

By: Representatives Carpenter, Bain, Boyd,
Foster, Hopkins, Massengill, McLeod, Monsour,
Oliver, Rushing, Staples, Steverson, Arnold

To: Rules

HOUSE BILL NO. 1550

1 AN ACT TO AMEND SECTION 3-3-15, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE GOVERNMENTAL ENTITIES THAT RECEIVE STATE FUNDS AND PUBLIC
3 COLLEGES AND UNIVERSITIES TO DISPLAY THE OFFICIAL STATE FLAG ON
4 MONDAY THROUGH FRIDAY OF EACH WEEK ON OR AT EACH BUILDING IN WHICH
5 AN OFFICE OF THE GOVERNMENTAL ENTITY IS LOCATED AND ON EACH CAMPUS
6 OF EACH PUBLIC COLLEGE OR UNIVERSITY; TO REQUIRE THAT IF A
7 GOVERNMENTAL ENTITY OR A PUBLIC COLLEGE OR UNIVERSITY IS NOT
8 DISPLAYING THE OFFICIAL STATE FLAG AS REQUIRED BY THIS SECTION,
9 THE ATTORNEY GENERAL SHALL NOTIFY THE GOVERNMENTAL ENTITY OR THE
10 PUBLIC COLLEGE OR UNIVERSITY OF THE NONCOMPLIANCE, AND THE STATE
11 FISCAL OFFICER SHALL WITHHOLD THE PAYMENT OF ALL STATE FUNDS TO
12 THE GOVERNMENTAL ENTITY OR THE PUBLIC COLLEGE OR UNIVERSITY UNTIL
13 SUCH TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS
14 SECTION; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 3-3-15, Mississippi Code of 1972, is
17 amended as follows:

18 3-3-15. (1) The official state flag may be displayed from
19 all public buildings from sunrise to sunset, and shall be
20 displayed on Monday through Friday of each week from sunrise to
21 sunset on or at each building in which an office of a governmental
22 entity that receives state funds is located and on each campus of
23 each public college or university; however, the state flag may be
24 displayed from all public buildings and on public college or



25 university campuses twenty-four (24) hours a day if properly
26 illuminated. The state flag should not be displayed when the
27 weather is inclement, except when an all-weather flag is
28 displayed. The state flag shall receive all of the respect and
29 ceremonious etiquette given the American flag. * * * However,
30 nothing in this section shall be construed so as to affect the
31 precedence given to the flag of the United States of America.

32 (2) (a) If the Attorney General receives notification or
33 otherwise has knowledge that a governmental entity that receives
34 state funds or a public college or university is not displaying
35 the official state flag as required by subsection (1) of this
36 section, the Attorney General shall notify the governmental entity
37 or the public college or university in writing that:

38 (i) He has information indicating that the
39 governmental entity or the public college or university is not in
40 compliance with the requirements of subsection (1) of this
41 section;

42 (ii) The governmental entity or the public college
43 or university has thirty (30) days to show to the satisfaction of
44 the Attorney General that it is in compliance with the
45 requirements of subsection (1) of this section; and

46 (iii) If the governmental entity or the public
47 college or university does not meet the requirements of
48 subparagraph (ii) of this paragraph, the Attorney General will
49 notify the State Fiscal Officer of the governmental entity or the



public college or university's noncompliance with the requirements
of subsection (1) of this section, and the State Fiscal Officer
will withhold the payment of all state funds from the State
Treasury to the governmental entity or the public college or
university until such time as it is in compliance with the
requirements of subsection (1) of this section.

(b) The State Fiscal Officer, upon receipt of
notification from the Attorney General under subsection (1) of
this section that a governmental entity or a public college or
university is not in compliance with the requirements of
subsection (1) of this section, shall withhold the payment of all
state funds from the State Treasury to the governmental entity or
the public college or university until such time as it is in
compliance with the requirements of subsection (1) of this
section, as determined by the Attorney General.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2016.

