

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 41

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 33-143, IDAHO CODE, TO ESTABLISH PROVISIONS  
3 REQUIRING PUBLIC SCHOOLS TO DISPLAY ONLY CERTAIN FLAGS AND BANNERS ON  
4 SCHOOL PROPERTY AND PROHIBITING THE DISPLAY OF CERTAIN FLAGS AND BAN-  
5 NERS ON SCHOOL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN  
6 EFFECTIVE DATE.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
11 ignated as Section 33-143, Idaho Code, and to read as follows:

12 33-143. DISPLAY OF FLAGS AND BANNERS ON PUBLIC SCHOOL PROPERTY. (1) No  
13 public elementary school or public secondary school in the state of Idaho  
14 shall display any flag or banner on such school's property other than the  
15 following flags and banners:

- 16 (a) The United States flag pursuant to section 33-1602, Idaho Code;
- 17 (b) The official flag of the state of Idaho, or any county, municipal-  
18 ity, public university or community college, school district, special  
19 district, or any other political subdivision or governmental instru-  
20 mentality of or within the state;
- 21 (c) Official flags of any state in the United States;
- 22 (d) Official flags of recognized foreign nations with which the United  
23 States is not engaged in hostile action;
- 24 (e) Official school flags;
- 25 (f) Official flags of any of the military branches and units of the  
26 United States;
- 27 (g) Official flags of Indian tribes;
- 28 (h) Flags or banners recognized by the Idaho department of education  
29 that are awarded for achievements; or
- 30 (i) Flags or banners representing official school mascots and colors.

31 (2) No flags or banners shall be displayed by a public elementary school  
32 or public secondary school that represent a political viewpoint, including  
33 but not limited to flags or banners regarding a political party, race, sexual  
34 orientation, gender, or a political ideology.

35 SECTION 2. An emergency existing therefor, which emergency is hereby  
36 declared to exist, this act shall be in full force and effect on and after  
37 July 1, 2025.