

10-702. SCOPE OF SUBTITLE.

THIS SUBTITLE DOES NOT APPLY TO:

(1) AN ACT ALLOWED BY THE STATUTES OF THE UNITED STATES OR OF THIS STATE, OR BY THE REGULATIONS OF THE UNITED STATES ARMY OR NAVY; OR

(2) A DOCUMENT OR PRODUCT, STATIONERY, ORNAMENT, PICTURE, APPAREL, OR JEWELRY THAT DEPICTS A FLAG WITHOUT A DESIGN OR WORDS ON THE FLAG AND THAT IS NOT CONNECTED WITH AN ADVERTISEMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 84.

In item (2) of this section, the former reference to "printed or written" is deleted as implicit in the word "document".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that item (1) of this section refers to regulations of the "United States Army or Navy", and not of the "Air Force". At the time of enactment of the former law, there was not yet a separate United States Air Force. American military air operations in the World War were being conducted by the recently formed Air Service of the United States Army in the American Expeditionary Force. See Ch. 281, Acts of 1918.

Defined term: "Flag" § 10-701

10-703. MARKED FLAG AND MERCHANDISE.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO A FLAG OF THE UNITED STATES OR OF THIS STATE, OR A FLAG THAT IS AUTHORIZED BY LAW OF THE UNITED STATES OR OF THIS STATE.

(B) PROHIBITED — ADVERTISING MARKING.

FOR EXHIBITION OR DISPLAY, A PERSON MAY NOT PLACE OR CAUSE TO BE PLACED A WORD, FIGURE, MARK, PICTURE, DESIGN, OR ADVERTISEMENT OF ANY NATURE ON A FLAG.

(C) SAME — PUBLIC DISPLAY OF MARKED FLAG.

A PERSON MAY NOT PUBLICLY EXHIBIT A FLAG WITH A WORD, FIGURE, MARK, PICTURE, DESIGN, OR ADVERTISEMENT PRINTED, PAINTED, OR PRODUCED ON OR ATTACHED TO THE FLAG.

(D) SAME — MERCHANDISE MARKED WITH FLAG.

A PERSON MAY NOT PUBLICLY DISPLAY FOR SALE, MANUFACTURE, OR OTHERWISE, OR SELL, GIVE, OR POSSESS FOR SALE OR FOR USE AS A GIFT OR FOR ANY OTHER PURPOSE, AN ARTICLE OF MERCHANDISE OR RECEPTACLE ON WHICH A FLAG IS PRODUCED OR ATTACHED TO ADVERTISE, DECORATE, OR MARK THE MERCHANDISE.