

111TH CONGRESS  
2D SESSION

# S. 3477

To ensure that the right of an individual to display the Service Flag on residential property not be abridged.

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IN THE SENATE OF THE UNITED STATES

JUNE 10, 2010

Mr. WEBB (for himself, Mr. WARNER, Mrs. MCCASKILL, Mr. BURRIS, Mr. BAYH, Mr. NELSON of Nebraska, Mr. TESTER, Mr. MCCAIN, Mr. BROWN of Massachusetts, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To ensure that the right of an individual to display the Service Flag on residential property not be abridged.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Blue Star/Gold Star  
5 Flag Act of 2010”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) The term “Service Flag” means a service  
2 flag for purposes section 901 of title 36, United  
3 States Code.

4           (2) The terms “condominium association” and  
5 “cooperative association” have the meanings given  
6 such terms under section 604 of Public Law 96–399  
7 (15 U.S.C. 3603).

8           (3) The term “residential real estate manage-  
9 ment association” has the meaning given such term  
10 under section 528 of the Internal Revenue Code of  
11 1986 (26 U.S.C. 528).

12           (4) The term “member”—

13               (A) as used with respect to a condominium  
14 association, means an owner of a condominium  
15 unit (as defined under section 604 of Public  
16 Law 96–399 (15 U.S.C. 3603)) within such as-  
17 sociation;

18               (B) as used with respect to a cooperative  
19 association, means a cooperative unit owner (as  
20 defined under section 604 of Public Law 96–  
21 399 (15 U.S.C. 3603)) within such association;  
22 and

23               (C) as used with respect to a residential  
24 real estate management association, means an  
25 owner of a residential property within a subdivi-

1           sion, development, or similar area subject to  
2           any policy or restriction adopted by such asso-  
3           ciation.

4 **SEC. 3. RIGHT TO DISPLAY THE SERVICE FLAG.**

5           A condominium association, cooperative association,  
6 or residential real estate management association may not  
7 adopt or enforce any policy, or enter into any agreement,  
8 that would restrict or prevent a member of the association  
9 from displaying the Service Flag on residential property  
10 within the association with respect to which such member  
11 has a separate ownership interest or a right to exclusive  
12 possession or use.

13 **SEC. 4. LIMITATIONS.**

14           Nothing in this Act shall be considered to permit any  
15 display or use that is inconsistent with—

16           (1) any regulations prescribed by the Secretary  
17 of Defense regarding rules or customs pertaining to  
18 the proper display or use of the Service Flag; or

19           (2) any reasonable restriction pertaining to the  
20 time, place, or manner of displaying the Service Flag  
21 necessary to protect a substantial interest of the  
22 condominium association, cooperative association, or  
23 residential real estate management association.

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