

Senator Daniel McCay proposes the following substitute bill:

STATE FLAG AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill creates the State Flag Task Force and establishes a commemorative state flag.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the State Flag Task Force;
- ▶ provides for the appointment of task force members;
- ▶ describes the duties of the task force, which include:
 - creating a process that includes public input for the submission and assessment of designs for a new state flag; and
 - providing a written report and recommendations for the design of a new state flag to the Economic Development and Workforce Services Interim Committee;
- ▶ establishes a commemorative state flag to commemorate the 125th anniversary of Utah's statehood in 2021;
- ▶ describes the design and meaning of the commemorative state flag;
- ▶ allows a governmental entity to display the commemorative state flag on public grounds during 2021;
- ▶ establishes repeal dates for the task force and for the commemorative state flag; and



26 ▶ makes technical changes.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **36-29-101**, as enacted by Laws of Utah 2015, Chapter 219

34 **63I-2-236**, as last amended by Laws of Utah 2019, Chapter 389

35 **63I-2-263**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 12

36 ENACTS:

37 **36-29-201**, Utah Code Annotated 1953

38 **36-29-202**, Utah Code Annotated 1953

39 **36-29-203**, Utah Code Annotated 1953

40 **36-29-204**, Utah Code Annotated 1953

41 **63G-1-502**, Utah Code Annotated 1953



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

44 Section 1. Section **36-29-101** is amended to read:

45 **CHAPTER 29. TASK FORCES CREATED BY THE LEGISLATURE**

46 **Part 1. Legislative Task Forces**

47 **36-29-101. Title.**

48 This chapter is known as [~~"Legislative Task Forces."~~] "Task Forces Created by the
49 Legislature."

50 Section 2. Section **36-29-201** is enacted to read:

51 **Part 2. State Flag Task Force**

52 **36-29-201. Definitions.**

53 As used in this part:

54 (1) "Principles of good flag design" means the principles described in Section
55 36-29-204.

56 (2) "Task force" means the State Flag Task Force created in Section 36-29-202.

57 Section 3. Section 36-29-202 is enacted to read:

58 **36-29-202. State Flag Task Force -- Creation -- Membership -- Meetings --**

59 **Vacancies -- Per diem and expenses -- Staff.**

60 (1) There is created the State Flag Task Force.

61 (2) The task force consists of the following nine members:

62 (a) one member of the Senate, appointed by the president of the Senate;

63 (b) one member of the House of Representatives, appointed by the speaker of the

64 House of Representatives;

65 (c) the following four individuals, appointed by the governor:

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

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

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

71 (iv) one individual who is a member of a national or international vexillological
72 organization or association;

73 (d) one individual representing the Division of State History, appointed by the director
74 of the division;

75 (e) one individual representing the Board of Tourism Development, appointed by the
76 chair of the board; and

77 (f) one individual representing the State Board of Education, appointed by the chair of
78 the State Board of Education.

79 (3) Each individual with authority to appoint an individual under Subsection (2) shall
80 make the appointment on or before June 1, 2021.

81 (4) The legislators appointed to the task force under Subsections (2)(a) and (b) shall
82 serve as cochairs of the task force.

83 (5) A majority of the task force constitutes a quorum for the transaction of task force
84 business.

85 (6) The task force shall ensure that each meeting of the task force complies with Title
86 52, Chapter 4, Open and Public Meetings Act.

87 (7) The term of each member of the task force ends on November 30, 2022.

88 (8) (a) A member of the task force may be removed from the task force by the
89 individual who appointed the member.

90 (b) Within 14 days after the day on which a vacancy occurs on the task force for any
91 reason, the individual who originally appointed the member shall fill the vacancy in accordance
92 with Subsection (2).

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

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

101 (10) The Department of Heritage and Arts shall provide staff support for the task force
102 and assist the task force in conducting task force meetings.

103 Section 4. Section **36-29-203** is enacted to read:

104 **36-29-203. Task force duties.**

105 The task force shall:

106 (1) convene the task force's initial meeting on or before June 11, 2021;

107 (2) create a process for the submission and task force assessment of proposed designs
108 for a new state flag of Utah;

109 (3) on or before September 15, 2021, select a group of up to 10 proposed flag designs
110 that:

111 (a) represent the state; and

112 (b) adhere to the principles of good flag design;

113 (4) create a process that includes the gathering of public input to review the proposed
114 flag designs described in Subsections (2) and (3) and to select a proposed new state flag of
115 Utah; and

116 (5) on or before November 1, 2021, provide a written report and recommendations to
117 the Economic Development and Workforce Services Interim Committee and the Legislature
118 regarding:

- 119 (a) the proposed flag designs described in Subsection (3);
- 120 (b) the process and results of the review of the proposed flag designs described in
- 121 Subsection (4);
- 122 (c) the task force's recommendation for the design of a new state flag of Utah; and
- 123 (d) proposed legislation designating a new state flag of Utah, which may include a
- 124 recommendation to designate the current state flag of Utah described in Section [63G-1-501](#) as
- 125 the official state ceremonial flag of Utah or other designation to recognize that flag's historical
- 126 significance.

