

**As Reported by the House Armed Services, Veterans Affairs, and  
Homeland Security Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**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**

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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

(1) The building at 25 South Front Street, Columbus; 36

(2) The building at 4200 Surface Road, Columbus; 37

(3) The Frank J. Lausche state office building in 38  
Cleveland; 39

(4) The James A. Rhodes state office tower in Columbus; 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, 1320 Arthur E. Adams</u> <u>Drive, Columbus;</u>	47 48
<u>(10) The Vern Riffe center for government and the arts in</u> <u>Columbus;</u>	49 50
<u>(11) Buildings at transportation facilities operated by</u> <u>the department of transportation;</u>	51 52
<u>(12) The state house in Columbus;</u>	53
<u>(13) A state armory under the direction of the adjutant</u> <u>general under Chapter 5911. of the Revised Code; and</u>	54 55
<u>(14) State highway patrol posts.</u>	56
<u>(E) (1) Division (C) of this section does not apply to</u> <u>buildings that do not have an installed flag pole on the</u> <u>effective date of this amendment.</u>	57 58 59
<u>(2) A building operated by the state government may comply</u> <u>with the requirements of division (C) of this section by</u> <u>commencing the display of the flag during normal business hours</u> <u>on a workday before the required display day, and ending the</u> <u>display during normal business hours on a workday following the</u> <u>required display day.</u>	60 61 62 63 64 65
<u>(F) When displayed from the same halyard or staff, the</u> <u>POW/MIA flag should fly directly below, and be no larger than,</u>	66 67

the United States flag. When displayed from adjacent staffs, the 68  
United States flag should always be placed to the right of other 69  
flags, including the POW/MIA flag. On the dates specified in 70  
division (C) of this section, the POW/MIA flag shall be flown 71  
immediately below or adjacent to the United States flag as 72  
second in order of precedence. 73

(G) In enacting this section, the general assembly hereby 74  
declares and finds all of the following: 75

(1) Over two thousand four hundred Americans, including 76  
one hundred seventeen from this state, who served in the United 77  
States armed forces during the war in Indochina are still listed 78  
as prisoners of war or missing in action. 79

(2) There is significant evidence that many of these 80  
missing Americans are still alive and being held against their 81  
will in Indochina. 82

(3) This nation is deeply indebted to its servicemen and 83  
servicewomen of all wars and conflicts for their courage and 84  
sacrifice and should demonstrate its special commitment to the 85  
missing men and women of all wars and conflicts and their 86  
families by obtaining the release of those still held prisoner 87  
of war and the fullest possible accounting from the responsible 88  
governments regarding those Americans listed as missing in 89  
action. 90

(4) The POW/MIA flag is a powerful symbol of the plight of 91  
these prisoners of war and missing Americans and reminds the 92  
public of the commitment this nation must have in determining 93  
the fate of its servicemen and servicewomen. Thus, it is 94  
appropriate that the POW/MIA flag should be displayed at certain 95  
public buildings throughout this state to increase public 96

awareness of the issue of prisoners of war and those missing in	97
action and to gain public support for the efforts of the United	98
States government to resolve this matter.	99
<b>Section 2.</b> That existing section 9.50 of the Revised Code	100
is hereby repealed.	101
<b>Section 3.</b> This act shall be known as the "POW/MIA	102
Remembrance Act."	103