

STATE FLAG REVIEW COMMISSION

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill creates the State Flag Review Commission and provides the commission's duties regarding the proposal of a new state flag.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the State Flag Review Commission;
- ▶ provides for the term and appointment of commission members;
- ▶ designates the current state flag as the state historical flag;
- ▶ requires the commission to:
 - receive public input regarding proposals for a new state flag design; and
 - make a report and recommendation for a new state flag design to the

Government Operations Interim Committee;

▶ identifies the principles of good flag design for use in the commission's analysis of proposals and recommendation of a new state flag design;

▶ establishes a repeal date for the commission; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



28 This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63G-1-501**, as renumbered and amended by Laws of Utah 2008, Chapter 382

32 **63I-2-263**, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370,
33 and 483

34 ENACTS:

35 **63G-1-901**, Utah Code Annotated 1953

36 **63G-1-902**, Utah Code Annotated 1953

37 **63G-1-903**, Utah Code Annotated 1953

38 **63G-1-904**, Utah Code Annotated 1953

39 **63G-1-905**, Utah Code Annotated 1953

40 **63G-1-906**, Utah Code Annotated 1953



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

43 Section 1. Section **63G-1-501** is amended to read:

44 **63G-1-501. State flag.**

45 The state historic flag of Utah shall be a flag of blue field, fringed, with gold borders,
46 with the following device worked in natural colors on the center of the blue field:

47 (1) ~~[The]~~ the center a shield;

48 (2) above the shield and thereon an American eagle with outstretched wings;

49 (3) the top of the shield pierced with six arrows arranged crosswise;

50 (4) upon the shield under the arrows the word "Industry," and below the word
51 "Industry" on the center of the shield, a beehive;

52 (5) on each side of the beehive, growing sego lilies;

53 (6) below the beehive and near the bottom of the shield, the word "Utah," and below
54 the word "Utah" and on the bottom of the shield, the figures "1847";

55 (7) with the appearance of being back of the shield there shall be two American flags
56 on flagstuffs placed crosswise with the flag so draped that they will project beyond each side of
57 the shield, the heads of the flagstuffs appearing in front of the eagle's wings and the bottom of
58 each staff appearing over the face of the draped flag below the shield;

59 (8) below the shield and flags and upon the blue field, the figures "1896"; and
60 (9) around the entire design, a narrow circle in gold.

61 Section 2. Section **63G-1-901** is enacted to read:

62 **Part 9. State Flag Review Commission**

63 **63G-1-901. Definitions.**

64 As used in this part:

65 (1) "Commission" means the State Flag Review Commission created in Section
66 63G-1-902.

67 (2) "Principles of good flag design" means the principles described in Section
68 63G-1-905.

69 Section 3. Section **63G-1-902** is enacted to read:

70 **63G-1-902. State Flag Review Commission -- Creation -- Membership -- Meetings**

71 **-- Staff.**

72 (1) There is created the State Flag Review Commission.

73 (2) The commission consists of the following 11 members:

74 (a) one member of the Senate that the president of the Senate appoints;

75 (b) one member of the House of Representatives that the speaker of the House of
76 Representatives appoints;

77 (c) the following five individuals that the governor appoints:

78 (i) one individual representing the office of the governor;

79 (ii) after receiving recommendations from the Utah Association of Counties, one
80 individual serving in the legislative body of a county of the third, fourth, fifth, or sixth class;

81 (iii) after receiving recommendations from the Utah League of Cities and Towns, one
82 individual serving in the legislative body of a city of the first class;

83 (iv) one individual who is a member of a national or international vexillological
84 organization or association; and

85 (v) one individual representing Utah's ethnic minority populations;

86 (d) one individual representing the Division of State History that the division's director
87 appoints;

88 (e) one individual representing the Board of Tourism Development that the board's
89 chair appoints;

90 (f) one individual representing Utah's Native American community that the director of
91 the Division of Indian Affairs appoints after receiving recommendations from federally
92 recognized tribes in Utah; and

93 (g) one individual representing the State Board of Education that the chair of the State
94 Board of Education appoints.

95 (3) Each individual with authority to appoint an individual under Subsection (2) shall
96 make the appointment on or before June 1, 2020.

97 (4) The legislators appointed to the commission under Subsections (2)(a) and (b) shall
98 serve as co-chairs.

99 (5) A majority of the commission constitutes a quorum for the transaction of
100 commission business.

