

HOUSE BILL 203

P1

4lr1163
CF SB 36

By: **Delegates Conway, Cane, Eckardt, Otto, and Rudolph**

Introduced and read first time: January 16, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Display of the POW/MIA Flag on State Building Grounds**

3 FOR the purpose of requiring the Secretary of General Services and the Secretary of
4 Transportation to cause the POW/MIA flag to be flown on the grounds of certain
5 buildings whenever the flag of the United States is flown; requiring that the
6 POW/MIA flag be flown from the State House as provided in a certain provision
7 of law; making conforming changes; defining a certain term; and generally
8 relating to the display of the POW/MIA flag on the grounds of State buildings.

9 BY adding to

10 Article – State Finance and Procurement
11 Section 4–210
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2013 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article – State Government
16 Section 13–204 and 13–205
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2013 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – State Finance and Procurement**

22 **4–210.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SECTION, “**POW/MIA FLAG**” MEANS THE **POW/MIA FLAG**
 2 OF THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND
 3 MISSING IN SOUTHEAST ASIA.

4 (B) THE SECRETARY OF GENERAL SERVICES AND THE SECRETARY OF
 5 TRANSPORTATION SHALL CAUSE THE **POW/MIA FLAG** TO BE FLOWN ON THE
 6 GROUNDS OF ALL STATE BUILDINGS UNDER THEIR CONTROL WHENEVER THE
 7 FLAG OF THE UNITED STATES IS FLOWN.

8 **Article – State Government**

9 13–204.

10 (A) IN THIS SECTION, “**POW/MIA FLAG**” MEANS THE **POW/MIA FLAG**
 11 OF THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND
 12 MISSING IN SOUTHEAST ASIA.

13 [(a)] (B) The flag of the United States [and], the State flag, AND THE
 14 **POW/MIA FLAG** shall be flown from the State House as provided in this section.

15 [(b)] (C) When the General Assembly is in session, the flags shall be flown
 16 continuously.

17 [(c)] (D) When the General Assembly is not in session, the flags shall be
 18 flown:

19 (1) continuously on each day that the Governor designates as a public
 20 occasion; and

21 (2) on any other day when the weather permits, between sunrise and
 22 sunset.

23 [(d)] (E) The State flag shall be flown with the black stripe on the diagonal
 24 bands of the 1st quartering at the top of the flagstaff, as shown in the illustration of
 25 the State flag in “Chronicles of Colonial Maryland”.

26 13–205.

27 (a) [(1)] In this section [the following words have the meanings indicated.

28 (2) “Flag], “**FLAG** to honor and remember members of the armed
 29 forces who died in the line of duty” means:

30 [(i)] (1) a flag created by Honor and Remember, Inc.; or

1 **[(ii)] (2)** the flag designated by the United States Congress as
2 the official symbol to honor and remember members of the armed forces who died in
3 the line of duty.

4 **[(3) “POW/MIA flag”** means the POW/MIA flag of the National League
5 of Families of American Prisoners and Missing in Southeast Asia.]

6 (b) (1) Subject to paragraph (2) of this subsection, each year, [the
7 POW/MIA flag and] a flag to honor and remember members of the armed forces who
8 died in the line of duty shall be flown on the State House grounds on:

9 (i) the third Saturday in May, for Armed Forces Day;

10 (ii) May 30, for Memorial Day;

11 (iii) the day that the United States Congress designates for the
12 observance of Memorial Day if other than May 30;

13 (iv) the Saturday and Sunday that are closest to May 30, unless
14 the United States Congress designates another day for the observance of Memorial
15 Day, in which case, the Saturday and Sunday that are closest to the day designated by
16 the United States Congress;

17 (v) July 4, for Independence Day;

18 (vi) [the third Friday in September, for POW/MIA Recognition
19 Day;

20 (vii)] November 11, for Veterans’ Day;

21 **[(viii)] (VII)** the day that the United States Congress designates
22 for the observance of Veterans’ Day if other than November 11; and

23 **[(ix)] (VIII)** the Saturday and Sunday that are closest to
24 November 11, unless the United States Congress designates another day for the
25 observance of Veterans’ Day, in which case, the Saturday and Sunday that are closest
26 to the day designated by the United States Congress.

27 (2) If the United States Congress designates a flag as the official
28 symbol to honor and remember members of the armed forces who died in the line of
29 duty, the flag designated by Congress shall be flown in accordance with paragraph (1)
30 of this subsection.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2014.