

By: Representative Shirley

To: Education

HOUSE BILL NO. 107

1 AN ACT TO AMEND SECTION 37-13-6, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE A PENALTY IN THE AMOUNT OF \$1,500.00 TO BE IMPOSED UPON  
 3 SCHOOLS FOR FAILURE TO RECITE THE PLEDGE OF ALLEGIANCE TO THE  
 4 UNITED STATES FLAG WITHIN THE FIRST HOUR OF CLASS ON EACH SCHOOL  
 5 DAY; TO AMEND SECTION 37-13-7, MISSISSIPPI CODE OF 1972, IN  
 6 CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-13-6, Mississippi Code of 1972, is  
 9 amended as follows:

10 37-13-6. (1) The flag of the United States shall be  
 11 displayed in close proximity to the school building, on a proper  
 12 staff, at all times during the hours of daylight when the school  
 13 is in session when the weather will permit without damage to the  
 14 flag. In addition, the flag of the United States shall be  
 15 displayed in each classroom and in each principal room of the  
 16 school building at all times while school is in session. It shall  
 17 be the duty of the school boards of each school district to  
 18 provide for the flags, proper flag staffs and their proper  
 19 display. Each school district shall provide student instruction  
 20 in the proper etiquette toward, correct display of, and respect



21 for the flag, and in patriotic exercises. The instruction shall  
22 be a part of the district's fifth grade social studies curriculum  
23 or history curriculum, with the assistance of the State Department  
24 of Education.

25 (2) (a) From and after July 1, 2002, the school boards of  
26 all public schools of this state shall require the teachers under  
27 their control to have all pupils repeat the oath of allegiance to  
28 the flag of the United States of America at the beginning of the  
29 first hour of class each day school is in session, such oath of  
30 allegiance being as follows:

31 "I pledge allegiance to the flag of the United States of  
32 America, and to the Republic for which it stands, one nation under  
33 God, indivisible, with liberty and justice for all."

34 Any student or teacher who objects to reciting the oath of  
35 allegiance shall be excused from participating without penalty.

36 (b) Any school district found not to be in compliance  
37 with the requirements of paragraph (a) of this subsection shall be  
38 fined in an amount of One Thousand Five Hundred Dollars  
39 (\$1,500.00) for each violation. In the case of any verified  
40 violation, the fine shall be paid by the local school district  
41 from funds other than federal funds, Mississippi Adequate  
42 Education Program funds, or any other state funds within thirty  
43 (30) days from the date of receiving notice of the violation.

44 **SECTION 2.** Section 37-13-7, Mississippi Code of 1972, is  
45 amended as follows:



46 37-13-7. (1) The boards of trustees of the public schools  
47 of this state shall require the teachers under their control to  
48 have all pupils repeat the oath of allegiance to the flag of the  
49 United States of America at \* \* \* the beginning of the first hour  
50 of class each day school is in session, such oath of allegiance  
51 being as follows:

52 "I pledge allegiance to the flag of the United States of  
53 America, and to the Republic for which it stands, one nation under  
54 God, indivisible, with liberty and justice for all."

55 (2) The official pledge of the State of Mississippi shall  
56 read as follows:

57 "I salute the flag of Mississippi and the sovereign state for  
58 which it stands with pride in her history and achievements and  
59 with confidence in her future under the guidance of Almighty God."

60 The pledge of allegiance to the Mississippi flag shall be  
61 taught in the public schools of this state, along with the pledge  
62 of allegiance to the United States flag.

63 (3) The failure of any school or school district to require  
64 the teachers under their control to have all pupils repeat the  
65 oath of allegiance as required under subsection (1) of this act  
66 shall result in the school or district being assessed a fine for  
67 such violation.

68 **SECTION 3.** This act shall take effect and be in force from  
69 and after July 1, 2018.

