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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1157 Session of  
2015

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INTRODUCED BY SCHWANK, TEPLITZ, SABATINA, BREWSTER, RAFFERTY,  
GREENLEAF, VULAKOVICH, COSTA, MENSCH, WILEY, FONTANA,  
DINNIMAN, YUDICHAK AND TARTAGLIONE, MARCH 18, 2016

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REFERRED TO STATE GOVERNMENT, MARCH 18, 2016

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AN ACT

1 Amending the act of March 4, 1970 (P.L.128, No.49), entitled "An  
2 act granting to the Governor of the Commonwealth the sole  
3 authority for regulating the display of the flag of the  
4 United States from any public ground or building and from any  
5 ground or building of certain other institutions," further  
6 providing for the display of the official POW/MIA flag on  
7 Commonwealth grounds or buildings.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 1 of the act of March 4, 1970 (P.L.128,  
11 No.49), entitled "An act granting to the Governor of the  
12 Commonwealth the sole authority for regulating the display of  
13 the flag of the United States from any public ground or building  
14 and from any ground or building of certain other institutions,"  
15 amended May 2, 1974 (P.L.264, No.71), December 18, 1987  
16 (P.L.417, No.87) and February 10, 1994 (P.L.70, No.5), is  
17 amended to read:

18 Section 1. (a) The Governor of the Commonwealth shall have  
19 the sole power and duty for regulating the display of the flag  
20 of the United States from any public ground or building of the

1 Commonwealth, of any board, commission or authority of the  
2 Commonwealth created by the General Assembly, of any political  
3 subdivision of the Commonwealth, of any school district of the  
4 Commonwealth, or from any ground or building of any institution  
5 which receives any State aid from the Commonwealth. The Governor  
6 shall have the power and duty to promulgate rules and  
7 regulations pursuant to the provisions of this section and such  
8 rules and regulations shall be in compliance with the National  
9 Flag Code.

10 (b) Notwithstanding any of the provisions of this section,  
11 the United States flag shall be displayed daily, except during  
12 inclement weather, at all educational institutions of higher  
13 learning which are State-owned or receive State aid from the  
14 Commonwealth.

15 (c) In addition to any other powers or duties imposed by  
16 this section, the Governor shall require the Department of  
17 General Services to display continuously from a flag pole in  
18 "Soldiers' Grove," as defined in the act of October 30, 1987  
19 (P.L.375, No.75), entitled "An act providing for the designation  
20 of certain trees and land on the grounds of the State Capitol in  
21 Harrisburg as 'Soldiers' Grove' in honor of war veterans;  
22 imposing duties upon the Department of General Services; and  
23 making an appropriation," the official POW/MIA flag until all  
24 POW's and MIA's return or are accounted for.

25 (d) In addition to any other powers and duties imposed by  
26 this section, [the Governor shall permit the display of the  
27 official POW/MIA flag from the flagpoles of any public building  
28 or ground in this Commonwealth.] when the United States flag is  
29 displayed on any ground or building owned or under the control  
30 of the Commonwealth, the official POW/MIA flag shall also be

1 displayed where it can be reasonably accommodated.

2 Section 2. This act shall take effect in 60 days.