

1 ENGROSSED HOUSE
2 BILL NO. 1644

By: Humphrey and Russ of the
House

3 and

4 Burns of the Senate

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7 [crimes and punishments - mutilating or destroying
8 flags - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 372, is
14 amended to read as follows:

15 Section 372. A. Any person who shall contemptuously or
16 maliciously tear down, burn, trample upon, mutilate, deface, defile,
17 defy, treat with indignity, wantonly destroy, or cast contempt,
18 either by word or act, upon any flag, standard, colors or ensign of
19 the United States of America, shall, upon conviction, be guilty of a
20 felony.

21 B. Any person who shall burn in public any flag of the United
22 States of America with the intent to cause a breach of the peace or
23 incitement to riot shall, upon conviction, be guilty of a felony. A
24 person seeking to burn the United States flag must obtain a permit

1 from the proper city or county authority before proceeding and must
2 burn the flag in a safe and proper manner.

3 C. The word "defile" as used in this section shall include
4 public conduct which brings shame or disgrace upon any flag of the
5 United States by its use for unpatriotic or profane purpose.

6 ~~C.~~ D. The terms "flag", "standard", "colors", or "ensign" of
7 the United States as used in this section shall include any picture,
8 representation or part thereof which an average person would
9 believe, upon seeing and without deliberation, to represent the
10 flag, standard, colors or ensign of the United States of America.

11 SECTION 2. This act shall become effective November 1, 2021.

12 Passed the House of Representatives the 11th day of March, 2021.

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15 Presiding Officer of the House
of Representatives

16 Passed the Senate the ____ day of _____, 2021.

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Presiding Officer of the SenateS