

Representative Kay J. Christofferson proposes the following substitute bill:

STATE FLAG AMENDMENTS

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill modifies provisions related to the state flag.

Highlighted Provisions:

This bill:

- ▶ extends the term of each member of the State Flag Task Force;
- ▶ extends the date on which the State Flag Task Force is required to select proposed state flag designs and report to the Legislature regarding the State Flag Task Force's recommendations for a new state flag;
- ▶ extends the sunset date of the State Flag Task Force; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

36-29-202, as enacted by Laws of Utah 2021, Chapter 205

36-29-203, as enacted by Laws of Utah 2021, Chapter 205



26 **63I-2-236**, as last amended by Laws of Utah 2021, Chapters 205 and 250

27

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

29 Section 1. Section **36-29-202** is amended to read:

30 **36-29-202. State Flag Task Force -- Creation -- Membership -- Meetings --**
31 **Vacancies -- Per diem and expenses -- Staff.**

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

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

34 (a) the governor, or the governor's designee;

35 (b) the lieutenant governor, or the lieutenant governor's designee;

36 (c) three members of the Senate, appointed by the president of the Senate;

37 (d) three members of the House of Representatives, appointed by the speaker of the

38 House of Representatives; and

39 (e) the executive director of the Department of Cultural and Community Engagement.

40 (3) Each individual with authority to appoint a member of the task force under

41 Subsection (2) shall make the appointment on or before June 1, 2021.

42 (4) The governor shall appoint a chair of the task force.

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

45 (6) The task force shall ensure that each meeting of the task force complies with Title
46 52, Chapter 4, Open and Public Meetings Act.

47 (7) The term of each member of the task force ends on November 30, ~~2022~~ 2023.

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

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

53 (9) (a) Subject to Subsection (9)(b), a task force member may not receive
54 compensation or benefits for the member's service on the task force but may receive per diem
55 and reimbursement for travel expenses incurred as a task force member in accordance with:

56 (i) Sections **63A-3-106** and **63A-3-107**; and

57 (ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
58 63A-3-107.

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

62 (10) The Department of Cultural and Community Engagement shall provide staff
63 support for the task force and assist the task force in conducting task force meetings.

64 Section 2. Section 36-29-203 is amended to read:

65 **36-29-203. Task force duties.**

66 (1) The task force shall:

67 ~~[(1)]~~ (a) convene the task force's initial meeting on or before June 11, 2021;

68 ~~[(2)]~~ (b) establish and adopt guiding principles for the task force regarding flag design
69 and the goals of recommending a revised or new state flag for the state;

70 ~~[(3)]~~ (c) create a process for the submission and task force assessment of proposed
71 designs for a revised or new state flag of Utah, including a process that includes the design
72 community;

73 ~~[(4)]~~ (d) on or before September 15, ~~[2021]~~ 2022, select a group of up to 10 proposed
74 flag designs that:

75 ~~[(a)]~~ (i) represent the state; and

76 ~~[(b)]~~ (ii) adhere to the guiding principles described in Subsection ~~[(2)]~~ (1)(b);

77 ~~[(5)]~~ (e) create a process that includes the gathering of public input to review the
78 proposed flag designs described in ~~[Subsections (2) and (3)]~~ Subsection (1)(d), including the
79 public input of children and young people in the state, and to select a proposed revised or new
80 state flag of Utah; and

81 ~~[(6)]~~ (f) on or before November 1, ~~[2021]~~ 2022, provide a written report and
82 recommendations to the Economic Development and Workforce Services Interim Committee
83 and the Legislature regarding:

84 ~~[(a)]~~ (i) the proposed flag designs described in Subsection ~~[(3)]~~ (1)(d);

85 ~~[(b)]~~ (ii) the process and results of the review of the proposed flag designs described in
86 Subsection ~~[(5)]~~ (1)(e);

87 ~~[(c)]~~ (iii) the task force's recommendation for the design of a revised or new state flag

88 of Utah; and

89 ~~[(iv)]~~ (iv) proposed legislation retaining the current flag, revising the current flag, or
90 designating a new state flag of Utah, which may include a recommendation to designate the
91 current state flag of Utah described in Section 63G-1-501 as the governor's flag.

92 ~~[(7)]~~ (2) The task force may:

93 (a) create working groups to carry out the task force's duties under this section,
94 including working with one or more graphic designers or other professionals to review and
95 improve designs for consideration by the task force; and

96 (b) accept contributions from private or public sources for the purpose of awarding a
97 prize to one or more creators of flag designs selected and recommended by the task force.

98 Section 3. Section 63I-2-236 is amended to read:

99 **63I-2-236. Repeal dates -- Title 36.**

100 (1) Section 36-29-107.5 is repealed on November 30, 2023.

101 (2) The following sections regarding the State Flag Task Force are repealed on January
102 1, ~~[2023]~~ 2024:

103 (a) Section 36-29-201;

104 (b) Section 36-29-202; and

105 (c) Section 36-29-203.

106 Section 4. **Effective date.**

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