

HB 3315 -- FLAG DISPLAYED AT PUBLIC BUILDINGS

SPONSOR: Costlow

This bill specifies the flags allowed to be displayed by government-owned buildings and the employees of the State or another political subdivision that operates within the building. Allowed flags will be:

- (1) The official United States flag;
- (2) The official flag of Missouri;
- (3) The official flag of flag of another country or state, or political subdivision thereof;
- (4) The official flag of a city, municipality, county, or other political subdivision of this State;
- (5) A flag that represents a military branch, unit, or division;
- (6) The POW/MIA flag;
- (7) A flag representing a federally recognized tribe of American Indians or Alaska Natives;
- (8) A historic version of a flag listed above;
- (9) An official public school flag;
- (10) An official flag of the U.S. Olympic & Paralympic Committee, International Olympic Committee, or International Paralympic Committee;
- (11) An official flag of an olympiad or paralympiad that occurred or will occur within the State; and
- (12) The flag of an organization authorized to use a public school facility, but only at the location and during the time in which the organization is authorized to use such facility.

The bill requires the Auditor to establish a process to receive and investigate alleged incidents of prohibited flags and provide the relevant governmental entity notice of each violation and whether the Auditor determined the alleged violation to be substantiated. Such notice must provide an opportunity to remove the offending flag, and the opportunity must not exceed three

calendar days. If a governmental entity fails to cure a violation within the provided time frame, the Auditor must pursue an injunction in a court of competent jurisdiction.

This bill requires the court to give the injunctions expedited consideration, have a trial on the issues within seven days, and issue a decision not more than two days after the trial. If the Auditor is granted an injunction requiring the governmental entity to remove the flag and the flag is not removed within three days, the Auditor may notify local law enforcement, who must remove the flag.

The bill does not apply to individuals who are not employees of the governmental entity that operates within the public building and who are lawfully present in or on the grounds of the public building.