



Kristin Moore

Final Analysis
Legislative Service Commission

Am. S.B. 240

124th General Assembly
(As Passed by the General Assembly)

- Sens.** Amstutz, Jordan, Mead, Harris, White, Randy Gardner, Austria, Coughlin, Robert Gardner, Hottinger, Mumper, Spada, Wachtmann, Jacobson
- Reps.** Clancy, Flowers, Young, Buehrer, Cates, Peterson, Trakas, Carmichael, Sykes, Patton, Oakar, Wilson, Reinhard, Latta, Gilb, Hughes, Sulzer, Faber, Niehaus, McGregor, Seitz, Coates, Core, Ogg, Hartnett, Cirelli, Jolivette, Driehaus, Reidelbach, Collier, Schaffer, Williams, Evans, Wolpert, Willamowski, Hagan, Fessler, Manning, Damschroder, Olman, Fedor, White, Webster, Grendell, Schmidt, Roman, Otterman, Boccieri, Calvert, Schneider, Strahorn, Setzer, Latell, Key, Woodard, Brown

Effective date: November 1, 2002

ACT SUMMARY

- Establishes requirements governing the display, care, and disposal of the state flag.
- Explains the symbolism of the state flag.
- Adopts an official pledge to the state flag.

CONTENT AND OPERATION

Display, care, and disposal of the state flag

Display of the state flag--in general

The act encourages the display of the state flag at all state buildings and public institutions, such as public school buildings and state parks, and sets forth requirements that appear to apply to that display as well as to the display of the state flag generally in Ohio. If the state flag is displayed, it (1) may be flown every day when the weather permits and (2) must be flown from sunrise until sunset on all national and state holidays and on any days that the Governor

proclaims. The state flag also may be flown at night when properly lighted. When the state flag is displayed outdoors, it must be flown from a flagpole or staff. Any staff from which the state flag is flown must be at least two and one-half times as long as the state flag. (Sec. 5.012(A).)

Display of the United States flag and the state flag at the same time

The act requires that, when the state flag and the United States flag are displayed at the same time, the state flag must not be larger than the United States flag. When the state flag and United States flag are displayed together against a wall from crossed staffs, the state flag must be on the left of the United States flag, and the staff supporting the state flag must be behind the staff supporting the United States flag. When the state flag is flown from the same halyard as the United States flag, the state flag must be displayed beneath the United States flag. When the state flag is carried in a procession in which the United States flag is unfurled, the state flag must be displayed on the marching left of the United States flag. (Sec. 5.012(B).)

Care and disposal of the state flag

The act provides that the state flag must be washed or dry cleaned when soiled and may be repaired. When the state flag is damaged beyond repair, it must be destroyed privately either by (1) cutting it into small pieces and burning it until only ashes remain or (2) sealing it in a plastic bag or box before discarding it in a trash collection. (Sec. 5.012(C).)

Pledge to the state flag

The act adopts the following as the official pledge to the state flag: "I salute the flag of the State of Ohio and pledge to the Buckeye State respect and loyalty." The pledge must not replace, preempt, or be recited before the Pledge of Allegiance to the United States flag. (Sec. 5.013.)

Symbolism of the state flag

The act states that (1) the three red and two white horizontal stripes in the state flag *represent the roads and waterways of the state*, (2) the 17 five-pointed stars, white in a blue triangular field, in the union of the state flag *represent the state's hills and valleys*, (3) the 13 stars grouped around the white circular "O" in the state flag represent the original states of the United States, (4) the four stars added to the peak of the triangle on the state flag symbolize that Ohio was the 17th state admitted to the union, and (5) the white circular "O" in the state flag represents the "O" in "Ohio" and suggests the state's nickname, the Buckeye State (sec. 5.01).



Miscellaneous

Former law required the state flag to be pennant-shaped. The act requires the flag to be "burgee-shaped." (Sec. 5.01.) (See **COMMENT.**)

COMMENT

The definition of "burgee" in the Webster's New World Dictionary, Third College Edition, indicates that a burgee may have two possible shapes--swallow-tailed or triangular--and that a burgee is a flag or pennant used on ships. Presumably, the shape of the state flag would not be changed because of the act's new language in section 5.01. The shape of the state flag is, at the time of this analysis' preparation, swallow-tailed.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-21-02	p. 1495
Reported, S. State & Local Gov't & Veterans Affairs	04-25-02	p. 1723
Passed Senate (31-0)	04-25-02	p. 1727
Reported, H. State Gov't	06-18-02	p. 1917
Passed House (94-0)	06-19-02	pp. 1934-1935

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