



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Wendy H. Gridley

### **Am. Sub. H.B. 254\***

132nd General Assembly

(As Reported by S. Local Gov't, Public Safety, and Veterans Affairs)

**Reps.** Wiggam, 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, K. Smith, R. Smith, Sprague, Stein, Strahorn, Sykes, Thompson, West, Rosenberger

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## **BILL SUMMARY**

- Requires 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.
- Specifies protocol for the display of the POW/MIA flag.
- Designates the bill as the POW/MIA Remembrance Act.

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## **CONTENT AND OPERATION**

### **Background**

Under continuing law, the General Assembly expressly encourages the display of the POW/MIA flag during normal business hours at each public building. "Public building" means the principal municipal building of each municipal corporation, the principal county building in the county seat of each county, and the Ohio Statehouse in

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\* This analysis was prepared before the report of the S. Local Gov't, Public Safety, and Veterans Affairs Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

Columbus.<sup>1</sup> The bill, designated as the POW/MIA Remembrance Act, augments noncompulsory existing law by requiring the flag to be displayed on certain days at certain specified buildings.<sup>2</sup>

### **Display of POW/MIA flag**

The bill requires that the POW/MIA flag be displayed at buildings operated by the state government on all of the following days:<sup>3</sup>

- (1) The third Saturday in May, known as Armed Forces Day;
- (2) The last Monday in May, known as Memorial Day;
- (3) June 14, known as Flag Day;
- (4) July 4, known as Independence Day;
- (5) The third Friday in September, known as National POW/MIA Recognition Day;
- (6) November 11, known as Veterans' Day.

The bill specifies the following facilities as buildings operated by the state government, and therefore subject to the bill's provisions:<sup>4</sup>

- (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;

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<sup>1</sup> R.C. 9.50(A)(2) and (B).

<sup>2</sup> R.C. 9.50(C); Section 3.

<sup>3</sup> R.C. 9.50(C).

<sup>4</sup> R.C. 9.50(D).



(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 (under the bill, "transportation facilities" means all publicly owned modes and means of transporting people and goods, including the physical facilities, garages, district offices, and other related buildings, and including, highways, rights-of-way, roads and bridges, parking facilities, aviation facilities, port facilities, rail facilities, public transportation facilities, rest areas, and roadside parks);<sup>5</sup>

(12) The Ohio Statehouse in Columbus;

(13) A state armory under the direction of the Adjutant General;

(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.

The bill specifies that when the POW/MIA flag is displayed from the same halyard or staff of the United States flag, 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. Furthermore, the bill specifies that, on the dates the bill specifies, the POW/MIA flag must be flown immediately below or adjacent to the United States flag as second in order of precedence.<sup>6</sup>

Any building included above that does not have an installed flag pole on the bill's effective date is exempt from the bill. Also, the bill specifies that compliance with the bill's requirements may occur by starting the flag display 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. The bill does

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<sup>5</sup> R.C. 9.50(A)(3) and (D)(11) and R.C. 5501.01, not in the bill.

<sup>6</sup> R.C. 9.50(F).



not apply to a building listed above when the state government ceases to operate that building.<sup>7</sup>

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## HISTORY

ACTION	DATE
Introduced	05-31-17
Reported by H. Armed Services, Veterans Affairs & Homeland Security	10-26-17
Passed House (95-0)	12-15-17
Reported, S. Local Gov't, Public Safety, & Veterans Affairs	---

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<sup>7</sup> R.C. 9.50(E).

