

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2444**

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**Introduced by Assembly Member Hall**  
**(Coauthors: Assembly Members Bloom, Bradford, Brown, Fox,**  
**Holden, Jones-Sawyer, Nestande, Ting, and Weber)**  
(Coauthors: Senators Mitchell and Yee)

February 21, 2014

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An act to add Section 53.5 to the Civil Code, relating to the Confederate flag.

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, as amended, Hall. Confederate flag: sales: government property.

Existing law regulates the sale of certain merchandise, including political items and sports memorabilia.

This bill would prohibit the ~~sale of a Confederate flag~~ *State of California from selling or displaying the Battle Flag of the Confederacy, or a similar image*, or tangible personal property inscribed with ~~the image of a Confederate flag on property owned or operated by the state~~ *those images, unless the image appears in a book that serves an educational or historical purpose.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 53.5 is added to the Civil Code, to read:

1 53.5. (a) ~~A person~~*The State of California* may not sell a  
2 ~~Confederate flag or display the Battle Flag of the Confederacy,~~  
3 ~~also referred to as the Stars and Bars, or any similar image, or~~  
4 tangible personal property inscribed with ~~the such an image of a~~  
5 ~~Confederate flag on property owned or operated by the state unless~~  
6 ~~the image appears in a book that serves an educational or~~  
7 ~~historical purpose.~~  
8 (b) For purposes of this section, all of the following apply:  
9 (1) ~~“Person” means any individual, partnership, firm, joint stock~~  
10 ~~company, corporation, limited liability company, association, trust,~~  
11 ~~estate, or other legal entity.~~  
12 (2) ~~“Sell” section, “sell”~~ means to transfer title or possession,  
13 exchange, or barter, conditional or otherwise, in any manner or by  
14 any means whatsoever, for consideration. “Transfer possession”  
15 includes only transactions that would be found by the State Board  
16 of Equalization, for purposes of the Sales and Use Tax Law, to be  
17 in lieu of a transfer of title, exchange, or barter.