



SPONSOR: Sen. McBride & Rep. Michael Smith  
Sens. Cloutier, Ennis, Hocker, Lopez, McDowell,  
Paradee, Pettyjohn, Poore, Richardson, Sokola, Walsh,  
Wilson; Reps. Baumbach, Bolden, Briggs King, Bush,  
Carson, Dorsey Walker, Dukes, Heffernan, Hensley,  
Jaques, K. Johnson, Minor-Brown, Mitchell, Ramone,  
D. Short, Viola, K. Williams, Yearick

DELAWARE STATE SENATE  
150th GENERAL ASSEMBLY

SENATE BILL NO. 211

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPLAY OF THE POW/MIA FLAG.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 408, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 408. Display of POW/MIA flag.

~~State agencies, including all public schools;~~ A state agency, including a public school, shall cause a POW/MIA flag to be displayed out-of-doors ~~(weather permitting)~~ on its installation, ~~grounds~~ grounds, or campus at each location ~~on~~ National POW/MIA Recognition Day; each day the flag of the United States is so displayed. ~~This section shall apply only where public buildings, including school buildings are equipped with flagpoles.~~

SYNOPSIS

The National League of Families POW/MIA flag is a “symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoners, missing, or unaccounted for in all U.S. wars” 36. U.S.C. § 902.

In 1989, the United States required the National League of Families POW/MIA flag be flown on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans Day.

In 1991, Delaware enacted Senate Bill No. 87, Chapter 88 of Volume 68 of the Laws of Delaware, which required certain state buildings to fly the POW/MIA flag each day. Senate Bill No. 87 was not drafted as an amendment to the Delaware Code and so was not included in the Delaware Code.

This Act codifies Senate Bill No. 87 into § 408 of Title 29 to conform § 408 with existing Delaware and federal law in recognition of this State's commitment to our Veterans.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator McBride