

**As Passed by the Senate**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Am. Sub. H. B. No. 254**

**Representative Wiggam**

**Cosponsors: Representatives Gavarone, Greenspan, Perales, Hambley, Carfagna, Green, Lanese, Johnson, Goodman, Hill, Retherford, Dean, Boccieri, Romanchuk, Arndt, Antani, Reece, Miller, LaTourette, Becker, Patton, Dever, Conditt, Sweeney, Roegner, Pelanda, Riedel, Young, Anielski, Antonio, Ashford, Barnes, Blessing, Boggs, Boyd, Brenner, Brown, Butler, Celebrezze, Cera, Craig, Cupp, Edwards, Fedor, Galonski, Ginter, Hagan, Henne, Holmes, Householder, Hughes, Ingram, Keller, Kent, Kick, Koehler, Landis, Lang, Leland, Lepore-Hagan, Lipps, Manning, McColley, O'Brien, Patterson, Ramos, Reineke, Rogers, Ryan, Schaffer, Schuring, Sheehy, Smith, K., Smith, R., Sprague, Stein, Strahorn, Sykes, Thompson, West, Speaker Rosenberger**

**Senators Uecker, Terhar, O'Brien, Wilson, Manning, Balderson, Beagle, Burke, Coley, Dolan, Gardner, Hackett, Hoagland, Hottinger, Huffman, Lehner, Obhof, Oelslager, Peterson, Schiavoni, Sykes, Tavares, Williams, Yuko**

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**A BILL**

To amend section 9.50 of the Revised Code to enact 1  
the POW/MIA Remembrance Act requiring the 2  
POW/MIA flag to be displayed at certain 3  
buildings operated by the state on Armed Forces 4  
Day, Memorial Day, Flag Day, Independence Day, 5  
National POW/MIA Recognition Day, and Veterans' 6  
Day. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 9.50 of the Revised Code be 8  
amended to read as follows: 9

Sec. 9.50. (A) As used in this section: 10

(1) "POW/MIA flag" means the flag that depicts the profile 11  
of a prisoner of war against the background of a prisoner of war 12  
camp watchtower. 13

(2) "Public building" means the principal municipal 14  
building of each municipal corporation, the principal county 15  
building in the county seat of each county, and the state house 16  
in Columbus. 17

(3) "Transportation facilities" has the meaning defined in 18  
section 5501.01 of the Revised Code. 19

(B) The general assembly hereby encourages the display of 20  
the POW/MIA flag during normal business hours at each public 21  
building. 22

(C) Except as provided under division (E) of this section, 23  
the POW/MIA flag shall be displayed at buildings operated by the 24  
state government on all of the following days: 25

(1) The third Saturday in May, known as Armed Forces day; 26

(2) The last Monday in May, known as Memorial day; 27

(3) The fourteenth day of June, known as Flag day; 28

(4) The fourth day of July, known as Independence day; 29

(5) The third Friday in September, known as National 30  
POW/MIA Recognition day; 31

(6) The eleventh day of November, known as Veterans' day. 32

(D) As used in divisions (C) and (E) of this section, 33  
buildings operated by the state government include all of the 34  
following: 35

<u>(1) The building at 25 South Front Street, Columbus;</u>	36
<u>(2) The building at 4200 Surface Road, Columbus;</u>	37
<u>(3) The Frank J. Lausche state office building in</u> <u>Cleveland;</u>	38 39
<u>(4) The James A. Rhodes state office tower in Columbus;</u>	40
<u>(5) The Michael V. DiSalle government center in Toledo;</u>	41
<u>(6) The north high street complex, 246 North High Street</u> <u>and 35 East Chestnut Street, Columbus;</u>	42 43
<u>(7) Ohio governor's residence and heritage garden in</u> <u>Bexley;</u>	44 45
<u>(8) Oliver R. Ocasek government office building in Akron;</u>	46
<u>(9) State of Ohio computer center;</u>	47
<u>(10) The Vern Riffe center for government and the arts in</u> <u>Columbus;</u>	48 49
<u>(11) Buildings at transportation facilities operated by</u> <u>the department of transportation;</u>	50 51
<u>(12) The state house in Columbus;</u>	52
<u>(13) A state armory under the direction of the adjutant</u> <u>general under Chapter 5911. of the Revised Code;</u>	53 54
<u>(14) The William Green building in Columbus;</u>	55
<u>(15) The Charles D. Shipley building in Columbus;</u>	56
<u>(16) The office of the state fire marshal in Reynoldsburg;</u> <u>and</u>	57 58
<u>(17) State highway patrol posts.</u>	59

(E) (1) Division (C) of this section does not apply to 60  
buildings that do not have an installed flag pole on the 61  
effective date of this amendment. 62

(2) A building operated by the state government may comply 63  
with the requirements of division (C) of this section by 64  
commencing the display of the flag during normal business hours 65  
on a workday before the required display day, and ending the 66  
display during normal business hours on a workday following the 67  
required display day. 68

(3) This section does not apply to a building described in 69  
division (D) of this section when the state government ceases to 70  
operate that building. 71

(F) When displayed from the same halyard or staff, the 72  
POW/MIA flag should fly directly below, and be no larger than, 73  
the United States flag. When displayed from adjacent staffs, the 74  
United States flag should always be placed to the right of other 75  
flags, including the POW/MIA flag. On the dates specified in 76  
division (C) of this section, the POW/MIA flag shall be flown 77  
immediately below or adjacent to the United States flag as 78  
second in order of precedence. 79

(G) In enacting this section, the general assembly hereby 80  
declares and finds all of the following: 81

(1) Over two thousand four hundred Americans, including 82  
one hundred seventeen from this state, who served in the United 83  
States armed forces during the war in Indochina are still listed 84  
as prisoners of war or missing in action. 85

(2) There is significant evidence that many of these 86  
missing Americans are still alive and being held against their 87  
will in Indochina. 88

(3) This nation is deeply indebted to its servicemen and 89  
servicewomen of all wars and conflicts for their courage and 90  
sacrifice and should demonstrate its special commitment to the 91  
missing men and women of all wars and conflicts and their 92  
families by obtaining the release of those still held prisoner 93  
of war and the fullest possible accounting from the responsible 94  
governments regarding those Americans listed as missing in 95  
action. 96

(4) The POW/MIA flag is a powerful symbol of the plight of 97  
these prisoners of war and missing Americans and reminds the 98  
public of the commitment this nation must have in determining 99  
the fate of its servicemen and servicewomen. Thus, it is 100  
appropriate that the POW/MIA flag should be displayed at certain 101  
public buildings throughout this state to increase public 102  
awareness of the issue of prisoners of war and those missing in 103  
action and to gain public support for the efforts of the United 104  
States government to resolve this matter. 105

**Section 2.** That existing section 9.50 of the Revised Code 106  
is hereby repealed. 107

**Section 3.** This act shall be known as the "POW/MIA 108  
Remembrance Act." 109