

Assembly Bill No. 2444

CHAPTER 538

An act to add Chapter 2.9 (commencing with Section 8195) to Division 1 of Title 2 of the Government Code, relating to the Confederate flag.

[Approved by Governor September 25, 2014. Filed with
Secretary of State September 25, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, 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 State of California from selling or displaying the Battle Flag of the Confederacy, or a similar image, or tangible personal property inscribed with those images, unless the image appears in a book, digital medium, or state museum that serves an educational or historical purpose.

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

SECTION 1. Chapter 2.9 (commencing with Section 8195) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 2.9. CONFEDERATE FLAG

8195. (a) The State of California may not sell or display the Battle Flag of the Confederacy, also referred to as the Stars and Bars, or any similar image, or tangible personal property, inscribed with such an image unless the image appears in a book, digital medium, or state museum that serves an educational or historical purpose.

(b) For purposes of this section, "sell" means to transfer title or possession, exchange, or barter, conditional or otherwise, in any manner or by any means whatsoever, for consideration. "Transfer possession" includes only transactions that would be found by the State Board of Equalization, for purposes of the Sales and Use Tax Law, to be in lieu of a transfer of title, exchange, or barter.

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