MISSISSIPPI LEGISLATURE

By: Representatives Chism, Cameron, Formby, Lott, Martinson, Moore (60th), Nicholson, Robertson, Robinson (84th)

To: Public Buildings, Grounds and Lands; Appropriations

MISSISSIPPI LEGISLATURE REGULAR SESSION 2002

HOUSE BILL NO. 1609

AN ACT TO AMEND SECTION 3-3-16, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE ALTERATION OF CERTAIN HISTORICAL STATUES, MONUMENTS, MEMORIALS AND NAMEPLATES; TO PROVIDE THAT THOSE HISTORICAL STATUES, MONUMENTS, MEMORIALS AND NAMEPLATES AND THE OFFICIAL STATE FLAG MAY BE CHANGED ONLY UPON THE ENACTMENT OF LEGISLATION AMENDING THIS CODE SECTION THAT HAS RECEIVED A TWO-THIRDS VOTE OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 3-3-16, Mississippi Code of 1972, is amended as follows:

3-3-16. (1) The official flag of the State of Mississippi shall have the following design: with width two-thirds (2/3) of its length; with the union (canton) to be square, in width two-thirds (2/3) of the width of the flag; the ground of the union to be red and a broad blue saltire thereon, bordered with white and emblazoned with thirteen (13) mullets or five-pointed stars, corresponding with the number of the original States of the Union; the field to be divided into three (3) bars of equal width, the upper one blue, the center one white, and the lower one, extending the whole length of the flag, red (the national colors); this being the flag adopted by the Mississippi Legislature in the 1894 Special Session.

(2) None of the following items, structures or areas may be relocated, removed, disturbed, altered, renamed or rededicated:

- Any Revolutionary War, War of 1812, Mexican War, War Between the States, Spanish-American War, World War I, World War II, Korean War, Vietnam War, Persian Gulf War, Native-American or African-American historical statue, monument, memorial or nameplate, which has been erected on public property of the state.

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or any of its political subdivisions; and any statue, monument,
memorial, nameplate, street, bridge, building, park, preserve,
reserve or other public item, structure or area of the state or
any of its political subdivisions, which has been dedicated in
memory of or named for any historical figure or historical event.

No person may prevent the public body responsible for
maintaining any of the items, structures or areas described above
from taking proper measures and exercising proper means for the
protection, preservation and care of those items, structures or
areas.

(3) The provisions of this section may be amended or
repealed only upon passage of an act that has received a
two-thirds (2/3) vote on final passage in each house of the
Legislature.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.