

Representative Phil Lyman proposes the following substitute bill:

UTAH FLAG AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Phil Lyman

Senate Sponsor: _____

LONG TITLE

General Description:

This bill repeals provisions related to the state flag, establishes a state flag, and creates a process by which the state flag may be modified in the future.

Highlighted Provisions:

This bill:

- ▶ repeals current and future provisions related to the state flag;
- ▶ establishes a state flag;
- ▶ requires the Legislature to pass a joint resolution with the text of an opinion question before modifying the state flag;
- ▶ requires the lieutenant governor to submit an opinion question to the voters in a general election;
- ▶ provides a severability clause; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:



26 ENACTS:

27 **63G-1-504**, Utah Code Annotated 1953

28 REPEALS AND REENACTS:

29 **63G-1-501 (Superseded 03/09/24)**, as last amended by Laws of Utah 2021, Chapter

30 205

31 **63G-1-503 (Effective 03/09/24)**, as enacted by Laws of Utah 2023, Chapter 451

32

33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **63G-1-501 (Superseded 03/09/24)** is repealed and reenacted to
35 read:

36 **63G-1-501 (Superseded 03/09/24). State flag -- Description -- Display.**

37 (1) The state flag shall be a flag of blue field, with the following device worked in
38 natural colors in the center of the blue field:

39 (a) in the center, a shield;

40 (b) above the shield and thereon, an American eagle with outstretched wings;

41 (c) the top of the shield pierced with six arrows arranged crosswise;

42 (d) upon the shield and under the arrows, the word "Industry" and below the word
43 "Industry," in the center of the shield, a beehive;

44 (e) on each side of the beehive, growing sego lilies;

45 (f) below the beehive and near the bottom of the shield, the word "Utah";

46 (g) below the word "Utah" and on the bottom of the shield, the figures "1847";

47 (h) behind the shield, there shall be two American flags on flagstaffs placed crosswise
48 with the flags so draped to project beyond each side of the shield, the heads of the flagstaffs
49 appearing over the face of the draped flag below the shield;

50 (i) below the shield and flags and upon the blue field, the figure "1896"; and

51 (j) around the entire design, a narrow circle in gold.

52 (2) The state flag shall appear consistent with the following image:

53



54 Section 2. Section **63G-1-503 (Effective 03/09/24)** is repealed and reenacted to read:
 55 **63G-1-503 (Effective 03/09/24). State flag changes.**

56 (1) (a) Before a state flag other than the one described in Section 63G-1-501 may be
 57 adopted, or a commission or task force to study potential changes to the state flag described in
 58 Section 63G-1-501 may be created, the Legislature shall pass a joint resolution as described in
 59 this section.

60 (b) The joint resolution described in Subsection (1)(a) shall include:

61 (i) the text of the opinion question to be put before the voters; and

62 (ii) details of any proposed expenditure to support:

63 (A) the creation or implementation of a new state flag; and

64 (B) the creation of a commission or task force to consider a new state flag.

65 (2) Following the enrollment of the joint resolution described in Subsection (1), the
 66 lieutenant governor shall submit the opinion question and details of any proposed expenditure
 67 as described in the joint resolution to the voters at the next regular general election in the
 68 manner described in Title 20A, Election Code.

69 Section 3. Section **63G-1-504** is enacted to read:

70 **63G-1-504. Severability.**

71 If any provision of this Part 5, or application of any provision of this Part 5, is held

72 unconstitutional in a final decision of a court, the remainder of this Part 5 shall be severable.

73 Section 4. **Effective date.**

74 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
75 elected to each house, this bill takes effect upon approval by the governor, or the day following
76 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
77 signature, or in the case of a veto, the date of veto override.

78 (2) If this bill is not approved by two-thirds of all members elected to each house, this
79 bill takes effect May 1, 2024.