

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 948

BY: FRANKLIN

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING

21 O.S. 1991, SECTIONS 371 AND 372, WHICH RELATE TO
FLAGS; PROHIBITING CERTAIN USES AND TREATMENT OF
STATE FLAG; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 1991, Section 371, is amended to read as follows:

Section 371. Any person or persons, corporation or company, who shall use the flag or the coat of arms of the United States or of the State of Oklahoma or any pattern, imitation or representation thereof, either by printing thereon, or attaching thereto, any advertisement or device for the purpose of gain or profit, or as a trademark or label, shall be guilty of misdemeanor.

SECTION 2. AMENDATORY 21 O.S. 1991, Section 372, is amended to read as follows:

Section 372. (a) Any person who shall contemptuously or maliciously tear down, burn, trample upon, mutilate, deface, defile, defy, treat with indignity, wantonly destroy, or cast contempt, either by word or act, upon any flag, standard, colors or ensign of

the United States of America or of the State of Oklahoma shall be guilty of a felony.

(b) The word "defile" as used in this section shall include public conduct which brings shame or disgrace upon any flag of the United States or of the State of Oklahoma by its use for unpatriotic or profane purpose.

(c) The terms "flag", "standard", "colors", or "ensign" of the United States and the State of Oklahoma as used in this section shall include any picture, representation or part thereof which an average person would believe, upon seeing and without deliberation, to represent the flag, standard, colors or ensign of the United States of America or the State of Oklahoma.

SECTION 3. This act shall become effective September 1, 1992.

43-2-1817

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