

**CHARITIES & LEGAL SERVICES DIVISION TOWN HALL
FLAGS**

DATE: APRIL 25, 2022

**Kathy Smith, Assistant Secretary of State
Michael Schlein, Division Administrator**

**NOTE: Today's Town Hall will be recorded and the PPT will be posted on the SOS website under the Flags tab.
The recording and PPT presentation provided is for informational purposes only, it is not intended to be legal advice.**

HISTORY OF THE MARYLAND FLAG

- The Maryland flag has been described as the perfect state flag — bold colors, interesting patterns, and correct heraldry—a flag that shouts "Maryland."
- The [design of the flag](#) comes from the shield in the coat of arms of the Calvert family, the colonial proprietors of Maryland. A proprietor was given governmental powers over land by English Crown.
- George Calvert, the first Lord Baltimore, adopted a coat of arms that included a shield with alternating quadrants featuring the yellow-and-black colors of his paternal family and the red-and-white colors of his maternal family, the Crosslands.
- 1904: General Assembly adopted the design as the state flag, a link was forged between modern-day Maryland and the very earliest chapter of the Calvert family.
- 1945: Gold cross bottony was made official ornament for flagstaff carrying Maryland flag.
- Detailed history of the Maryland flag may be found at: [Flag History \(maryland.gov\)](http://maryland.gov/FlagHistory)

STATUTORY AUTHORITY OF THE OFFICE OF THE SECRETARY OF STATE REGARDING FLAGS

The Secretary of State is required by law to issue a State flag to the family of a firefighter, policeman, member of the military, sworn member of the office of State Fire Marshal, or professional or volunteer emergency medical services provider who is killed in the performance of duty.

Except when the deceased is a member of the military, the flag is to be presented to the family of the deceased by the State Senator of the legislative district in which the deceased resided or served.

When the deceased is a member of the military, the flag is to be presented to the family of the deceased by the Department of Veterans Affairs.

Statutory Authority: Public Safety Article, § 1-202, Annotated Code of Maryland.



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CUSTOM OF THE OFFICE OF THE SECRETARY OF STATE REGARDING FLAGS

The Secretary of State is customarily entrusted with the role of educating the public as to the history, protocol, and appropriate display of the Maryland State flag individually and as it is flown with other flags.

The Secretary of State also issues flag alerts to other agencies when the Maryland State flag, the U.S. flag, or both will be flown at half-staff.



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EXECUTIVE ORDER

By order of the Governor or authorized representative, the Maryland flag shall be flown at half-staff on any occasion deemed appropriate and for a period prescribed by Governor or representative. Executive Order 01.01.1999.30 26:22 MD. R. 1661

<http://www.dsd.state.md.us/comar/comarhtml/01/01.01.1999.30.htm>
(October 22, 1999)

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PRESIDENTIAL
PROCLAMATION *or*
GOVERNOR'S ORDER

DEATH OF:
PUBLIC OFFICIAL,
FIREFIGHTER,
POLICE OFFICER, *or*
MILITARY PERSONNEL

SOS issues a notification to lower the U.S. flag and Maryland State flag when a Presidential Proclamation is issued, or the Governor orders the Maryland flag lowered.

A chart will follow which states how long the flag is lowered.
Per Executive Order, the Governor has the discretion to prescribe a different time.

ARMED FORCES

Secretary of Veterans Affairs informs the Secretary of State when a member of the Armed Forces dies in the line of duty.

The U.S. and Maryland State flags are lowered from sunrise to sunset on the day of interment when a member of the Armed Forces dies in the line of duty.

Federal law, Public Law 110-41, authorizes the Governor to order that the U.S. flag be flown at half-staff in the event of the death of a member of the Armed Forces from that State who dies while serving on active duty.

4 U.S.C §7(m) (2016). <https://www.congress.gov/110/plaws/publ41/PLAW-110publ41.pdf>

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POLICE OFFICER, FIREFIGHTER, OR CORRECTIONAL OFFICER KILLED: IN THE LINE OF DUTY

- When Police Officer, Firefighter, or Correctional Officer is killed in the line of duty (must be “line of duty”), Maryland State flag is lowered immediately.
- A notification will be issued indicating the date to restore the flags to full-staff on day of interment.
- Federal law, Public Law 115-123, authorizes the Governor to lower U.S. flag to half-staff in the event that a first responder is killed in the line of duty.
<https://www.gpo.gov/fdsys/search/pagedetails.action?packageId=BILLS-115hr1892eh> 4 U.S.C §7(m) (eff. February 9, 2018)
- Hometown Heroes Act <https://www.congress.gov/115/plaws/publ123/PLAW-115publ123.pdf>

GOVERNOR'S DISCRETION TO LOWER FLAGS

Governor has discretion to alter time frames to lower the Maryland flag.

