

By: Representatives Formby, Cameron

To: Education

HOUSE BILL NO. 1601

1 AN ACT TO AMEND SECTIONS 37-13-5 AND 37-13-7, MISSISSIPPI  
2 CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO  
3 WITHHOLD ADEQUATE EDUCATION PROGRAM FUNDS FROM SCHOOL DISTRICTS  
4 FAILING TO PROPERLY DISPLAY THE NATIONAL AND STATE FLAGS AND TO  
5 LEAD STUDENTS IN THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES  
6 FLAG; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-13-5, Mississippi Code of 1972, is  
9 amended as follows:

10 37-13-5. (1) The flag of the State of Mississippi and the  
11 flag of the United States shall be displayed in close proximity to  
12 the school building at all times during the hours of daylight when  
13 the school is in session when the weather will permit without  
14 damage to the flag. It shall be the duty of the board of trustees  
15 of the school district to provide for the flags and their display.

16 Any person may file a complaint with the State Department of  
17 Education alleging that a school district is not complying with  
18 the requirements of this subsection. Upon receipt of a complaint,  
19 the department shall notify the school board of the school  
20 district of the complaint and shall determine whether or not the  
21 alleged noncompliance is occurring in the district. If the  
22 department finds that the school district is not in compliance  
23 with the requirements of this subsection, and the school district  
24 fails to take such action as may be necessary to rectify the  
25 noncompliance within thirty (30) days after receiving notice of  
26 the department's finding, the department shall withhold the school  
27 district's Adequate Education Program funds until the school  
28 district demonstrates, to the satisfaction of the department, full  
29 compliance with the requirements of this subsection.



30       (2) In all public schools there shall be given a course of  
31 study concerning the flag of the United States and the flag of the  
32 State of Mississippi. The course of study shall include the  
33 history of each flag and what they represent and the proper  
34 respect therefor. There also shall \* \* \* be taught in the public  
35 schools the duties and obligations of citizenship, patriotism,  
36 Americanism and respect for and obedience to law.

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

39       37-13-7. (1) The boards of trustees of the public schools  
40 of this state shall require the teachers under their control to  
41 have all pupils repeat the oath of allegiance to the flag of the  
42 United States of America at least once during each school month,  
43 such oath of allegiance being as follows:

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

47       Any person may file a complaint with the State Department of  
48 Education alleging that a school district is not complying with  
49 the requirements of this subsection. Upon receipt of a complaint,  
50 the department shall notify the school board of the school  
51 district of the complaint and shall determine whether or not the  
52 alleged noncompliance is occurring in the district. If the  
53 department finds that the school district is not in compliance  
54 with the requirements of this subsection, and the school district  
55 fails to take such action as may be necessary to rectify the  
56 noncompliance within thirty (30) days after receiving notice of  
57 the department's finding, the department shall withhold the school  
58 district's Adequate Education Program funds until the school  
59 district demonstrates, to the satisfaction of the department, full  
60 compliance with the requirements of this subsection.

61       (2) The official pledge of the State of Mississippi shall  
62 read as follows:



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

66 (3) The pledge of allegiance to the Mississippi flag shall  
67 be taught in the public schools of this state, along with the  
68 pledge of allegiance to the United States flag.

69 **SECTION 3.** This act shall take effect and be in force from  
70 and after July 1, 2002.

