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
ENROLLED

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FOR

H. B. 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.]

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.

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

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 3. COUNTY PROPERTY.

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

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

Any United States flag or flag of the State of West Virginia purchased out of the general revenue of the county 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.
Boards of education shall purchase United States flags, four by six feet, of regulation bunting, for schools in its district, and require the flags to be displayed from the schools during the time the school is in session, except in inclement weather. The teacher, custodian or other person in charge of the building during the session is responsible for this flag being displayed at the school.

Any United States flag or flag of the State of West Virginia purchased out of the county board building fund 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 28th day of March, 2008.

Governor
PRESENTED TO THE GOVERNOR

MAR 20 2008

Time 2:10 pm