

1 **Flag Display Amendments**  
2025 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Trevor Lee**

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3 **LONG TITLE**

4 **General Description:**

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:**

9 This bill:

10 ▶ defines terms;  
11 ▶ allows a local education agency to display in a public school or charter school facility or  
12 grounds the following flags:

- 13 • the official United States flag;
- 14 • an official Utah state flag;
- 15 • a POW/MIA flag;
- 16 • a flag that cannot be disturbed or altered;
- 17 • a flag that represents an Indian tribe;
- 18 • a flag that represents a city, county, municipality, or political subdivision of the state;
- 19 • a current and official flag of a country or subdivision of that country;
- 20 • a flag that represents a Utah college or university;
- 21 • an official public school flag; or
- 22 • a flag that represents a branch, unit, or division of the United States military;

23 ▶ allows a public school or charter school to temporarily display a flag in a classroom that  
24 is a part of approved course curriculum; and

25 ▶ allows an organization authorized to use a public school or charter school facility to  
26 temporarily display the organization's flag while the organization is using the public  
27 school or charter school facility.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **53G-7-211.5**, Utah Code Annotated 1953

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36 *Be it enacted by the Legislature of the state of Utah:*37 Section 1. Section **53G-7-211.5** is enacted to read:38 **53G-7-211.5 . Display of flags on school grounds -- Severability --**39 **Indemnification -- Enforcement.**40 (1) As used in this section:41 (a) "Display a flag" means to place a flag in a prominent location where the flag can  
42 easily be seen.43 (b) "LEA" means the same as that term is defined in Section 53E-1-102.44 (2) An LEA may not display a flag in a district school, charter school, or Utah Schools for  
45 the Deaf and Blind facility in or on school grounds except:46 (a) the official flag of the United States described in Title 4 U.S.C., Ch. 1, The Flag, and  
47 in accordance with Section 53G-7-211;48 (b) an official Utah state flag as described in Title 63G, Chapter 1, Part 5, State Flags;49 (c) a flag that cannot be disturbed or altered;50 (d) the National League of Families POW/MIA flag as described in 36 U.S.C. Sec. 902;51 (e) a flag that represents an Indian tribe as defined in federal law;52 (f) a flag that represents a city, municipality, county, or political subdivision of the state,  
53 as those terms are defined in Sections 10-1-104, 10-2-301, 17-50-101, and 17B-1-102;54 (g) a flag that represents a branch, unit, or division of the United States military;55 (h) a current and official flag of a country or subdivision of the country;56 (i) a flag that represents a Utah college or university, as those terms are defined in  
57 Section 53B-1-102;58 (j) a flag that is temporarily displayed as a part of school curriculum;59 (k) an official public school flag; or60 (l) a flag of an organization authorized to use a public school facility at the location and  
61 during the time in which the organization is authorized to use the public school  
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) Nothing in this section limits an LEA's authority related to student expression under  
75 applicable federal or state law.
- 76 (6) 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,  
78 including court costs and attorney fees, that:
- 79 (a) arise as a result of this part; and
- 80 (b) are not covered by the person's insurance policies or by any coverage agreement  
81 issued by the State Risk Management Fund.
- 82 (7) 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  
84 jurisdiction, the remainder of this section shall be given effect without the invalidated  
85 provision or application.
- 86 (8) The provisions of this section are severable.
- 87 **Section 2. Effective date.**
- 88 This bill takes effect on May 7, 2025.