



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0399/1

MPG:emw

2025 ASSEMBLY BILL 46

February 17, 2025 - Introduced by Representatives STEFFEN, BRILL, BROOKS, CALLAHAN, DITTRICH, GUNDRUM, B. JACOBSON, KNODL, MAXEY, MURPHY, MURSAU, NEDWESKI, PIWOWARCZYK, SPIROS and WICHGERS, cosponsored by Senators WIMBERGER, CABRAL-GUEVARA, NASS and WANGGAARD. Referred to Committee on Local Government.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT** *to create* 1.14 (1) (am) and 1.14 (1m) of the statutes; **relating to:** flags
2 flown at state and local government buildings and eliminating a related
3 administrative rule.

Analysis by the Legislative Reference Bureau

This bill prohibits any flag other than the U.S. flag, the state flag, the official POW/MIA flag recognized by Congress, and the official flags of each branch of the U.S. armed forces from being flown, hung, or displayed from any flagpole or building, structure, or facility, including the state capitol, that is owned or occupied entirely by a state agency or authority or by a city, village, town, or county. However, the bill authorizes the legislature to make exceptions for state flagpoles and facilities by joint resolution adopted by a three-fourths majority vote of all members elected to each house. Similarly, a city, village, town, or county may make exceptions for its flagpoles and facilities by a three-fourths majority vote of all members elected to its governing body.

The bill also repeals an administrative rule that includes requirements similar to those of the bill but that authorizes the governor to make exceptions. The bill delays its requirements for state flagpoles and facilities until January 1, 2027.

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 1.14 (1) (am) of the statutes is created to read:

1.14 (1) (am) "Political subdivision" means any city, village, town, or county.

SECTION 2. 1.14 (1m) of the statutes is created to read:

1.14 (1m) (a) The U.S. flag, the state flag, the official POW/MIA flag recognized by Congress under P.L. 101-355, and the official flags of each branch of the U.S. armed forces shall be the only flags flown, hung, or displayed from any flagpole or building, structure, or facility, including the state capitol, that is owned or occupied entirely by a state agency or state authority, except that the legislature may direct otherwise by joint resolution adopted by a three-fourths majority vote of all members elected to each house.

(b) The U.S. flag, the state flag, the official POW/MIA flag recognized by Congress under P.L. 101-355, and the official flags of each branch of the U.S. armed forces shall be the only flags flown, hung, or displayed from any flagpole or building, structure, or facility that is owned or occupied entirely by a political subdivision, except that a political subdivision may direct otherwise by a three-fourths majority vote of the members elect of its governing body.

SECTION 3. Adm 2.07 (1) of the administrative code is repealed.

SECTION 4. Initial applicability.

(1) STATE FACILITIES. The treatment of s. 1.14 (1m) (a) first applies to flags flown, hung, or displayed on January 1, 2027.

SECTION 5. Effective dates. This act takes effect on the day after publication, except as follows:

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SECTION 5

1 (1) Notwithstanding s. 227.265, the treatment of administrative rules takes
2 effect on January 1, 2027.

3 (END)