

House Bill 3604

Sponsored by Representatives ESQUIVEL, HICKS; Representatives BREWER, CAMERON, CONGER, FREEMAN, GARRARD, GILLIAM, HUFFMAN, JENSON, KENNEMER, KRIEGER, LINDSAY, MATTHEWS, OLSON, PARRISH, SHEEHAN, G SMITH, SPRENGER, THOMPSON, WAND, WHISNANT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires district school board to procure and cause to be displayed United States flag in classrooms and to provide time for students to salute United States flag once daily during school hours. Extends requirements related to procurement, display and salute of flags to public charter schools. Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1 Relating to flags at public schools; amending ORS 339.875; and declaring an emergency.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 339.875 is amended to read:

4 339.875. (1) Each district school board **and public charter school governing body** shall:

5 (a) Procure a United States flag and an Oregon State flag of suitable sizes and shall cause
6 *[such]* **the flags** to be displayed upon or near each *[public]* school building **under the control of the**
7 **board or used by the governing body:**

8 (A) During school hours, except in unsuitable weather¹, *and at such other times as*; **and**

9 (B) **At any other times** the board **or the governing body** deems proper.

10 (b) **Procure United States flags of a suitable size for classrooms and cause a flag to be**
11 **displayed in each classroom in each school building under the control of the board or used**
12 **by the governing body.**

13 *[(b)] (c) [Provide students with the opportunity to salute the United States flag at least once each*
14 *week of the school year]* **Provide a time at least once daily during school hours for an employee**
15 **or a student of the school to lead students in the salute of the United States flag** by reciting:
16 "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it
17 stands, one Nation under God, indivisible, with liberty and justice for all."
18

19 (2) **Notwithstanding subsection (1)(a) of this section, a public charter school governing**
20 **body is required to procure and display a flag upon or near a public charter school building**
21 **only if:**

22 (a) **The public charter school is located in a public building; or**

23 (b) **The public charter school is located in a private building and proper equipment is**
24 **readily available for the purpose of displaying the flag.**

25 *[(2)] (3)* Students who do not participate in the salute provided for by this section must maintain
26 a respectful silence during the salute.

27 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
28 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
29 **July 1, 2011.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

