

1 **PLEDGE OF ALLEGIANCE IN PUBLIC**
2 **SCHOOLS**

3 2003 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: D. Chris Buttars**

6 **This act modifies provisions of the State System of Public Education Code relating to the**
7 **recitation of the pledge of allegiance in public secondary schools.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **53A-13-101.6**, as enacted by Chapter 155, Laws of Utah 2000

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

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

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

14 (1) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
15 State Board of Education shall provide by rule for a program of instruction within the public
16 schools relating to the flag of the United States.

17 (2) The instruction shall include the history of the flag, etiquette, customs pertaining to
18 the display and use of the flag, and other patriotic exercises as provided by Sections 36 U.S.C.
19 170 to 177.

20 (3) (a) The pledge of allegiance to the flag shall be recited;

21 (i) at the beginning of the day in each elementary public school in the state[-]; and
22 ~~[(b) Local school boards are encouraged to provide for the reciting of the pledge of~~
23 ~~allegiance to the flag]~~

24 (ii) once a week at the beginning of a school day in [their] each public secondary
25 ~~[schools] school in the state.~~

26 ~~[(c)]~~ (b) Each student shall be informed by posting a notice in a conspicuous place that
27 the student has the right not to participate in reciting the pledge.



28 [~~(d)~~] (c) A student shall be excused from reciting the pledge upon written request from
29 the student's parent or legal guardian.

Legislative Review Note
as of 1-13-03 4:10 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0105

Pledge of Allegiance in Public Schools

22-Jan-03

10:51 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst