

By: Senator(s) Chaney

To: Public Property

SENATE BILL NO. 2271

1 AN ACT TO AMEND SECTION 3-3-15, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THAT THE STATE FLAG SHALL BE DISPLAYED FROM ALL PUBLIC  
3 BUILDINGS IN THE STATE; TO CODIFY SECTION 3-3-16, MISSISSIPPI CODE  
4 OF 1972, TO PROVIDE A PROHIBITION AGAINST THE ALTERATION OF  
5 CERTAIN HISTORICAL MONUMENTS AND MEMORIALS; AND FOR RELATED  
6 PURPOSES.

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

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

10 3-3-15. The state flag shall be displayed from all public  
11 buildings from sunrise to sunset; however, the state flag may be  
12 displayed from all public buildings twenty-four (24) hours a day  
13 if properly illuminated. The state flag should not be displayed  
14 when the weather is inclement, except when an all-weather flag is  
15 displayed. The state flag shall receive all of the respect and  
16 ceremonious etiquette given the American flag. Provided, however,  
17 nothing in this section shall be construed so as to affect the  
18 precedence given to the flag of the United States of America.

19 **SECTION 2.** The following provision shall be codified as  
20 Section 3-3-16, Mississippi Code of 1972:

21 3-3-16. None of the following items, structures or areas may  
22 be relocated, removed, disturbed, altered, renamed or rededicated:  
23 Any Revolutionary War, War of 1812, Mexican War, War Between the  
24 States, Spanish-American War, World War I, World War II, Korean  
25 War, Vietnam War, Persian Gulf War, Native-American or  
26 African-American historical statue, monument, memorial or  
27 nameplate, which has been erected on public property of the state  
28 or any of its political subdivisions; and any statue, monument,  
29 memorial, nameplate, street, bridge, building, park, preserve,



30 reserve or other public item, structure or area of the state or  
31 any of its political subdivisions, which has been dedicated in  
32 memory of or named for any historical figure or historical event.

33 No person may prevent the public body responsible for  
34 maintaining any of the items, structures or areas described above  
35 from taking proper measures and exercising proper means for the  
36 protection, preservation and care of those items, structures or  
37 areas.

38 The provisions of this section may be amended or repealed  
39 only upon passage of an act that has received a two-thirds (2/3)  
40 vote on final passage in each house of the Legislature.

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

