

Representative Stephen G. Handy proposes the following substitute bill:

STATE BANNER TASK FORCE

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill creates the State Banner Task Force and provides the task force's duties regarding the proposal of a state banner.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the State Banner Task Force;
- ▶ provides for the term and appointment of task force members;
- ▶ requires the task force to:
 - receive public input regarding proposals for a state banner design; and
 - make a report and recommendation for a state banner design to the Government Operations Interim Committee;
- ▶ identifies the principles of good banner design for use in the task force's analysis of proposals and recommendation of a state banner design;
- ▶ establishes a repeal date for the task force; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 This bill provides a special effective date.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63I-2-263**, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370,
31 and 483

32 ENACTS:

33 **63G-1-901**, Utah Code Annotated 1953

34 **63G-1-902**, Utah Code Annotated 1953

35 **63G-1-903**, Utah Code Annotated 1953

36 **63G-1-904**, Utah Code Annotated 1953

37 **63G-1-905**, Utah Code Annotated 1953



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

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

41 **Part 9. State Banner Task Force**

42 **63G-1-901. Definitions.**

43 As used in this part:

44 (1) "Principles of good banner design" means the principles described in Section
45 [63G-1-905](#).

46 (2) "Task force" means the State Banner Task Force created in Section [63G-1-902](#).

47 Section 2. Section **63G-1-902** is enacted to read:

48 **63G-1-902. State Banner Task Force -- Creation -- Membership -- Meetings --**

49 **Staff.**

50 (1) There is created the State Banner Task Force.

51 (2) The task force consists of the following 11 members:

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

53 (b) one member of the House of Representatives that the speaker of the House of

54 Representatives appoints;

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

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

- 57 (ii) after receiving recommendations from the Utah Association of Counties, one
58 individual serving in the legislative body of a county of the third, fourth, fifth, or sixth class;
59 (iii) after receiving recommendations from the Utah League of Cities and Towns, one
60 individual serving in the legislative body of a city of the first class;
61 (iv) one individual who is a member of a national or international vexillological
62 organization or association; and
63 (v) one individual representing Utah's ethnic minority populations;
64 (d) one individual representing the Division of State History that the division's director
65 appoints;
66 (e) one individual representing the Board of Tourism Development that the board's
67 chair appoints;
68 (f) one individual representing Utah's Native American community that the director of
69 the Division of Indian Affairs appoints after receiving recommendations from federally
70 recognized tribes in Utah; and
71 (g) one individual representing the State Board of Education that the chair of the State
72 Board of Education appoints.
73 (3) Each individual with authority to appoint an individual under Subsection (2) shall
74 make the appointment on or before June 1, 2020.
75 (4) The legislators appointed to the task force under Subsections (2)(a) and (b) shall
76 serve as co-chairs.
77 (5) A majority of the task force constitutes a quorum for the transaction of task force
78 business.
79 (6) The task force shall ensure that each meeting of the task force complies with Title
80 52, Chapter 4, Open and Public Meetings Act.
81 (7) The Department of Heritage and Arts created in Section 9-1-201 shall assist the
82 task force in conducting the task force's meetings.
83 Section 3. Section **63G-1-903** is enacted to read:
84 **63G-1-903. Terms of task force members -- Vacancies -- Salaries and expenses.**
85 (1) The term of each task force member ends on November 30, 2020.
86 (2) (a) A task force member may be removed from the task force by the individual who
87 appointed the member.

88 (b) If a task force member described in Subsection 63G-1-802(2)(a) or (b) leaves the
89 member's legislative office, the individual may not continue to serve as a task force member.

90 (c) Within 14 days after the day on which a vacancy occurs under Subsection (2)(a) or
91 (b) or the day on which another event occurs that causes a vacancy, the individual who
92 originally appointed a member to the subsequently vacant position shall fill the vacancy in
93 accordance with Subsection 63G-1-802(2).

