag  
7 being displayed at the school.

8 Any United States flag or flag of the State of West  
9 Virginia purchased out of the county board building fund  
10 must be manufactured in the United States.

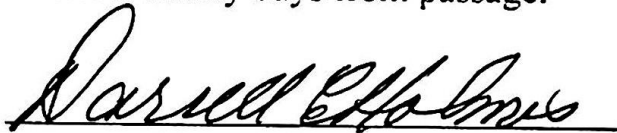
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

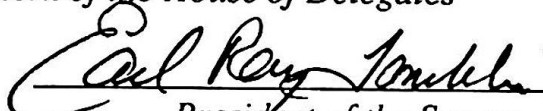
  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 28<sup>th</sup>  
day of March, 2008.

  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 20 2008

Time 2:10 pm