

By: Representative Shirley

To: Rules; Constitution

HOUSE BILL NO. 446

1 AN ACT TO AMEND SECTION 3-3-15, MISSISSIPPI CODE OF 1972, TO
 2 REQUIRE PUBLIC COLLEGES AND UNIVERSITIES TO DISPLAY THE OFFICIAL
 3 STATE FLAG ON MONDAY THROUGH FRIDAY OF EACH WEEK ON EACH CAMPUS OF
 4 THE PUBLIC COLLEGE OR UNIVERSITY; TO REQUIRE THAT IF A PUBLIC
 5 COLLEGE OR UNIVERSITY IS NOT DISPLAYING THE OFFICIAL STATE FLAG AS
 6 REQUIRED BY THIS SECTION, THE ATTORNEY GENERAL SHALL NOTIFY THE
 7 PUBLIC COLLEGE OR UNIVERSITY OF THE NONCOMPLIANCE, AND THE STATE
 8 FISCAL OFFICER SHALL WITHHOLD THE PAYMENT OF ALL STATE FUNDS TO
 9 THE PUBLIC COLLEGE OR UNIVERSITY UNTIL SUCH TIME AS IT IS IN
 10 COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION; AND FOR RELATED
 11 PURPOSES.

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

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

15 3-3-15. (1) The official state flag may be displayed from
 16 all public buildings from sunrise to sunset * * *, and shall be
 17 displayed on Monday through Friday of each week from sunrise to
 18 sunset on each campus of each public college or university.

19 However, the state flag may be displayed from all public buildings
 20 and on public college or university campuses twenty-four (24)
 21 hours a day if properly illuminated. The state flag should not be
 22 displayed when the weather is inclement, except when an



23 all-weather flag is displayed. The state flag shall receive all
24 of the respect and ceremonious etiquette given the American flag.

25 * * * However, nothing in this section shall be construed so as
26 to affect the precedence given to the flag of the United States of
27 America.

28 (2) (a) If the Attorney General receives notification or
29 otherwise has knowledge that a public college or university is not
30 displaying the official state flag as required by subsection (1)
31 of this section, the Attorney General shall notify the public
32 college or university in writing that:

33 (i) He has information indicating that the public
34 college or university is not in compliance with the requirements
35 of subsection (1) of this section;

36 (ii) The public college or university has thirty
37 (30) days to show to the satisfaction of the Attorney General that
38 it is in compliance with the requirements of subsection (1) of
39 this section; and

40 (iii) If the public college or university does not
41 meet the requirements of subparagraph (ii) of this paragraph, the
42 Attorney General will notify the State Fiscal Officer of the
43 public college or university's noncompliance with the requirements
44 of subsection (1) of this section, and the State Fiscal Officer
45 will withhold the payment of all state funds from the State
46 Treasury to the public college or university until such time as it



47 is in compliance with the requirements of subsection (1) of this
48 section.

49 (b) The State Fiscal Officer, upon receipt of
50 notification from the Attorney General under subsection (1) of
51 this section that a public college or university is not in
52 compliance with the requirements of subsection (1) of this
53 section, shall withhold the payment of all state funds from the
54 State Treasury to the public college or university until such time
55 as it is in compliance with the requirements of subsection (1) of
56 this section, as determined by the Attorney General.

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2019.

