

H.B. 77

Flag Display Amendments

House Amendments

Amendment 1

February 13, 2025 01:34 PM

Representative **R. Neil Walter** proposes the following amendments:

1. *Line 5 through 8:*

5 This bill allows a local education agency to display certain flags in a public school or
6 charter school facility or grounds under certain circumstances { ~~and provides a remedy for a~~
7 ~~violation~~ } .

8 **Highlighted Provisions:**

2. *Line 62 through 77:*

62 facility.

63 { ~~(3) A parent or legal guardian of a student who is enrolled and attends, or who is eligible~~
~~to~~
64 ~~enroll in and attend, a public school, charter school, or the Utah Schools for the Deaf~~
65 ~~and Blind, may bring an action in the appropriate state court of competent jurisdiction~~
66 ~~for an alleged violation of this section.~~ }

67 { ~~(4) (a) Notwithstanding Subsection (3), before filing an action for an alleged violation of~~
68 ~~this section, a parent or legal guardian of a student shall provide written notification~~
69 ~~of the alleged violation to the appropriate LEA governing board, as defined in~~
70 ~~Section 53E-1-102.~~ }

71 { ~~(b) The LEA governing board shall make a diligent and good faith effort to resolve the~~
72 ~~alleged violation within 10 days from the day the parent or legal guardian of a student~~
73 ~~provides written notice of the alleged violation to the LEA governing board.~~ }

74 { ~~(5) (3) Nothing in this section limits an LEA's authority related to student expression under~~
75 ~~applicable federal or state law.~~ }

76 { ~~(6) (4) The attorney general shall defend and the state shall indemnify and hold harmless a~~
77 ~~person acting under color of state law to enforce this part for any claims or damages,~~ }

3. *Line 81 through 83:*

81 issued by the State Risk Management Fund.

82 { ~~(7) (5) If any provision of this section or the application of any provision of this section to~~
~~any~~

83 ~~person or circumstance is held invalid by a final decision of a court of competent~~

4. *Line 85 through 86:*

85 provision or application.

86 {~~(8)~~ (6)} The provisions of this section are severable.