

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2934

Chapter 169, Laws of 2004

58th Legislature
2004 Regular Session

FLAG DISPLAY--HOMEOWNERS' ASSOCIATIONS

EFFECTIVE DATE: 6/10/04

Passed by the House February 17, 2004
Yeas 94 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 10, 2004
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved March 26, 2004.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2934** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 26, 2004 - 4:27 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2934

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By Representatives Wallace, Clements, Jarrett, Sump, Orcutt, Darneille, Moeller, Hudgins, Hunt, Boldt, Morrell, Campbell, Sullivan, Linville, Condotta, Newhouse, Shabro and Kenney

Read first time 01/23/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to ensuring that members of homeowners'
2 associations may display the flag of the United States on their
3 properties; and adding a new section to chapter 64.38 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 64.38 RCW
6 to read as follows:

7 (1) The governing documents may not prohibit the outdoor display of
8 the flag of the United States by an owner or resident on the owner's or
9 resident's property if the flag is displayed in a manner consistent
10 with federal flag display law, 4 U.S.C. Sec. 1 et seq. The governing
11 documents may include reasonable rules and regulations, consistent with
12 4 U.S.C. Sec. 1 et seq., regarding the placement and manner of display
13 of the flag of the United States.

14 (2) The governing documents may not prohibit the installation of a
15 flagpole for the display of the flag of the United States. The
16 governing documents may include reasonable rules and regulations
17 regarding the location and the size of the flagpole.

18 (3) For purposes of this section, "flag of the United States" means
19 the flag of the United States as defined in federal flag display law,

1 4 U.S.C. Sec. 1 et seq., that is made of fabric, cloth, or paper and
2 that is displayed from a staff or flagpole or in a window. For
3 purposes of this section, "flag of the United States" does not mean a
4 flag depiction or emblem made of lights, paint, roofing, siding, paving
5 materials, flora, or balloons, or of any similar building, landscaping,
6 or decorative component.

7 (4) The provisions of this section shall be construed to apply
8 retroactively to any governing documents in effect on the effective
9 date of this section. Any provision in a governing document in effect
10 on the effective date of this section that is inconsistent with this
11 section shall be void and unenforceable.

Passed by the House February 17, 2004.

Passed by the Senate March 10, 2004.

Approved by the Governor March 26, 2004.

Filed in Office of Secretary of State March 26, 2004.