

## **Chapter 144.**

### **State Flag, Official Governmental Flags, Motto, and Colors.**

#### **§ 144-1. State flag.**

The flag of North Carolina shall consist of a blue union, containing in the center thereof a white star with the letter "N" in gilt on the left and the letter "C" in gilt on the right of said star, the circle containing the same to be one third the width of said union. The fly of the flag shall consist of two equally proportioned bars, the upper bar to be red, the lower bar to be white; the length of the bars horizontally shall be equal to the perpendicular length of the union, and the total length of the flag shall be one half more than its width. Above the star in the center of the union there shall be a gilt scroll in semicircular form, containing in black letters this inscription: "May 20th 1775" and below the star there shall be a similar scroll containing in black letters the inscription: "April 12th 1776". (1885, c. 291; Rev., s. 5321; C.S., s. 7535; 1991, c. 361, s. 1.)

#### **§ 144-2. State motto.**

The words "esse quam videri" are hereby adopted as the motto of this State, and as such shall be engraved on the great seal of North Carolina and likewise at the foot of the coat of arms of the State as a part thereof. On the coat of arms, in addition to the motto, at the bottom, there shall be inscribed at the top the words, "May 20th, 1775." (1893, c. 145; Rev., s. 5320; C.S., s. 7536.)

#### **§ 144-3. Flags to be displayed on public buildings and institutions.**

The board of trustees or managers of the several State institutions and public buildings shall provide a North Carolina flag, of such dimensions and material as they may deem best, and the same shall be displayed from a staff upon the top of each and every such building, at all times except during inclement weather, and upon the death of any State officer or any prominent citizen the flag shall be put at half-staff until the burial of such person has taken place. (1907, c. 838, s. 2; C.S., s. 7537; 2009-570, s. 23.)

#### **§ 144-4. Flags to be displayed at county courthouses.**

The boards of county commissioners of the several counties in this State shall likewise authorize the procuring of a North Carolina flag, to be displayed either on a staff upon the top or draped behind the judge's stand, in each and every courthouse in the State, and the State flag shall be displayed at each and every term of court held, and on such other public occasions as the commissioners may deem proper. (1907, c. 838, s. 3; C.S., s. 7538.)

#### **§ 144-5. Flags to conform to law; display and handling of a flag of the United States of America or the State of North Carolina by State institutions and other political subdivisions of the State.**

(a) No State flag is allowed in or over any building here mentioned unless the flag conforms to the description of the State flag contained in this Chapter.

(b) A flag of the United States of America or the State of North Carolina that is displayed by a State institution or a political subdivision of the State on the premises of a building of a State institution or a political subdivision of the State shall be handled, displayed, stored, and respectfully disposed of in accordance with the federal Flag Code, 4 U.S.C. §§ 1-10. (1907, c. 838, s. 4; C.S., s. 7539; 2015-170, s. 2(a).)

#### **§ 144-6. State colors.**

Red and blue, of shades as adopted and appearing in the North Carolina State flag and the American flag, shall be, and hereby are, declared to be the official State colors for the State of North Carolina.

The use of such official State colors on ribbons attached to State documents with the great seal and/or seals of State departments is permissive and discretionary but not directory. (1945, c. 878.)

**§ 144-7. Display of official governmental flags; public restrictions.**

(a) A county, city, consolidated city-county, or unified government shall not prohibit an official governmental flag from being flown or displayed if the official governmental flag is flown or displayed:

- (1) In accordance with the patriotic customs set forth in 4 U.S.C. §§ 5-10, as amended; and
- (2) Upon private or public property with the consent of either the owner of the property or of any person having lawful control of the property.

(b) Notwithstanding subsection (a) of this section, for the purpose of protecting the public health, safety, and welfare, reasonable restrictions on flag size, number of flags, location, and height of flagpoles are not prohibited, provided that such restrictions shall not discriminate against any official governmental flag in any manner.

(c) For purposes of this section, an "official governmental flag" shall mean any of the following:

- (1) The flag of the United States of America.
- (2) The flag of nations recognized by the United States of America.
- (3) The flag of the State of North Carolina.
- (4) The flag of any state or territory of the United States.
- (5) The flag of a political subdivision of any state or territory of the United States. (2005-360, s. 1.)

**§ 144-8. State salute to the North Carolina flag.**

The phrase "I salute the flag of North Carolina and pledge to the Old North State love, loyalty, and faith." is adopted as the official salute to the North Carolina flag. (2007-36, s. 1.)

**§ 144-9. Retirement of a flag of the United States of America or the State of North Carolina.**

(a) A State institution or a political subdivision of the State in possession of a flag of the United States of America or the State of North Carolina that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged shall make arrangements for its respectful disposal and may deliver the flag to the Department of Military and Veterans Affairs for disposal. The Department shall accept a flag delivered to it and shall make arrangements for its respectful disposal.

(b) The Department of Military and Veterans Affairs shall accept, at no charge, a worn, tattered, or otherwise damaged flag of the United States of America or the State of North Carolina from a citizen of the State and shall make arrangements for its respectful disposal. The Department shall establish a flag retirement program to encourage citizens to send in or drop off worn, tattered, or otherwise damaged flags at the Department's office in Raleigh and at any Veterans Home or Veterans Cemetery in the State and may establish other locations for flag drop off as it deems

appropriate. The Department shall advertise the flag retirement program on its website and by printed posters placed at all flag drop off locations.

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(c) An official flag of the State that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire. (2010-189, s. 1; 2015-170, s. 2(b); 2021-88, s. 14(b); 2021-180, s. 37.9(a).)