

By: Senator(s) Seymour

To: Rules

SENATE BILL NO. 2057

1 AN ACT TO AMEND SECTIONS 3-3-15 AND 37-13-5, MISSISSIPPI CODE
 2 OF 1972, TO REQUIRE GOVERNMENTAL ENTITIES THAT RECEIVE STATE FUNDS
 3 AND PUBLIC COLLEGES AND UNIVERSITIES TO DISPLAY THE OFFICIAL STATE
 4 FLAG ON MONDAY THROUGH FRIDAY OF EACH WEEK ON OR AT EACH BUILDING
 5 IN WHICH AN OFFICE OF THE GOVERNMENTAL ENTITY IS LOCATED AND ON
 6 EACH CAMPUS OF EACH PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL
 7 DISTRICT; TO REQUIRE THAT IF A GOVERNMENTAL ENTITY OR A PUBLIC
 8 COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT IS NOT DISPLAYING THE
 9 OFFICIAL STATE FLAG AS REQUIRED BY THIS SECTION, THE GOVERNOR
 10 SHALL NOTIFY THE GOVERNMENTAL ENTITY OR THE PUBLIC COLLEGE OR
 11 UNIVERSITY OR SCHOOL DISTRICT OF THE NONCOMPLIANCE, AND THE STATE
 12 FISCAL OFFICER SHALL WITHHOLD 25% OF THE MONTHLY SALARY OF THE
 13 ADMINISTRATIVE HEAD OF THE GOVERNMENTAL ENTITY OR THE PUBLIC
 14 COLLEGE OR UNIVERSITY OR THE PUBLIC SCHOOL DISTRICT UNTIL SUCH
 15 TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION;
 16 AND FOR RELATED PURPOSES.

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

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

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



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

35 (2) (a) If the Governor receives notification or otherwise
36 has knowledge that a governmental entity that receives state funds
37 or a public college or university or public school district is not
38 displaying the official state flag as required by subsection (1)
39 of this section, the Governor shall notify the governmental entity
40 or the public college or university or the public school district
41 in writing that:

42 (i) He has information indicating that the
43 governmental entity or the public college or university or public
44 school district is not in compliance with the requirements of
45 subsection (1) of this section; and

46 (ii) The governmental entity or the public college
47 or university or the public school district has thirty (30) days
48 to show to the satisfaction of the Governor that it is in
49 compliance with the requirements of subsection (1) of this
50 section.



51 (b) If the governmental entity or the public college or
52 university or public school district does not meet the
53 requirements of subsection (1) of this section, the Governor shall
54 direct (i) the Board of Trustees of State Institutions of Higher
55 Learning to reduce that university or college president's monthly
56 salary by twenty-five percent (25%), or (ii) the board of trustees
57 of the community or junior college district to reduce the
58 community college president's salary by twenty-five percent (25%),
59 or (iii) the local school board to reduce that school
60 superintendent's monthly salary by twenty-five percent (25%), or
61 (iv) the State Fiscal Officer to reduce the administrative head of
62 the governmental entity's monthly salary by twenty-five percent
63 (25%), as the case may be, until such time as the university,
64 college, public school district or governmental entity complies
65 with the requirements of this section.

66 (c) The State Fiscal Officer, upon receipt of
67 notification from the Governor under paragraph (b) of this
68 subsection that a governmental entity or a public college or
69 university or public school district is not in compliance with the
70 requirements of subsection (1) of this section, shall withhold the
71 payment specified in paragraph (b) of this subsection until such
72 time as it is in compliance with the requirements of subsection
73 (1) of this section, as determined by the Governor.

74 **SECTION 2.** Section 37-13-5, Mississippi Code of 1972, is
75 amended as follows:



76 37-13-5. (1) The flag of the State of Mississippi and the
77 flag of the United States shall be displayed in close proximity to
78 the school building at all times during the hours of daylight when
79 the school is in session when the weather will permit without
80 damage to the flag. It shall be the duty of the board of trustees
81 of the school district to provide for the flags and their display
82 in compliance with the provisions of Section 3-3-15, Mississippi
83 Code of 1972.

84 (2) Whenever the flag of the United States is to be flown at
85 half-staff by order or instructions of the President or pursuant
86 to federal law, all public schools shall lower the United States
87 flag in accordance with the executive order or instructions or
88 federal law. The school shall announce the reason that the flag
89 is being flown at half-staff to all students in assembly or by
90 teachers in the various classrooms or by prominently displaying
91 written notice throughout the school stating the reason that the
92 flag has been lowered.

93 (3) In all public schools there shall be given a course of
94 study concerning the flag of the United States and the flag of the
95 State of Mississippi. The course of study shall include the
96 history of each flag and what they represent and the proper
97 respect therefor. There also shall be taught in the public
98 schools the duties and obligations of citizenship, patriotism,
99 Americanism and respect for and obedience to law.



100 **SECTION 3.** This act shall take effect and be in force from
101 and after July 1, 2017.