Orders from the Governor supersede the protocol chart that follows.



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| | |
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| President or Former President | 30 days from day of death |
| Vice President | 10 days from day of death |
| Chief Justice of the U.S | 10 days from day of death |
| Retired Chief Justice of the U.S. | 10 days from day of death |
| Speaker of the House | 10 days from day of death |
| Associate Justice of the Supreme Court | Day of death until sunset on day of interment |
| Secretary of Executive or Military Department | Day of death until sunset on day of interment |
| Former Vice President | Day of death until sunset on day of interment |
| Member of US Congress or Senate | Day of death and the following day |
| Governor of a State | Day of death until sunset on day of interment |
| MD Lieutenant Governor | Day of death until sunset on day of interment |
| MD Delegate/Senator/County Executive | Day of death until sunset on day of interment |
| Former MD Governor | Day of death until sunset on day of interment |
| Former MD Lieutenant Governor | Day of interment from sunrise to sunset |
| Former MD Congressman or US Senator | Day of interment from sunrise to sunset |
| Former MD Delegate/Senator/County Executive | Day of interment from sunrise to sunset |
| Former MD Cabinet Secretary | Day of interment from sunrise to sunset |
| MD Firefighter (line of duty) | Day of death until sunset on day of interment |
| MD Police Officer (line of duty) | Day of death until sunset on day of interment |
| MD Correctional Officer (line of duty) | Day of death until sunset on day of interment |
| Member of the Armed Forces from Maryland | Day of interment from sunrise to sunset |
| Presidential Proclamation | Follow instructions of proclamation |

LOCAL JURISDICTIONS

County and municipal government officials may order the Maryland flag lowered on property in their jurisdiction.

Executive Order 01.01.1999.30, paragraph 5.04: "The Maryland flag should be flown at half-staff when ordered by county and municipal government officials on all property under their jurisdiction."

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HONORING HEROES: THE FOLLOWING HONOR HEROES:



- BOTH the U.S. flag and Maryland flag are lowered at sunrise and raised at sunset on:**
- May 15: Peace Officers Memorial Day
 - Memorial Day: **half-staff until 12 Noon**
 - Patriot Day: September 11
 - Fire Prevention Week: 1st Sunday in October
 - National Pearl Harbor Remembrance Day: December 7

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**THE FOLLOWING EVENT
HONORS FALLEN
HEROES:**

**ONLY MARYLAND
FLAG IS LOWERED AT
SUNRISE AND RAISED
AT SUNSET**

Civil Rights Heroes Day - February 20th.

Recognizes the courage, sacrifice, and relentless efforts of civil rights and abolition leaders throughout history and reaffirms our commitment to be a land of opportunity, hope, and justice for every citizen.

MORE EVENTS HONORING FALLEN HEROES

FALLEN HEROES DAY:

- 1st Friday in May.
- Maryland State flag is lowered in honor of Maryland's emergency responders who died in the line of duty during the prior year.

MARYLAND FIRE AND RESCUE SERVICES MEMORIAL REMEMBRANCE DAY:

- 1st Sunday in June.

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POW/MIA & HONOR & REMEMBER FLAGS:

- POW/MIA flag, honors those that are Prisoners of War and Missing in Action
- Honor and Remember flag, designed to honor all members of the Armed Forces who died in the line of duty
- No notification is issued re: POW/MIA and Honor and Remember flags.
- On the State House, POW/MIA and Honor and Remember flags fly on:
 - Armed Forces Day (3rd Sat in May)
 - Veterans Day
 - Memorial Day
 - Sat & Sun closest to Memorial & Veterans Day
 - Independence Day
 - POW/MIA Recognition Day (3rd Fri. in Sept.)
- POW/MIA and Honor and Remember flags are flown on State Grounds on the right side of the building (facing Rowe Blvd)



POW/MIA FLAGS

With the exception of the State House, a State building that is a historic building, or a State building that has a flagpole attached to the building and is determined to be structurally unable to withstand additional flags being flown from the flagpole; the Secretary of General Services and the Secretary of Transportation shall cause the POW/MIA flag to be flown on the grounds of all State buildings under their control whenever the flag of the United States is flown (Annotated Code of Maryland, State Finance and Procurement Article, 4-210).

<http://mgaleg.maryland.gov/webmga/fmStatutesText.aspx?article=gsf§ion=4-210&ext=html&session=2018RS&tab=subject5>

- POW/MIA flag is flown below the United States flag on state buildings.
- **The POW/MIA flag is flown at half-staff when the United States flag is flown at half-staff.**
- When **only** the Maryland flag is flown at half-staff, the POW/MIA flag is flown at **full-staff**.

