

By: Representative Ladner

To: Rules

HOUSE BILL NO. 1285

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



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

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

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

