

1 AN ACT relating to the displaying of flags on personal property.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 381.785 TO 381.801 IS CREATED  
4 TO READ AS FOLLOWS:

5 *(1) As used in this section, "Betsy Ross flag" means a historic flag of the United*  
6 *States that consists of thirteen (13) stripes alternating between red and white and*  
7 *thirteen (13) five-pointed white stars arranged in a circle against a blue*  
8 *background.*

9 *(2) The governing documents of an association shall not prohibit the placing of a*  
10 *flag pole in the front yard or back yard on private property, which displays any of*  
11 *the following:*

12 *(a) The American flag;*

13 *(b) Any historic version of the American flag, including the Betsy Ross flag,*  
14 *without regard to how the stars and stripes are arranged; or*

15 *(c) The Kentucky state flag.*

16 ➔Section 2. KRS 381.990 is amended to read as follows:

17 (1) Any officer who certifies an abstract in violation of KRS 381.240 or 381.250 shall  
18 be fined not less than one hundred dollars (\$100) nor more than five hundred  
19 dollars (\$500) for each offense. In addition to such fine, the officer shall be liable  
20 personally and on his official bond to the person in possession of the lands, and to  
21 any and all other persons aggrieved thereby, to an action for damages sustained by  
22 such persons by reason of such certificate.

23 (2) Any person who violates any of the provisions of KRS 381.690 to 381.710 *or*  
24 *Section 1 of this Act* shall be fined not less than one hundred dollars (\$100) nor  
25 more than five hundred dollars (\$500) for each offense.

26 (3) Any person who fails to comply with the provisions of KRS 381.780 shall be guilty  
27 of a misdemeanor and shall be fined twenty-five dollars (\$25) for each offense.

- 1           Each day that the violation continues shall constitute a separate offense.
- 2   (4) Any person or corporation who violates KRS 381.697 shall be subject to a fine of
- 3       not less than twenty-five dollars (\$25) nor more than two hundred fifty dollars
- 4       (\$250).
- 5   (5) Any person who fails to comply with any of the provisions of KRS 381.860 may be
- 6       fined not more than one hundred dollars (\$100) per day for each offense, and the
- 7       county attorney and the Attorney General may prosecute the violator. In addition to
- 8       the fine, the violator may be liable personally to any and all persons aggrieved by
- 9       the violation and subject to an action for damages, plus court costs and plaintiffs'
- 10       attorneys' fees.