101 (6) The commission shall ensure that each meeting of the commission complies with
102 Title 52, Chapter 4, Open and Public Meetings Act.

103 (7) The Office of Legislative Research and General Counsel shall provide staff support
104 to the commission.

105 Section 4. Section **63G-1-903** is enacted to read:

106 **63G-1-903. Terms of commission members -- Vacancies -- Salaries and expenses.**

107 (1) The term of each commission member ends on November 30, 2020.

108 (2) (a) A commission member may be removed from the commission by the individual
109 who appointed the member.

110 (b) If a commission member described in Subsection [63G-1-802\(2\)\(a\)](#) or (b) leaves the
111 member's legislative office, the individual may not continue to serve as a commission member.

112 (c) Within 14 days after the day on which a vacancy occurs under Subsection (2)(a) or
113 (b) or the day on which another event occurs that causes a vacancy, the individual who
114 originally appointed a member to the subsequently vacant position shall fill the vacancy in
115 accordance with Subsection [63G-1-802\(2\)](#).

116 (3) (a) A commission member may not receive compensation or benefits for the
117 member's service on the commission but may receive per diem and reimbursement for travel
118 expenses incurred as a commission member as allowed in Sections [63A-3-106](#) and [63A-3-107](#)
119 and rules that the Division of Finance makes in accordance with Sections [63A-3-106](#) and
120 [63A-3-107](#).

121 (b) Compensation and expenses of a commission member who is a legislator are
122 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
123 Expenses.

124 Section 5. Section **63G-1-904** is enacted to read:

125 **63G-1-904. Commission duties.**

126 (1) The commission shall:

127 (a) convene the commission's initial meeting on or before June 12, 2020;

128 (b) issue a request, on or before July 1, 2020, for the public to submit proposed state
129 flag designs;

130 (c) (i) assess proposed flag designs the commission receives under Subsection (1)(b)
131 using the established principles of good flag design; and

132 (ii) on or before September 15, 2020, select a group of up to 40 candidate flag designs
133 that, based on the assessment described in Subsection (1)(c)(i), are the proposed flag designs
134 that best:

135 (A) represent the state; and

136 (B) adhere to the established principles of good flag design;

137 (d) hold public hearings and use other methods to gather public input regarding the
138 candidate flag designs described in Subsection (1)(c)(ii); and

139 (e) no later than the November interim meeting in 2020, make a report and
140 recommendation to the Government Operations Interim Committee regarding:

141 (i) the candidate flag designs described in Subsection (1)(c)(ii), including the
142 commission's assessment;

143 (ii) public input the commission received under Subsection (1)(d); and

144 (iii) a recommendation for a new state flag design.

145 (2) The commission may allow for amendments to submissions during the process
146 described in Subsection (1) to allow designers to improve proposed flag designs based on the
147 commission's assessment described in Subsection (1)(c)(i).

148 (3) In considering proposed flag designs, the commission may consider the proposed
149 flag design described in Section 63G-1-806.

150 Section 6. Section **63G-1-905** is enacted to read:

151 **63G-1-905. Established principles of good flag design.**

152 In assessing flag designs, the commission may consider the extent to which a flag
153 design adheres to the following established principles of good flag design:

154 (1) whether the flag is sufficiently simple that a child could draw the flag from
155 memory;

156 (2) whether the flag uses meaningful symbolism, including the use of:

157 (a) a main graphic element, giving preference to a single primary symbol; or

158 (b) meaningful colors, shapes, or layout of the parts of the flag;

159 (3) whether the flag uses two to three basic colors that:

160 (a) contrast well; and

161 (b) are varying shades of standard colors like red, blue, green, black, yellow, or white;

162 (4) whether the flag avoids writing or the use of a seal, including lettering or a seal that
163 is difficult to:

164 (a) see or read from a distance; or

165 (b) reduce to a smaller scale for use on a pin or graphic; and

166 (5) whether the flag is sufficiently distinctive to avoid duplicating other flags while
167 allowing for the use of similarities to represent connections.

168 Section 7. Section **63G-1-906** is enacted to read:

169 **63G-1-906. Proposed flag design for commission consideration.**

170 (1) As used in this section:

171 (a) "CMYK" means the color model of four-color printing using cyan, magenta,
172 yellow, and black ink.

173 (b) "Legacy gold" means a color with:

174 (i) an RGB value of 251, 178, 23;

175 (ii) a CMYK value of 1, 33, 100, 0; and

176 (iii) a web color value of #fbb217.

