

House Bill 823

By: Representatives Walker of the 115th, Brooks of the 47th, Golick of the 34th, Post 3, Smith of the 87th, and Barnard of the 121st, Post 1

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 50-3-1 of the Official Code of Georgia Annotated, relating to the
2 state flag and certain monuments and memorials, so as to change the design and description
3 of the state flag; to provide for a referendum to determine the wishes of the voters with
4 respect to the flag so adopted; to provide for related matters; to provide for an effective date;
5 to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Code Section 50-3-1 of the Official Code of Georgia Annotated, relating to the state flag and
9 certain monuments and memorials, is amended by striking subsection (a) and inserting in its
10 place a new subsection to read as follows:

11 "(a) The flag of the State of Georgia shall be a blue field, centered upon which shall be
12 placed a representation of that side of the great seal of the state described at subsection (c)
13 of Code Section 50-3-30, centered in a circle of 13 equally spaced white mullets or
14 five-pointed stars, and beneath the same shall be an escroll or ribbon, gold, two-thirds the
15 length of the field, bearing the words 'Georgia's History' and charged below said words
16 with a representation of five flags horizontally presented as follows: the first, to the left,
17 being that version of the flag of the United States of America consisting of a field of 13 red
18 and white stripes and, centered in a canton of blue, a circle of 13 equally spaced white
19 mullets or five-pointed stars, as adopted by the Continental Congress in 1777 and
20 commonly known as the 'Stars and Stripes' or the '1777 Flag'; to the right thereof a flag
21 consisting of a field of blue, centered upon which shall be placed a representation of the
22 coat of arms of the state as the same appeared on the great seal of the state adopted in 1799;
23 and which flag is commonly known as the 'Pre-1879 Georgia State Flag'; to the right
24 thereof a flag consisting consist of a vertical band of blue occupying the leftmost one-third
25 of the entire flag, on which blue band shall be placed a representation of that side of the
26 great seal of the state approved in 1914 which contained the coat of arms of the state and

1 on which blue band there also shall be placed surrounding the great seal 13 equally spaced
2 white stars, and the remainder of which flag shall consist of a scarlet field horizontally
3 bisected by a white band such that said band shall be equal in width to the remainder of the
4 scarlet field both above and below; which flag is commonly known as the 'Pre-1956
5 Georgia State Flag'; to the right thereof the flag of the State of Georgia as approved at Ga.
6 L. 1956, p. 38, Section 1; and to the right thereof that version of the flag of the United
7 States of America consisting of a field of 13 red and white stripes and a canton of blue
8 bearing 50 white mullets or five-pointed stars, such that such flag shall represent the flag
9 of the United States of America as the same appeared on July 4, 1960. And under the
10 horizontal representation of the five flags, the phrase 'In God We Trust' shall be written in
11 the blue section and in the same gold color as the State Seal. Every force of the organized
12 militia shall carry this flag when on parade or review."

SECTION 2.

14 It shall be the duty of the Secretary of State to issue the call for an advisory referendum
15 election to determine whether the qualified electors of the State of Georgia desire that the
16 state flag adopted by Section 1 of this Act be retained. The Secretary of State shall conduct
17 the referendum election as provided in this section on the date of the 2004 presidential
18 preference primary. The Secretary of State shall issue the call and conduct that referendum
19 as provided by general law. The Secretary of State shall cause the date and purpose of the
20 referendum to be published in the official organ of each county in the state once a week for
21 two weeks immediately preceding the date of the referendum. The ballot shall have written
22 thereon the following:

23 "() YES Should the current state flag adopted by the General Assembly at its 2003
24 () NO session be retained as the state flag of the State of Georgia?"

25 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
26 desiring to vote for rejection of the Act shall vote "No." The Secretary of State shall certify
27 the results of the referendum election to the Governor and the General Assembly.

SECTION 3.

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

SECTION 4

32 All laws and parts of laws in conflict with this Act are repealed.