

**SENATE CONCURRENT
RESOLUTION No. 76**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Memorializes Congress to propose constitutional amendment prohibiting the physical desecration of American flag.

CURRENT VERSION OF TEXT

As introduced.



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1 **A CONCURRENT RESOLUTION** memorializing the Congress of the
2 United States to propose an amendment to the United States
3 Constitution, for ratification by the states, providing that
4 Congress and the states shall have the power to prohibit the
5 physical desecration of the American flag.
6
7 **WHEREAS**, There are cherished national symbols, such as the
8 Washington Monument, the United States Capitol Building, and
9 the Lincoln Memorial, which belong to every American and
10 which should be protected from desecration and dishonor; and
11 **WHEREAS**, The American flag is not only such a symbol but is also
12 an integral part of this nation's history and spirit; and
13 **WHEREAS**, Our flag was born in the struggle for independence that
14 began with "The Shot Heard Round the World" in Concord,
15 Massachusetts; and
16 **WHEREAS**, During the War of 1812, the American flag symbolized
17 the stand of a young and brave nation against foreign invasion
18 and inspired our national anthem; and
19 **WHEREAS**, During World War II, the Stars and Stripes was the
20 banner that led American forces against fascist imperialism, from
21 the depths of Pearl Harbor to the heights of Iwo Jima and from
22 defeat in North Africa's Kasserine Pass to victory in the streets of
23 Hitler's Germany; and
24 **WHEREAS**, Old Glory symbolizes the ideals for which good and
25 decent people fought and died in Vietnam, often suffering cruel
26 condemnation at home in that effort; and
27 **WHEREAS**, Our flag stands for the democratic values which were
28 advanced in the struggle for civil rights for all Americans; and
29 **WHEREAS**, The American flag was carried to the moon as a banner
30 of goodwill, vision, and triumph on behalf of all mankind; and
31 **WHEREAS**, The American flag is the honorable and worthy banner
32 of a nation which is thankful for its strengths, committed to
33 curing its faults, and which still remains the beacon of hope for
34 millions of immigrants attracted by the American dream; and
35 **WHEREAS**, The United States Supreme Court has mistakenly
36 decided to take away from the Stars and Stripes the protection
37 and respect which it deserves; and
38 **WHEREAS**, The right of free speech was never intended to mean
39 that our flag should be subjected to desecration and dishonor
40 under the guise of freedom of expression; and
41 **WHEREAS**, The House of Representatives has passed a resolution
42 proposing a constitutional amendment to authorize a ban on the
43 physical desecration of the American flag in at least four
44 sessions, but the Senate has repeatedly defeated the resolution;
45 and
46 **WHEREAS**, Over the years, many state legislatures have urged
47 Congress to pass such a resolution to amend the Constitution and
48 allow laws which ban desecration of the American flag; and

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1 **WHEREAS**, It is most appropriate for this House, and for people in
2 every state, to call on the United States Congress, to protect Old
3 Glory under the laws of the federal and state governments; now,
4 therefore,

5
6 **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*
7 *General Assembly concurring):*

8
9 1. The Congress of the United States is respectfully
10 memorialized to propose an amendment to the United States
11 Constitution, for ratification by the states, providing that Congress
12 and the states shall have the power to prohibit the physical
13 desecration of the flag of the United States.

14
15 2. Copies of this resolution, as filed with the Secretary of State,
16 shall be transmitted by the Clerk of the General Assembly or the
17 Secretary of the Senate to the Vice-President of the United States,
18 the Speaker of the House of Representatives, and every member of
19 Congress elected thereto from this State.

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STATEMENT

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24 This concurrent resolution memorializes the Congress of the
25 United States to propose an amendment to the United States
26 Constitution, for ratification by the states, providing that Congress
27 and the states shall have the power to prohibit the physical
28 desecration of the American flag.