94 (3) (a) A task force member may not receive compensation or benefits for the
95 member's service on the task force but may receive per diem and reimbursement for travel
96 expenses incurred as a task force member as allowed in Sections 63A-3-106 and 63A-3-107
97 and rules that the Division of Finance makes in accordance with Sections 63A-3-106 and
98 63A-3-107.

99 (b) Compensation and expenses of a task force member who is a legislator are
100 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
101 Expenses.

102 Section 4. Section **63G-1-904** is enacted to read:

103 **63G-1-904. Task force duties.**

104 (1) The task force shall:

105 (a) convene the task force's initial meeting on or before June 12, 2020;

106 (b) issue a request, on or before July 1, 2020, for the public to submit proposed state
107 banner designs;

108 (c) (i) assess proposed banner designs the task force receives under Subsection (1)(b)
109 using the established principles of good banner design; and

110 (ii) on or before September 15, 2020, select a group of candidate banner designs that,
111 based on the assessment described in Subsection (1)(c)(i), are the proposed banner designs that
112 best:

113 (A) represent the state; and

114 (B) adhere to the established principles of good banner design;

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

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

119 (i) the candidate banner designs described in Subsection (1)(c)(ii), including the task
120 force's assessment;

121 (ii) public input the task force received under Subsection (1)(d); and

122 (iii) a recommendation for a state banner design.

123 (2) The task force may allow for amendments to submissions during the process
124 described in Subsection (1) to allow designers to improve proposed banner designs based on
125 the task force's assessment described in Subsection (1)(c)(i).

126 Section 5. Section **63G-1-905** is enacted to read:

127 **63G-1-905. Established principles of good banner design.**

128 In assessing banner designs, the task force may consider the extent to which a banner
129 design adheres to the following established principles of good banner design:

130 (1) whether the banner is sufficiently simple that a child could draw the banner from
131 memory;

132 (2) whether the banner uses meaningful symbolism, including the use of:

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

134 (b) meaningful colors, shapes, or layout of the parts of the banner;

135 (3) whether the banner uses two to three basic colors that:

136 (a) contrast well; and

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

138 (4) whether the banner avoids writing or the use of a seal, including lettering or a seal

139 that is difficult to:

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

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

142 (5) whether the banner is sufficiently distinctive to avoid duplicating other banners

143 while allowing for the use of similarities to represent connections.

144 Section 6. Section **63I-2-263** is amended to read:

145 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

146 (1) On July 1, 2020:

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

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

- 150 (2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.
- 151 (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
152 repealed July 1, 2020.
- 153 (4) The following sections regarding the World War II Memorial Commission are
154 repealed on July 1, 2020:
- 155 (a) Section 63G-1-801;
 - 156 (b) Section 63G-1-802;
 - 157 (c) Section 63G-1-803; and
 - 158 (d) Section 63G-1-804.
- 159 (5) The following sections regarding the State Banner Task Force are repealed on July
160 1, 2021:
- 161 (a) Section 63G-1-901;
 - 162 (b) Section 63G-1-902;
 - 163 (c) Section 63G-1-903;
 - 164 (d) Section 63G-1-904; and
 - 165 (e) Section 63G-1-905.
- 166 [~~5~~] (6) In relation to the State Fair Park Committee, on January 1, 2021:
- 167 (a) Section 63H-6-104.5 is repealed; and
 - 168 (b) Subsections 63H-6-104(8) and (9) are repealed.
- 169 [~~6~~] (7) Section 63H-7a-303 is repealed on July 1, 2022.
- 170 [~~7~~] (8) In relation to the Employability to Careers Program Board, on July 1, 2022:
- 171 (a) Subsection 63J-1-602.1(52) is repealed;
 - 172 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;
 - 173 and
 - 174 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.
- 175 [~~8~~] (9) Section 63J-4-708 is repealed January 1, 2023.
- 176 Section 7. **Effective date.**
- 177 If approved by two-thirds of all the members elected to each house, this bill takes effect
178 upon approval by the governor, or the day following the constitutional time limit of Utah
179 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
180 the date of veto override.