127 Section 5. Section **36-29-204** is enacted to read:

128 **36-29-204. Principles of good flag design.**

129 In assessing proposed designs for a new state flag of Utah, the task force may consider

130 the extent to which a flag design adheres to the following principles of good flag design:

- 131 (1) whether the flag design is sufficiently simple that a child could draw the flag design
- 132 from memory;
- 133 (2) whether the flag design uses meaningful symbolism, including the use of:
 - 134 (a) a main graphic element, giving preference to a single primary symbol; or
 - 135 (b) meaningful colors, shapes, or layout of the parts of the flag design;
- 136 (3) whether the flag design uses two to three basic colors that:
 - 137 (a) contrast well; and
 - 138 (b) are varying shades of standard colors like red, blue, green, black, yellow, or white;
- 139 (4) whether the flag design avoids writing or the use of a seal, including lettering or a
- 140 seal that is difficult to:
 - 141 (a) see or read from a distance; or
 - 142 (b) reduce to a smaller scale for use on a pin or graphic; and
- 143 (5) whether the flag design is sufficiently distinctive to avoid duplicating other flags
- 144 while allowing for the use of similarities to represent connections.

145 Section 6. Section **63G-1-502** is enacted to read:

146 **63G-1-502. Commemorative state flag -- Display.**

147 (1) As used in this section:

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

- 150 (b) "Commemorative state flag" means the flag described in Subsection (3).
- 151 (c) "Governmental entity" means the same as that term is defined in Section
- 152 [63G-2-103](#).
- 153 (d) "Legacy gold" means a color with:
- 154 (i) an RGB value of 251, 178, 23;
- 155 (ii) a CMYK value of 1, 33, 100, 0;
- 156 (iii) a web color value of #fbb217; and
- 157 (iv) a Pantone value of 2010 C.
- 158 (e) "Liberty blue" means a color with:
- 159 (i) an RGB value of 11, 36, 68;
- 160 (ii) a CMYK value of 100, 86, 44, 47;
- 161 (iii) a web color value of #0b2444; and
- 162 (iv) a Pantone value of 282 C.
- 163 (f) "Mountain white" means a color with:
- 164 (i) an RGB value of 255, 255, 255;
- 165 (ii) a CMYK value of 0, 0, 0, 0;
- 166 (iii) a web color value of #ffffff; and
- 167 (iv) a Pantone value of Safe.
- 168 (g) "Pantone" means the color model of printing using ink mixes to create a color
- 169 match.
- 170 (h) "Public grounds" means the same as that term is defined in Section [11-61-102](#).
- 171 (i) "RGB" means the color model of three-color video and computer displays using red,
- 172 green, and blue light.
- 173 (j) "State flag of Utah" means the flag described in Section [63G-1-501](#).
- 174 (k) "Utah red" means a color with:
- 175 (i) an RGB value of 175, 31, 36;
- 176 (ii) a CMYK value of 22, 100, 99, 13;
- 177 (iii) a web color value of #af1f24; and
- 178 (iv) a Pantone value of 2350 C.
- 179 (l) "Web color" means the color model of web page displays using a hexadecimal color
- 180 code.

181 (2) The state may commemorate the 125th anniversary of Utah's statehood in 2021
182 with the display of a commemorative state flag.

183 (3) The commemorative state flag shall be a rectangle that has a width to length ratio of
184 three to five and contain the following:

185 (a) one diagonal cross pattern that creates four triangles meeting at the center of the
186 flag:

187 (i) with the two triangles in the horizontal plane that are:

188 (A) equal in width and length, spreading the full width and length of the flag; and
189 (B) colored mountain white;

190 (ii) with the upper and lower triangle shaped quadrants:

191 (A) each having a length equal to the full length of the flag; and
192 (B) the upper triangle shaped quadrant being colored liberty blue and the lower triangle
193 shaped quadrant being colored Utah red;

194 (iii) with the cross pattern to represent:

195 (A) Utah's moniker as "the Crossroads of the West"; and
196 (B) the history of Promontory Point;

197 (iv) with the two triangles in the horizontal plane colored mountain white to represent
198 the Rocky Mountains of Utah;

199 (v) with the upper triangle shaped quadrant colored liberty blue to represent:

