

By: Representatives Chism, Akins, Aldridge,
Barnett, Beckett, Bentz, Davis, Ellington,
Fillingane, Hamilton (6th), Holland, Lott,
Martinson, Mayhall, Mims, Moore, Nicholson,
Reed, Reeves, Robinson (84th), Staples,
Turner, Upshaw

To: Appropriations

HOUSE BILL NO. 1339

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

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

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

11 3-3-16. (1) The official flag of the State of Mississippi
12 shall have the following design: with width two-thirds (2/3) of
13 its length; with the union (canton) to be square, in width
14 two-thirds (2/3) of the width of the flag; the ground of the union
15 to be red and a broad blue saltire thereon, bordered with white
16 and emblazoned with thirteen (13) mullets or five-pointed stars,
17 corresponding with the number of the original States of the Union;
18 the field to be divided into three (3) bars of equal width, the
19 upper one blue, the center one white, and the lower one, extending
20 the whole length of the flag, red (the national colors); this
21 being the flag adopted by the Mississippi Legislature in the 1894
22 Special Session.

23 (2) None of the following items, structures or areas may be
24 relocated, removed, disturbed, altered, renamed or rededicated:
25 Any Revolutionary War, War of 1812, Mexican War, War Between the
26 States, Spanish-American War, World War I, World War II, Korean
27 War, Vietnam War, Persian Gulf War, Native-American or
28 African-American historical statue, monument, memorial or
29 nameplate, which has been erected on public property of the state

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

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

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

44 **SECTION 2.** This act shall take effect and be in force from
45 and after July 1, 2004.