

SENATE JOINT RESOLUTION O

February 28, 2001, Introduced by Senators GOSCHKA, JAYE, BULLARD, STEIL and NORTH and referred to the Committee on Judiciary.

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 3a to article III to prohibit the desecration of the flag of the United States or this state.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to prohibit the desecration of the flag of the United States or this state, is proposed, agreed to, and submitted to the people of the state:

ARTICLE III

SEC. 3A. (1) A PERSON SHALL NOT KNOWINGLY MUTILATE, DEFACE, PHYSICALLY DEFILE, BURN, MAINTAIN ON THE FLOOR OR GROUND, OR TRAMPLE UPON A FLAG OF THE UNITED STATES OR A FLAG OF THIS STATE. THE LEGISLATURE SHALL PROVIDE BY LAW FOR THE IMPLEMENTATION OF THIS SECTION.

1 (2) THIS SECTION DOES NOT PROHIBIT ANY CONDUCT CONSISTING OF
2 THE DISPOSAL OF A FLAG WHEN IT HAS BECOME WORN OR SOILED.

3 (3) AS USED IN THIS SECTION, THE TERM "FLAG OF THE UNITED
4 STATES OR FLAG OF THIS STATE" MEANS ANY FLAG OF THE UNITED STATES
5 OR FLAG OF THIS STATE, OR ANY PART THEREOF, MADE OF ANY SUB-
6 STANCE, OF ANY SIZE, IN A FORM THAT IS COMMONLY DISPLAYED.

7 Resolved further, That the foregoing amendment shall be sub-
8 mitted to the people of the state at the next general election in
9 the manner provided by law.