200 (A) the Great Salt Lake; and
201 (B) the tradition of Utah; and

202 (vi) with the lower triangle shaped quadrant colored Utah red to represent the red rocks
203 and national parks of Southern Utah;

204 (b) one circle that:

205 (i) is shaded legacy gold and filled with a background that is shaded liberty blue;
206 (ii) contains a slightly thinner gold circle that is:

207 (A) shaded legacy gold; and
208 (B) filled with a background that is shaded liberty blue;

209 (iii) is placed over the meeting point of the four triangle shaped quadrants described in
210 Subsection (3)(a) in the center of the flag; and

211 (iv) represents, in combination with the four triangle shaped quadrants, the following

212 Native American Tribes of Utah:

213 (A) the Ute;

214 (B) the Paiute;

215 (C) the Navajo;

216 (D) the Shoshone; and

217 (E) the Goshute;

218 (c) one beehive that is shaded legacy gold that:

219 (i) contains six hive sections with a small semicircle removed from the center of the

220 base of the lowest section;

221 (ii) is placed within the circles described in Subsection (3)(b); and

222 (iii) represents:

223 (A) Utah's identity as "the Beehive State"; and

224 (B) industry; and

225 (d) one regular, five-pointed star that:

226 (i) is shaded mountain white;

227 (ii) is located below the center of the beehive described in Subsection (3)(c);

228 (iii) is spaced so that the upper point of the star is located near the removed semicircle

229 described in Subsection (3)(c)(ii) but not on an even plane with the bottom of the beehive;

230 (iv) is oriented so that one point faces upward; and

231 (v) represents:

232 (A) Utah's statehood in the United States of America, dating to Utah's joining the union

233 in 1896; and

234 (B) Utah's star on the flag of the United States of America.

235 (4) (a) In any place where the state flag of Utah is displayed out of doors on public

236 grounds, the governmental entity responsible for the display of the state flag of Utah may

237 display the commemorative state flag in the manner described in Subsection (4)(b) during the

238 2021 calendar year.

239 (b) When displaying the commemorative state flag under Subsection (4)(a), the

240 governmental entity displaying the flag shall place the commemorative state flag directly under

241 the state flag of Utah.

242 Section 7. Section **63I-2-236** is amended to read:

243 **63I-2-236. Repeal dates -- Title 36.**

244 [~~Section 36-29-105 is repealed on December 31, 2020.~~]

245 The following sections regarding the State Flag Task Force are repealed on January 1,

246 2023:

247 (1) Section 36-29-201;

248 (2) Section 36-29-202;

249 (3) Section 36-29-203; and

250 (4) Section 36-29-204.

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

252 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

253 [~~(1) On July 1, 2020:~~]

254 [~~(a) Subsection 63A-1-203(5)(a)(i) is repealed; and~~]

255 [~~(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after~~
256 ~~May 8, 2018," is repealed.]~~

257 [~~(2)~~] (1) Section **63A-3-111** is repealed June 30, 2021.

258 [~~(3)~~] (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
259 repealed July 1, 2021.

260 [~~(4)~~] (3) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology
261 Commission is repealed July 1, 2023.

262 (4) Section 63G-1-502 is repealed July 1, 2022.

263 (5) The following sections regarding the World War II Memorial Commission are
264 repealed on July 1, 2022:

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

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

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

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

269 (6) Subsections **63G-6a-802(1)(d)** and **63G-6a-802(3)(b)(iii)**, regarding a procurement
270 relating to a vice presidential debate, are repealed January 1, 2021.

271 (7) In relation to the State Fair Park Committee, on January 1, 2021:

272 (a) Section **63H-6-104.5** is repealed; and

273 (b) Subsections **63H-6-104(8)** and **(9)** are repealed.

- 274 (8) Section 63H-7a-303 is repealed July 1, 2024.
- 275 (9) Subsection 63J-1-206(3)(c), relating to coronavirus, is repealed July 1, 2021.
- 276 (10) In relation to the Employability to Careers Program Board, on July 1, 2022:
- 277 (a) Subsection 63J-1-602.1(57) is repealed;
- 278 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;
- 279 and
- 280 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.
- 281 (11) Title 63M, Chapter 4, Part 8, Voluntary Home Energy Information Pilot Program
- 282 Act, is repealed January 1, 2022.
- 283 (12) Sections 63M-7-213 and 63M-7-213.5 are repealed on January 1, 2023.
- 284 (13) Subsection 63N-12-508(3) is repealed December 31, 2021.
- 285 (14) Title 63N, Chapter 13, Part 3, Facilitating Public-Private Partnerships Act, is
- 286 repealed January 1, 2024.
- 287 (15) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is repealed
- 288 December 31, 2021.