

**Testimony In Favor of HB 1412:  
“AN ACT relative to the display of flags in schools and compliance with  
the federal flag code.”**

Rep. Timothy Horrigan (Strafford 10); January 28, 2026

House Education Policy and Administration Committee

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HB 1412 updates and clarifies current law by making a few changes to RSA 189:17 and RSA 189:17-a, which deal with the display of flags on school property.

In its current form, RSA 189:17 states that both public and private schools must display United States and New Hampshire flags provided by the school district’s school board or by the private school’s governing board, as the case may be. HB 1412 adds language covering charter schools and public academies. RSA 189:17 dates back to at least 1903 and was last amended in 1977 (long before charter schools existed in New Hampshire.). RSA 189:17-a dates back to 1988 and simply allows outside parties to donate flags for use in public schools.

HB 1412 does not forbid schools from displaying any other flags. However, this bill adds an explicit reference to RSA 3-E:2, which is a statute added in 2011 incorporating the United States Flag Code by reference as the flag code of New Hampshire. The purpose of this addition is to make sure that school flags are the familiar red, white and blue “Stars and Stripes” flag— not a “Thin Line” flag, or a black and white flag, etc. Differently-colored “Stars and Stripes” banners can still be displayed but only in addition to the standard flag.

Speaking of differently-colored flags, HB 1412 adds a sentence protecting local control and freedom of speech, by allowing “the display of any other flags or banners “on school premises.”

Existing law requires New Hampshire private schools to fly the United States and New Hampshire flag. This bill leaves that requirement in place, but clarifies that it doesn’t apply to out-of-state private schools which are subsidized by the EFA voucher program, or to any EFA-subsidized entity which is not a school. So, for example, Amazon (which is the largest recipient of EFA dollars) would not be required to fly the national and state flags at its fulfillment center in Hooksett. This bill also includes an opt-out clause intended primarily for private schools (although public schools can use it too) to accommodate religious or political beliefs of the school community.

This is an inclusive and patriotic bill which preserves the long-standing tradition of flying the US and New Hampshire flags at Granite State schools.