

HB 1412 - AS INTRODUCED

2026 SESSION

26-3094

12/08

HOUSE BILL            ***1412***

AN ACT                relative to the display of flags in schools and compliance with the federal flag code.

SPONSORS:           Rep. Horrigan, Straf. 10; Rep. Swanson, Hills. 5; Rep. Burton, Straf. 10

COMMITTEE:        Education Policy and Administration

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ANALYSIS

This bill adds requirements for the display of flags in schools and adds public charter schools as well as public academies to the statute. The bill also permits certain private schools to opt out of said requirements and authorizes local school boards to accept monetary donations for the purpose of acquiring flags and related appliances.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~in brackets and struck through~~.  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT                    relative to the display of flags in schools and compliance with the federal flag code.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Display of Flags. Amend RSA 189:17 to read as follows:

2            189:17 Flags; Penalty. ~~[The]~~ ***Each local school board and each governing body of a public***  
3 ***charter school or a public academy*** shall supply a United States and a New Hampshire state  
4 flag; the flags shall be made not less than 5 feet in length ***and 31 inches in width***, with a flagstaff  
5 and appliances for displaying the same, for every ~~[schoolhouse in the district]~~ ***school building*** in  
6 which a public school, ***public charter school, or public academy*** is taught, at the expense of the  
7 district ***or governing body of a public charter school***. They shall prescribe rules and regulations  
8 for the proper custody, care and display of these flags, ***including compliance with RSA 3-E:2***; the  
9 regulations shall require that wherever possible, the United States flag and the New Hampshire  
10 state flag shall be displayed on separate staffs of equal height. When the flags are displayed on the  
11 same staff, the United States flag shall be displayed above the New Hampshire flag. The  
12 regulations shall further require that such flags shall be displayed prominently outside of the  
13 ~~[schoolhouse]~~ ***school building***. When they are otherwise displayed, the flags shall be placed  
14 conspicuously in the principal room of assembly of the ~~[schoolhouse]~~ ***school building***. The  
15 governing board of every private school shall supply a United States flag, such flag to be made not  
16 less than 5 feet in length ***and 31 inches in width***, with a flagstaff and appliances for displaying  
17 same. They shall make provisions similar to those required in the public schools for the display of  
18 said flag. Any members of a school board or the governing board who shall refuse or neglect to  
19 comply with the provisions of this section shall be guilty of a violation. ***Nothing in this section***  
20 ***shall prohibit the display of any other flags or banners on the premises of any public***  
21 ***school, public charter school, public academy, or private school.***

22            (a) *For the purposes of this section, "private school" shall not include a*  
23 *recipient of an education freedom account under RSA 194-F that is not an elementary or*  
24 *secondary school located in the state.*

25            (b) *Schools may opt out of the applicability of this chapter for religious or*  
26 *political beliefs of the school community if approved by the local school board or governing*  
27 *body of a school.*

28            2 Local School Board; Flags; Donations Permitted. Amend RSA 189:17-a, III to read as follows:

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1           III. The local school board shall have the authority to accept the donation of flags and  
2 appliances, *as well as monetary donations for the purposes of acquiring flags and*  
3 *appliances*, and to determine the location of the flags in the classrooms.

4           3 Effective Date. This act shall take effect 60 days after its passage.