1st Sub. H.B. 77

Amended Excerpts

House Amendments

1.	Line 1	1 through 13:
	11	\rightarrow requires the state auditor to ensure compliance, including by imposing fines;
	12	$\rightarrow \hat{H} \rightarrow [$ establishes a cause of action for an alleged violation within the public education
	12a	system;] ←Ĥ
	13	\rightarrow requires the attorney general to defend and the state to hold harmless an individual acting
2.	Line 3	3 through 38:
	33	government property where the flag is easily visible.
	34	(b) "Flag" means $\hat{H} \rightarrow [\frac{1}{2}]$ a usually rectangular piece of fabric with a
	34a	specific design that symbolizes that symbolizes a location, government entity, or
	34b	<u>cause.</u>
	35	$[\underline{(i)} \ \underline{a \ usually \ rectangular \ piece \ of \ fabric \ with \ a \ specific \ design \ that \ symbolizes \ a \]} \leftarrow \hat{H}$
	36	Ĥ→ [<u>location, government, entity, or cause; or</u>]
	37	[<u>(ii)</u> a depiction of the fabric described in Subsection (1)(b)(i).] ←Ĥ
	38	(c) "Government entity" means:
3. Line 44 through 47:		
	44	(e) "LEA governing board" means the same as that term is defined in Section 53E-1-102.
	45	(2) Except as provided in Subsection (3), a government entity $\hat{H} \rightarrow \hat{L} \leftarrow \hat{H}$ or $\hat{H} \rightarrow \hat{an} \leftarrow \hat{H}$
	45a	employee of a
	45a	Ĥ→ [<u>government</u>] ←Ĥ
	46	Ĥ→ [<u>entity within a classroom of a school within</u>
	46a	the public education system]school district or school within the public
	46b	education system acting within the employee's official duties $\leftarrow \hat{H} \hat{H} \rightarrow , \leftarrow \hat{H} \underline{may \text{ not:}}$
	47	(a) display a flag in or on the grounds of government property; or

4. Line 61 through 65a:

- 61 (h) an officially licensed flag of a college or university;
- 62 (i) <u>a historic version of a flag described in Subsections (3)(a)</u> $\hat{H} \rightarrow [\underline{\text{through (h)}}]$
- 62a **and (b)** $\leftarrow \hat{H}$ that is
- 63 temporarily displayed for educational purposes;

64	(j) an official public school flag; $\hat{H} \rightarrow [-\mathbf{or}]$
64a	(k) an official flag of the United States Olympic Committee, United States
64b	Paralympic Committee, International Olympic Committee, or International
64c	Paralympic Committee;
64d	(1) an official flag of an olympiad or paralympiad that occurred or will occur within
64d 64e	(1) an official flag of an olympiad or paralympiad that occurred or will occur within the state; or

5. Line 79 through 90a:

79	under this section to determine whether the imposition of the fine is clearly erroneous.
80	$\hat{H} \rightarrow [\underline{(5)} \ \underline{(a)} \ \underline{Subject to Subsection \ (5)(b), a parent or legal guardian of a student who}$
80a	<u>is</u> _] ←Ĥ
81	$\hat{H} \rightarrow [$ enrolled in and attends, or who is eligible to enroll in and attend, a school within the $] \leftarrow \hat{H}$
82	$\hat{H} \rightarrow [$ public education system or the Utah Schools for the Deaf and the Blind, may bring
82a	<u>an-</u>] ←Ĥ
83	$\hat{H} \rightarrow [$ action in the appropriate state court for an alleged violation of this section. $]$
84	[(b) (i) Before a parent may file an action for an alleged violation described in] ←Ĥ
85	$\hat{H} \rightarrow [Subsection (5)(a), the parent shall provide written notice of the alleged violation] \leftarrow \hat{H}$
86	Ĥ→ [to the appropriate LEA governing board.]
87	[(ii) An LEA governing board receiving a notice described in Subsection (5)(b)(i)] ←Ĥ
88	Ĥ→ [shall resolve or disprove the alleged violation within 10 days after the day on _] ←Ĥ
89	Ĥ→ [which the parent provides the written notice.]
90	$[\underline{(e)}]\underline{(5)} \leftarrow \hat{H}$ Nothing in this section $\hat{H} \rightarrow [\underline{\text{limits the authority of}}], \text{ for } \leftarrow \hat{H}$
90a	a local education agency,

6. Line 90a through 92:

90a <u>as defined in</u>

- 91 Section 53E-1-102 $\hat{H} \rightarrow [\underline{;}]$
- 91a (a) limits the authority of the agency $\leftarrow \hat{H}$ related to student expression under
- 91ai <u>applicable</u>
- 91b <u>federal or state law</u> $\hat{H} \rightarrow [\underline{\cdot}]; \text{ or }$
- 91c (b) removes the agency's obligation to protect all students from discrimination. ←Ĥ
- 92 (6) <u>Regarding a school district or a school within the public education system, the attorney</u>