



2025 South Dakota Legislature

House Bill 1269

Introduced by: **Representative Jensen (Phil)**

1 **An Act to authorize display of certain flags on public property.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That a NEW SECTION be added to chapter 1-6:**

4 Except as otherwise provided in this section, only the following flags may be
 5 displayed on public property of this state or its political subdivisions:

6 (1) The United States flag;

7 (2) The official flag of this state;

8 (3) Official military flags of any of the branches of the United States Armed Forces or
 9 the National Guard, including the POW/MIA flag;

10 (4) The official flag of any county, municipality, public university or college, school
 11 district, or any other political subdivision or governmental instrumentality of or
 12 within the state;

13 (5) Official flags of any other state in the United States;

14 (6) Official flags of recognized foreign nations with which the United States is not
 15 engaged in hostile action; and

16 (7) Official flags of Indian tribes.

17 Any flag authorized pursuant to this section must be displayed in accordance with
 18 applicable federal and state flag display protocols. If the United States flag is displayed on
 19 public property, it must be displayed in a prominent position superior to any other flag
 20 that is also displayed.

21 A flag other than those authorized in this section may not be displayed on public
 22 property, except for educational displays approved by the relevant state board or agency
 23 or temporary displays authorized by the Governor for ceremonial purposes.

24 A flag representing a political viewpoint, including gender, political ideology or
 25 party, race, or sexual orientation may not be displayed on public property.

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