

PLEDGE OF ALLEGIANCE AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Bill Wright

LONG TITLE

General Description:

This bill modifies a provision relating to the recitation of the pledge of allegiance in public schools.

Highlighted Provisions:

This bill:

- ▶ modifies requirements for reciting the pledge of allegiance in public schools.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-13-101.6, as last amended by Laws of Utah 2008, Chapter 382

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

Section 1. Section **53A-13-101.6** is amended to read:

53A-13-101.6. Instruction on the flag of the United States of America.

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall provide by rule for a program of instruction within the public schools relating to the flag of the United States.



28 (2) The instruction shall include the history of the flag, etiquette, customs pertaining to
29 the display and use of the flag, and other patriotic exercises as provided by ~~[Sections 36]~~ 4
30 U.S.C. ~~Secs. [170 to 177]~~ 1 to 10.

31 (3) (a) The pledge of allegiance to the flag shall be recited~~[-(i)]~~ once at the beginning
32 of ~~[the]~~ each day in each ~~[elementary]~~ public school classroom in the state~~[-and]~~, led by a
33 student in the classroom, as assigned by the classroom teacher on a rotating basis.

34 ~~[(ii) once a week at the beginning of a school day in each public secondary school in~~
35 ~~the state.]~~

36 (b) Each student shall be informed by posting a notice in a conspicuous place that the
37 student has the right not to participate in reciting the pledge.

38 (c) A student shall be excused from reciting the pledge upon written request from the
39 student's parent or legal guardian.

39a **§→ (d)(i) At least once a year students shall be instructed that:**

39b **(A) participation in the pledge of allegiance is voluntary and not compulsory; and**

39c **(B) not only is it acceptable for someone to choose not to participate in the pledge of**
39d **allegiance for religious or other reasons, but students should show respect for any student who**
39e **chooses not to participate.**

39f **(ii) A public school teacher shall strive to maintain an atmosphere among students in**
39g **the classroom that is consistent with the principles described in Subsection (3)(d)(i). ←§**

Legislative Review Note
as of 2-14-12 8:53 AM

Office of Legislative Research and General Counsel