

CA CR 19 - AS INTRODUCED

2020 SESSION

20-2962  
06/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **19**

RELATING TO: the American flag.

PROVIDING THAT: no person shall burn an American flag except as a dignified means of disposing of a worn or damaged flag.

SPONSORS: Sen. French, Dist 7; Sen. Morgan, Dist 23; Sen. Reagan, Dist 17; Sen. Giuda, Dist 2; Sen. Birdsell, Dist 19; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Rep. Baldasaro, Rock. 5

COMMITTEE: Election Law and Municipal Affairs

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ANALYSIS

This constitutional amendment concurrent resolution provides that no person shall burn an American flag except as a respectful means of disposing of a worn or damaged flag.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the American flag.

PROVIDING THAT: no person shall burn an American flag except as a dignified means of disposing of a worn or damaged flag.

*Be it Resolved by the Senate, the House of Representatives concurring, that the Constitution of New Hampshire be amended as follows:*

1 I. That the first part of the constitution be amended by inserting after article 39 the  
2 following new article:

3 [Art.] 40. [American Flag.] No person shall burn an American flag except as a respectful means  
4 of disposing of a worn or damaged flag.

5 II. That the above amendment proposed to the constitution be submitted to the qualified  
6 voters of the state at the state general election to be held in November, 2020.

7 III. That the selectmen of all towns, cities, wards and places in the state are directed to  
8 insert in their warrants for the said 2020 election an article to the following effect: To decide  
9 whether the amendments of the constitution proposed by the 2020 session of the general court shall  
10 be approved.

11 IV. That the wording of the question put to the qualified voters shall be:  
12 "Are you in favor of amending the first part of the constitution by inserting after article 39 a new  
13 article to read as follows:

14 [Art.] 40. [American Flag.] No person shall burn an American flag except as a respectful means  
15 of disposing of a worn or damaged flag."

16 V. That the secretary of state shall print the question to be submitted on a separate ballot or  
17 on the same ballot with other constitutional questions. The ballot containing the question shall  
18 include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in  
19 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall  
20 be the same as the regular official ballot except that the words "Questions Relating to Constitutional  
21 Amendments proposed by the 2020 General Court" shall be printed in bold type at the top of the  
22 ballot.

23 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it  
24 becomes effective when the governor proclaims its adoption.

25 VII. Voters' Guide.

26 AT THE PRESENT TIME, there is no constitutional prohibition on burning an

**CACR 19 - AS INTRODUCED**

**- Page 2 -**

1 American flag.

2 IF THE AMENDMENT IS ADOPTED, the constitution would prohibit burning an

3 American flag except as a respectful means of disposing of a worn or damaged flag.