

111TH CONGRESS
2D SESSION

H. R. 2546

IN THE SENATE OF THE UNITED STATES

MAY 20, 2010

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. DEFINITIONS.**

5 For purposes of this Act—

6 (1) the term “Service Flag” has the meaning
7 given such term under section 901 of Public Law
8 105–225 (36 U.S.C. 901);

9 (2) the terms “condominium association” and
10 “cooperative association” have the meanings given
11 such terms under section 604 of Public Law 96–399
12 (15 U.S.C. 3603);

13 (3) the term “residential real estate manage-
14 ment association” has the meaning given such term
15 under section 528 of the Internal Revenue Code of
16 1986 (26 U.S.C. 528); and

17 (4) the term “member”—

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

23 (B) as used with respect to a cooperative
24 association, means a cooperative unit owner (as
25 defined under section 604 of Public Law 96–

1 399 (15 U.S.C. 3603)) within such association;
2 and

3 (C) as used with respect to a residential
4 real estate management association, means an
5 owner of a residential property within a subdivi-
6 sion, development, or similar area subject to
7 any policy or restriction adopted by such asso-
8 ciation.

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

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

18 **SEC. 4. LIMITATIONS.**

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

21 (1) any regulations prescribed by the United
22 States Secretary of Defense regarding rules or cus-
23 toms pertaining to the proper display or use of the
24 Service Flag; or

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

Passed the House of Representatives May 19, 2010.

Attest: LORRAINE C. MILLER,
Clerk.