177 (c) "Liberty blue" means a color with:

178 (i) an RGB value of 11, 36, 68;

179 (ii) a CMYK value of 100, 86, 44, 47; and

180 (iii) a web color value of #0b2444.

181 (d) "Mountain white" means a color with:

182 (i) an RGB value of 255, 255, 255;

- 183 (ii) a CMYK value of 0, 0, 0, 0; and
184 (iii) a web color value of #ffffff.
185 (e) "RGB" means the color model of three-color video and computer displays using
186 red, green, and blue light.
187 (f) "Utah red" means a color with:
188 (i) an RGB value of 175, 31, 36;
189 (ii) a CMYK value of 22, 100, 99, 13; and
190 (iii) a web color value of #af1f24.
191 (g) "Web color" means the color model of web page displays using a hexadecimal
192 color code.
193 (2) The commission may consider as a proposed design a rectangle that has a width to
194 length ratio of three to five and contains the following:
195 (a) one diagonal cross pattern that creates four triangles meeting at the center of the
196 flag:
197 (i) with the two triangles in the horizontal plane being:
198 (A) equal in width and length, spreading the full width and length of the flag; and
199 (B) colored liberty blue;
200 (ii) with the upper and lower triangle shaped quadrants each having a length equal to
201 the full length of the flag and:
202 (A) the upper triangle shaped quadrant being colored mountain white; and
203 (B) the lower triangle shaped quadrant being colored Utah red; and
204 (iii) that represents:
205 (A) Utah's moniker as "the Crossroads of the West"; and
206 (B) the history of Promontory Point;
207 (b) one circle that:
208 (i) is shaded legacy gold and filled with a background that is shaded mountain white;
209 (ii) contains a slightly thinner gold circle that is:
210 (A) shaded legacy gold; and
211 (B) filled with a background that is shaded mountain white; and
212 (iii) is placed over the meeting point of the four triangle shaped quadrants described in
213 Subsection (2)(a) in the center of the flag; and

- 214 (c) one beehive that is shaded legacy gold that:
- 215 (i) contains six hive sections with a small semicircle removed from the center of the
- 216 base of the lowest section;
- 217 (ii) is placed within the circles described in Subsection (2)(b); and
- 218 (iii) represents:
- 219 (A) Utah's identity as "the Beehive State"; and
- 220 (B) industry.

221 Section 8. Section **63I-2-263** is amended to read:

222 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

223 (1) On July 1, 2020:

224 (a) Subsection **63A-1-203(5)(a)(i)** is repealed; and

225 (b) in Subsection **63A-1-203(5)(a)(ii)**, the language that states "appointed on or after
226 May 8, 2018," is repealed.

227 (2) Sections **63C-4a-307** and **63C-4a-309** are repealed January 1, 2020.

228 (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
229 repealed July 1, 2020.

230 (4) The following sections regarding the World War II Memorial Commission are
231 repealed on July 1, 2020:

232 (a) Section **63G-1-801**;

233 (b) Section **63G-1-802**;

234 (c) Section **63G-1-803**; and

235 (d) Section **63G-1-804**.

236 (5) The following sections regarding the State Flag Review Commission are repealed
237 on July 1, 2021:

238 (a) Section **63G-1-901**;

239 (b) Section **63G-1-902**;

240 (c) Section **63G-1-903**;

241 (d) Section **63G-1-904**;

242 (e) Section **63G-1-905**; and

243 (f) Section **63G-1-906**.

244 [~~5~~] (6) In relation to the State Fair Park Committee, on January 1, 2021:

- 245 (a) Section 63H-6-104.5 is repealed; and
- 246 (b) Subsections 63H-6-104(8) and (9) are repealed.
- 247 [~~6~~] (7) Section 63H-7a-303 is repealed on July 1, 2022.
- 248 [~~7~~] (8) In relation to the Employability to Careers Program Board, on July 1, 2022:
- 249 (a) Subsection 63J-1-602.1(52) is repealed;
- 250 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

251 and

- 252 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

253 [~~8~~] (9) Section 63J-4-708 is repealed January 1, 2023.

254 Section 9. **Effective date.**

255 If approved by two-thirds of all the members elected to each house, this bill takes effect
256 upon approval by the governor, or the day following the constitutional time limit of Utah
257 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
258 the date of veto override.