

AN ACT

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

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 9.50 of the Revised Code be amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The building at 25 South Front Street, Columbus;

(2) The building at 4200 Surface Road, Columbus;

(3) The Frank J. Lausche state office building in Cleveland;

(4) The James A. Rhodes state office tower in Columbus;

(5) The Michael V. DiSalle government center in Toledo;

(6) The north high street complex, 246 North High Street and 35 East Chestnut Street, Columbus;

(7) Ohio governor's residence and heritage garden in Bexley;

(8) Oliver R. Ocasek government office building in Akron;

(9) State of Ohio computer center;

(10) The Vern Riffe center for government and the arts in Columbus;

(11) Buildings at transportation facilities operated by the department of transportation;

(12) The state house in Columbus;

(13) A state armory under the direction of the adjutant general under Chapter 5911. of the

Revised Code;

(14) The William Green building in Columbus;

(15) The Charles D. Shipley building in Columbus;

(16) The office of the state fire marshal in Reynoldsburg; and

(17) State highway patrol posts.

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

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

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

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

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

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

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

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

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

SECTION 2. That existing section 9.50 of the Revised Code is hereby repealed.

SECTION 3. This act shall be known as the "POW/MIA Remembrance Act."

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20 ____.

Secretary of State.

File No. _____ Effective Date _____