

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



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

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

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

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



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

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

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



75 37-13-5. (1) The flag of the State of Mississippi and the
76 flag of the United States shall be displayed in close proximity to
77 the school building at all times during the hours of daylight when
78 the school is in session when the weather will permit without
79 damage to the flag. It shall be the duty of the board of trustees
80 of the school district to provide for the flags and their display
81 in compliance with the provisions of Section 3-3-15, Mississippi
82 Code of 1972.

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

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



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