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BLUE STAR BANNER

- “American tradition: display Blue Star Banner in window when loved ones serve in U.S. Armed Forces. Blue Star Service Banner is a reminder that war touches every neighborhood.
- Blue Star Service Banner designed and patented in 1917 by World War I Army Capt. Robert L. Queisser of 5th Ohio Infantry. Queisser’s two sons served on front line. Banner became an unofficial symbol for parents with child in active military service.
- During World War II, Dept. of War issued specifics on manufacture of flag, and guidelines indicating when service flag can be flown/by whom.
- Dept. of Defense authorized the service flag and service lapel Dec. 1, 1967, with DoD Directive 1348.1, which implemented an act of Congress (U.S. Code 179-182)
- Families display banners when loved ones are serving in active duty in the U.S. Armed Forces. Blue star represents 1 family member serving, banners can display up to 5 stars.
- American Legion rekindled spirit of pride in our military men and women following Sept. 11, 2001, terrorist attacks by providing banners to military families across the nation.”
- **Source:** [Blue Star Banner | The American Legion](#)



MARYLAND FLAG PROTOCOL - PROPER DISPLAY

- **2.01** - The Maryland flag should always be raised briskly and lowered slowly and ceremoniously.
- **2.02** - The Maryland flag shall be flown with the black stripe on the diagonal band of the first quarter at the top of the flagstaff, as shown in Figure 1 (General Provisions Article, §7-204).
- **2.03** - Only a gold cross bottony may be used as an ornament on the top of a flagstaff that carries the Maryland flag, see Figure 1. (General Provisions Article, §7-203).
- More information: [Maryland Flag Protocol - Proper Display](#)

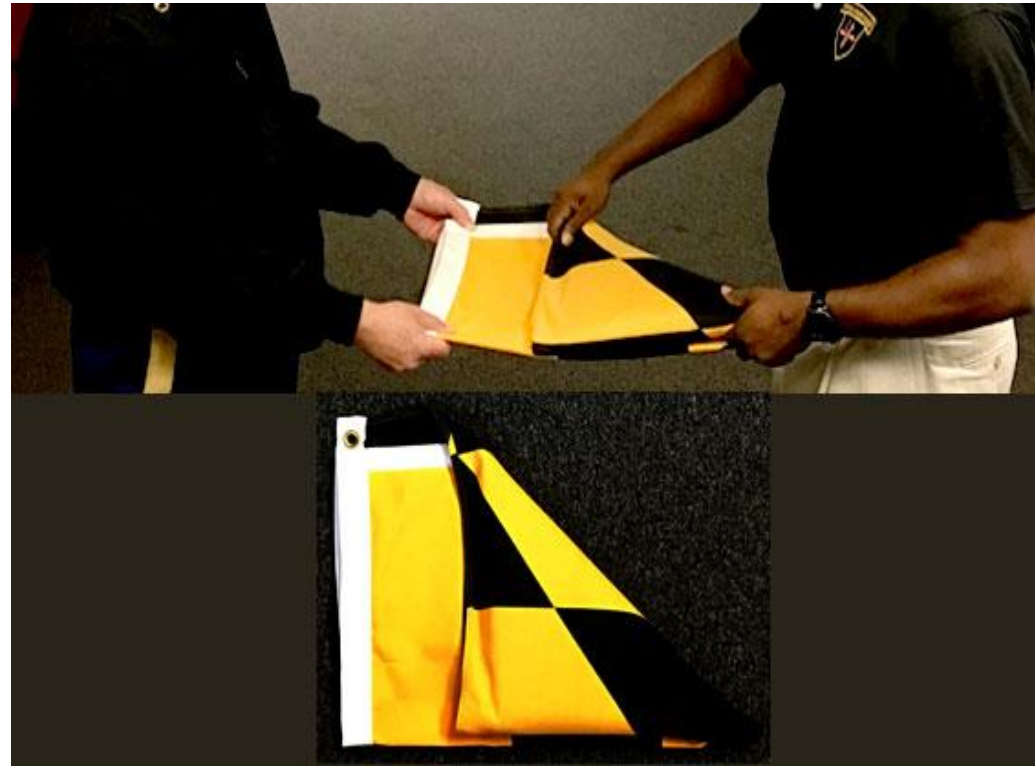


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FLAG FOLDING PROTOCOL FOR MARYLAND FLAG

See Details and Information: [Flag Folding Protocol for Maryland](#)

Protocol courtesy of the Maryland Military Department



SUBSCRIBE TO FLAG NOTIFICATIONS

Subscribe to notifications to honor those for whom U.S. and/or Maryland flags are lowered.

Subscription is easy, click on the link to sign up!

<https://sos.maryland.gov/Pages/Services/Flag-Status.aspx>.

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Questions



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CONTACT INFORMATION

Charities & Legal Services Division

Website: sos.maryland.gov

Charitable Organizations:

Phone Number: (410) 974-5521

Email: dFlagProtocol_sos@Maryland.gov

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