

By: Representative Clark

To: Rules

HOUSE BILL NO. 1279

1 AN ACT TO ESTABLISH A COMMISSION TO REDESIGN THE MISSISSIPPI
 2 STATE FLAG; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND TO
 3 PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO PROVIDE THAT THE
 4 COMMISSION SHALL DEVELOP TWO OPTIONS FOR A NEW DESIGN OF THE
 5 MISSISSIPPI STATE FLAG; TO PROVIDE THAT THE LEGISLATURE SHALL
 6 DETERMINE WHICH OF THE TWO OPTIONS SHALL BE THE NEW MISSISSIPPI
 7 STATE FLAG DURING THE 2018 SESSION; TO PROVIDE THAT THE TWO
 8 OPTIONS FOR A NEW MISSISSIPPI STATE FLAG ADOPTED BY THE COMMISSION
 9 SHALL NOT INCLUDE THE DESIGN OF THE CONFEDERATE BATTLE FLAG; AND
 10 FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) There is established the Commission to
 13 Redesign the Mississippi State Flag (commission) with the sole
 14 purpose of developing, designing and reporting to the Governor and
 15 the Legislature two (2) options for a new design for the official
 16 Mississippi State Flag on or before January 1, 2018. The
 17 Legislature shall determine which of the two (2) options shall be
 18 the new Mississippi State Flag during the 2018 Regular Session.
 19 The two (2) options for a new Mississippi State Flag that are
 20 adopted by the commission shall not include the design of the
 21 Confederate Battle Flag. The commission is charged with a
 22 sensitive and responsible task that it shall conduct in an



23 objective manner. The two (2) options for a new Mississippi State
24 Flag shall honor the past while embracing the promise of the
25 future.

26 (2) The Commission to Redesign the Mississippi State Flag
27 shall be appointed as follows:

28 (a) Three (3) members of the Mississippi House of
29 Representatives appointed by the Speaker of the House;

30 (b) Three (3) members of the Mississippi Senate
31 appointed by the Lieutenant Governor;

32 (c) Eleven (11) members appointed by the Governor, to
33 include:

34 (i) Two (2) high school students;

35 (ii) A Mississippi public schoolteacher and a
36 Mississippi public university instructor;

37 (iii) A representative from the Mississippi
38 Economic Council;

39 (iv) A representative from the Mississippi Arts
40 Commission;

41 (v) Two (2) representatives from the Board of
42 Trustees of the Mississippi Department of Archives and History;

43 (vi) A representative from business and industry;

44 and

45 (vii) Two (2) members from the state at large.

46 All appointments shall be made by July 1, 2017. The chairman
47 of the commission shall be appointed by the Governor from the



48 members of the commission. The commission shall meet as soon as
49 practicable after appointments have been made upon the call of the
50 chairman, and shall organize for business. A quorum of the
51 appointed membership of the commission shall be required for the
52 adoption of any reports and recommendations. The Mississippi
53 Department of Archives and History shall provide meeting space and
54 clerical support for the operation of the commission.

55 (3) The Commission to Redesign the Mississippi State Flag
56 shall have the following functions and duties:

57 (a) To hold regular, public meetings when and where it
58 sees fit;

59 (b) To receive written, public comment, in a manner it
60 sees fit, and to hold public hearings, under the terms and
61 conditions it determines and sees fit;

62 (c) To collect, examine and consider all information
63 which it determines may be helpful in making a recommendation on
64 use and adoption of Mississippi's State Flag;

65 (d) To consult with historical experts, social science
66 experts, representatives of organizations and associations, and
67 others, as it sees fit, whose knowledge or expertise may assist
68 the commission in making its recommendation;

69 (e) To make any inquiries and conduct any business that
70 may assist the commission in submitting a design for a state flag;
71 however, the two (2) options for a new Mississippi State Flag



72 adopted by the commission shall not include the design of the
73 Confederate Battle Flag;

74 (f) Keep minutes of its meetings, and make those
75 minutes available to the public; and

76 (g) To make a written recommendation for two (2)
77 options for a new Mississippi State Flag, and an oral presentation
78 if requested, to the Governor, the Lieutenant Governor and the
79 Speaker of the House on or before January 1, 2018.

80 (4) Members of the commission shall receive no compensation
81 for service on the commission, but may receive reimbursement for
82 mileage and actual expenses as provided in Section 25-3-41, to the
83 extent funds are available for that purpose.

84 (5) The state flag currently in use shall remain in use
85 until such time as the Mississippi Legislature considers the
86 report of the commission and the Legislature has had ample time to
87 act.

88 **SECTION 2.** This act shall take effect and be in force from
89 and after July 1, 2017.

