

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 1017
HOUSE BILL 925

1 AN ACT TO REWRITE G.S. 127-109 RELATING TO THE PROTECTION OF THE
2 UNIFORM OF THE ARMED FORCES OF THE UNITED STATES AND OF THE
3 STATE.
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5 The General Assembly of North Carolina do enact:
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7 **Section 1.** G.S. 127-109 relating to the protection of the uniform of the Armed
8 Forces of the United States and of the State of North Carolina is rewritten to read as follows:

9 "**G.S. 127-109. Protection of the Uniform.** It shall be unlawful for any person not an officer
10 or enlisted man in the Armed Forces of the United States to wear the duly prescribed uniform
11 of the Armed Forces of the United States, or any distinctive part of such uniform, or a uniform
12 any part of which is similar to a distinctive part of the duly prescribed uniform of the Armed
13 Forces of the United States; provided, that the foregoing provisions shall not be construed so as
14 to prevent officers or enlisted men of the National Guard or State defense militia from wearing,
15 in pursuance of law and regulations, the uniform lawfully prescribed to be worn by such
16 officers or enlisted men; nor to prevent members of the organization known as the Boy Scouts
17 of America, or the naval militia, or such other organizations as the Secretary of Defense may
18 designate, from wearing their prescribed uniforms; nor to prevent persons who in time of war
19 have served 1 honorably as officer of the Armed Forces of the United States, regular or
20 volunteer, and whose most recent service was terminated by an honorable discharge, mustered
21 out, or resignation, from wearing, upon occasions of ceremony, the uniform of the highest
22 grade they have held by brevet or other commission in such regular or volunteer service; nor to
23 prevent any person who has been honorably discharged from the Armed Forces of the United
24 States, regular or volunteer, from wearing his uniform from the place of his discharge to his
25 home within three (3) months after his discharge; nor to prevent the members of military
26 societies composed entirely of honorably discharged officers and enlisted men, or both, of the
27 Armed Forces of the United States, regular or volunteer, from wearing, upon occasions of
28 ceremony, the uniform duly prescribed by such societies to be worn by members thereof; nor to
29 prevent the instructors and members of the duly organized Cadet Corps of a State University,
30 State College, or public high school offering a regular course in military instruction from
31 wearing the uniform duly prescribed by the authorities of such university, college, or public
32 high school for wear by the instructors and members of such Cadet Corps; nor to prevent the
33 instructors and members of a duly organized Cadet Corps of any other institution of learning
34 offering a regular course in military instruction, and at which an officer or enlisted man of the
35 Armed Forces of the United States is lawfully detailed for duty as instructor in military science
36 and tactics, from wearing the uniform duly prescribed by the authorities of such institution of
37 learning for wear by the instructors and members of such Cadet Corps; nor to prevent civilians
38 attendant upon a course of military or naval instruction authorized and conducted by the
39 military or naval authorities of the United States from wearing, while in attendance upon such
40 course of instruction, the uniform authorized and prescribed by such military or naval
41 authorities for wear during such course of instruction; nor to prevent any person from wearing
42 the uniform of the Armed Forces of the United States in any playhouse or theater, or in moving
43 picture films while actually engaged in representing therein a military or naval character not

1 tending to bring discredit or reproach upon the Armed Forces of the United States: Provided
2 further that the uniform worn by officers or enlisted men of the National Guard, or State
3 defense militia, or by the members of the military societies, or the instructors and members of
4 the Cadet Corps referred to in the preceding proviso, shall include some distinctive mark or
5 insignia to be prescribed by the Secretary of Defense to distinguish such uniforms from the
6 uniforms of the Armed Forces of the United States; and provided further, that the members of
7 the military societies and the instructors and members of the Cadet Corps hereinbefore
8 mentioned shall not wear the insignia of rank prescribed to be worn by the officers of the
9 Armed Forces of the United States, or any insignia of rank similar thereto. Any person who
10 offends against the provisions of this Section, shall on conviction be punished by a fine not
11 exceeding fifty dollars (\$50.00), or by imprisonment not exceeding thirty (30) days, or by both
12 such fine and imprisonment."

13 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed'.

14 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

15 In the General Assembly read three times and ratified, this the 19th day of June,
16 1963.