

1st Sub. H.B. 77

Flag Display Amendments

House Amendments

Amendment 3

February 13, 2025 03:24 PM

Representative **Tracy J. Miller** proposes the following amendments:

1. *Line 11 through 13:*

- 11 →requires the state auditor to ensure compliance, including by imposing fines;
12 → **{ establishes a cause of action for an alleged violation within the public education system; }**
13 →requires the attorney general to defend and the state to hold harmless an individual acting

2. *Line 79 through 92:*

- 79 under this section to determine whether the imposition of the fine is clearly erroneous.
80 **{ (5) (a) Subject to Subsection (5)(b), a parent or legal guardian of a student who is**
81 **enrolled in and attends, or who is eligible to enroll in and attend, a school within the**
82 **public education system or the Utah Schools for the Deaf and the Blind, may bring an**
83 **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**
85 **Subsection (5)(a), the parent shall provide written notice of the alleged violation**
86 **to the appropriate LEA governing board. }**
87 **{ (ii) An LEA governing board receiving a notice described in Subsection (5)(b)(i)**
88 **shall resolve or disprove the alleged violation within 10 days after the day on**
89 **which the parent provides the written notice. }**
90 **{ (c) (5) Nothing in this section { limits the authority of } , for a local education agency, as**
91 **defined in**
Section 53E-1-102 { } :
(a) limits the authority of the agency related to student expression under applicable federal or
state law **{ } ; or**
(b) removes the agency's obligation to protect all students from discrimination.
92 **(6) Regarding a school district or a school within the public education system, the attorney**