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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1740

02/27/2019 Authored by Huot, Ecklund, Drazkowski, Bahr, Brand and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to state government; establishing a Capitol flag program for families of
1.3 military service members and first responders who die in the line of duty; proposing
1.4 coding for new law in Minnesota Statutes, chapter 16B.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 16B.276 CAPITOL FLAG PROGRAM.

1.7 Subdivision 1. Definitions. (a) The terms used in this section have the meanings given
1.8 them.

1.9 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

1.10 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
1.11 or sibling of (i) a public safety officer killed in the line of duty or (ii) a person who has died
1.12 while serving honorably in active service in the United States armed forces. For purposes
1.13 of this section, an eligibility relationship may be established by birth or adoption.

1.14 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
1.15 3.

1.16 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

1.17 Subd. 2. Establishment. A Capitol flag program is established in the Department of
1.18 Administration to provide either a Minnesota state flag or an American flag that was flown
1.19 over the Minnesota State Capitol to the family of a public safety officer killed in the line
1.20 of duty or a member of the United States armed forces who died while in active service.

1.21 Subd. 3. Eligibility; application; presentation. (a) Beginning October 1, 2019, the
1.22 commissioner of administration shall issue a Minnesota state flag or American flag that was

2.1 flown over the Capitol to an eligible family member who requests a flag under this section.
2.2 The commissioner shall provide a certificate memorializing the details of the occasion with
2.3 each flag presented.

2.4 (b) With at least 30 days' notice, the commissioner shall honor an applicant's request
2.5 that a flag be flown on a specific commemorative date.

2.6 (c) If an eligible family member requests that a specific government official present the
2.7 designated flag to the person, the commissioner shall deliver the flag to the identified
2.8 government official with instructions on presentation of the flag to the eligible family
2.9 member.

2.10 Subd. 4. **No fee for first flag.** The family of a public safety officer killed in the line of
2.11 duty or service member of the United States armed forces who died in active service is
2.12 entitled to receive one flag free of charge under this section. If an eligible family member
2.13 requests additional flags, the commissioner may charge the person a reasonable fee that
2.14 does not exceed the actual cost of the flag and certificate memorializing the occasion.

2.15 Sec. 2. **APPROPRIATION.**

2.16 \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the general
2.17 fund to the commissioner of administration for the purposes of the Capitol flag program in
2.18 Minnesota Statutes, section 16B.276.