LEGISLATIVE GENERAL COUNSEL
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S.B. 31
3rd Sub. (Ivory)

Senator Daniel McCay proposes the following substitute bill:

STATE FLAG AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Mike Schultz

LONG TITLE

General Description:

This bill addresses the state flag of Utah.

Highlighted Provisions:

This bill:

- establishes a new state flag of Utah;
- describes the design and meaning of the new state flag;
- designates the current state flag as the historical state flag;
- provides for the display of both flags;
- depicts the flags in images; and
- provides for a license plate reflecting the state flag of Utah.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

41-1a-402, as last amended by Laws of Utah 2018, Chapters 20, 262

26 ENACTS:
27 **63G-1-503**, Utah Code Annotated 1953
28 REPEALS AND REENACTS:
29 **63G-1-501**, as last amended by Laws of Utah 2021, Chapter 205
30 **Utah Code Sections Affected by Coordination Clause:**
31 **41-1a-402**, as last amended by Laws of Utah 2018, Chapters 20 and 262
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33 *Be it enacted by the Legislature of the state of Utah:*
34 Section 1. Section **41-1a-402** is amended to read:
35 **41-1a-402. Required colors, numerals, and letters -- Expiration.**
36 (1) Each license plate shall have displayed on it:
37 (a) the registration number assigned to the vehicle for which it is issued;
38 (b) the name of the state; and
39 (c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing
40 the date of expiration displayed in accordance with Subsection (6).
41 (2) If registration is extended by affixing a registration decal to the license plate, the
42 expiration date of the decal governs the expiration date of the license plate.
43 (3) Except as provided in Subsection (4), each original license plate that is not one of
44 the special group license plates issued under Section 41-1a-418 shall be:
45 (a) a statehood centennial license plate with the same color, design, and slogan as the
46 plates issued in conjunction with the statehood centennial;
47 (b) a Ski Utah license plate; [~~or~~]
48 (c) an In God We Trust license plate[~~.~~]; or
49 (d) a license plate that reflects the state flag of Utah described in Section 63G-1-501.
50 (4) Beginning on the date that the division determines the existing inventories of
51 statehood centennial license plates and Ski Utah license plates are exhausted, each license plate
52 that is not one of the special group license plates issued under Section 41-1a-418 shall:
53 (a) (i) display the "Life Elevated" slogan; and
54 (ii) have a color and design approved by the 57th Legislature in the 2007 General
55 Session that features:
56 (A) a skier with the "Greatest Snow on Earth" slogan; or

57 (B) Delicate Arch;
58 (b) be an In God We Trust license plate;
59 (c) be a license plate that reflects the state flag of Utah described in Section
60 63G-1-501; or
61 [~~(c)~~] (d) beginning on the date that the division determines the existing inventories of
62 decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive
63 license plate displaying the word "apportioned" or the abbreviation "APP."
64 (5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216,
65 license plates shall be renewed annually.
66 (b) (i) The division shall issue the vehicle owner a month decal and a year decal upon
67 the vehicle's first registration with the division.
68 (ii) The division shall issue the vehicle owner only a year decal upon subsequent
69 renewals of registration to validate registration renewal.
70 (6) The decals issued in accordance with Subsection (5) shall be applied as follows:
71 (a) for license plates issued beginning in 1974 through 1985, decals displayed on
72 license plates with black lettering on a white background shall be applied to the lower left-hand
73 corner of the rear of the license plate vehicles;
74 (b) decals displayed on statehood centennial license plates and on Ski Utah license
75 plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of
76 the rear license plate;
77 (c) decals displayed on special group license plates issued in accordance with Section
78 41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a
79 plate indentation on the upper left-hand corner of the license plate;
80 (d) decals displayed on license plates with the "Life Elevated" slogan issued in
81 accordance with Subsection (4) shall be applied in the upper left-hand corner for the month
82 decal and the upper right-hand corner for the year decal;
83 (e) decals displayed on license plates with the "In God We Trust" slogan issued in
84 accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear
85 license plate unless there is a plate indentation on the upper left-hand corner of the license
86 plate;
87 (f) decals displayed on license plates reflecting the state flag of Utah issued in

88 accordance with Subsection (4) shall be applied in the upper left-hand corner for the month
89 decal and the upper right-hand corner for the year decal;
90 [~~(f)~~] (g) decals issued for motorcycles shall be applied to the upper corner of the license
91 plate opposite the word "Utah"; and
92 [~~(g)~~] (h) decals displayed on license plates issued under Section 41-1a-416 shall be
93 applied as appropriate for the year of the plate.
94 (7) (a) The month decal issued in accordance with Subsection (5) shall be displayed on
95 the license plate in the left position.
96 (b) The year decal issued in accordance with Subsection (5) shall be displayed on the
97 license plate in the right position.
98 (8) The current year decal issued in accordance with Subsection (5) shall be placed
99 over or in place of the previous year decal.
100 (9) If a license plate, month decal, or year decal is lost or destroyed, a replacement shall
101 be issued upon application and payment of the fees required under Section 41-1a-1211 or
102 41-1a-1212.
103 (10) (a) A violation of this section is an infraction.
104 (b) A court shall waive a fine for a violation under this section if:
105 (i) the registration for the vehicle was current at the time of the citation; and
106 (ii) the person to whom the citation was issued provides, within 21 business days,
107 evidence that the license plate and decals are properly displayed in compliance with this
108 section.
109 Section 2. Section **63G-1-501** is repealed and reenacted to read:
110 **Part 5. State Flags**
111 **63G-1-501. State flag -- Description -- Image -- Display.**
112 (1) The state flag of Utah shall be a rectangle that has a width to length ratio of three to
113 five and contain the following:
114 (a) two irregular, horizontal lines dividing the flag into three separate segments, of
115 which:
116 (i) the top segment:
117 (A) is located above the higher horizontal line; and
118 (B) is shaded in blue;

119 (ii) the middle segment:
120 (A) is located between the two horizontal lines;
121 (B) is shaded in white;
122 (C) at the higher horizontal line, takes the shape of a mountain with five peaks, the
123 center peak being the tallest and following the shape of the highest point of the hexagon
124 described in Subsection (1)(b); and
125 (D) at the lower horizontal line, follows the shape of the lowest point of the hexagon
126 described in Subsection (1)(b); and
127 (iii) the bottom segment:
128 (A) is located below the lower horizontal line; and
129 (B) is shaded in red;
130 (b) one hexagon that:
131 (i) is shaded in blue;
132 (ii) contains a smaller gold hexagon outline; and
133 (iii) is placed within the center of the middle segment described in Subsection
134 (1)(a)(ii);
135 (c) one beehive that:
136 (i) is shaded in gold;
137 (ii) contains five hive sections with a small semicircle removed from the center of the
138 base of the lowest section; and
139 (iii) is placed within the center of the hexagon described in Subsection (1)(b); and
140 (d) one five-pointed Utah star that:
141 (i) is shaded in white; and
142 (ii) is placed below the center of the beehive described in Subsection (1)(c).
143 (2) The state flag shall represent and symbolize the following:
144 (a) the beehive described in Subsection (1)(c) symbolizes industry, community, and the
145 year 1847, the year in which pioneers first settled Utah;
146 (b) the Utah star described in Subsection (1)(d) symbolizes hope and the year 1896, the
147 year in which Utah was admitted to statehood;
148 (c) the hexagon described in Subsection (1)(b) symbolizes the strength of Utah's
149 people;

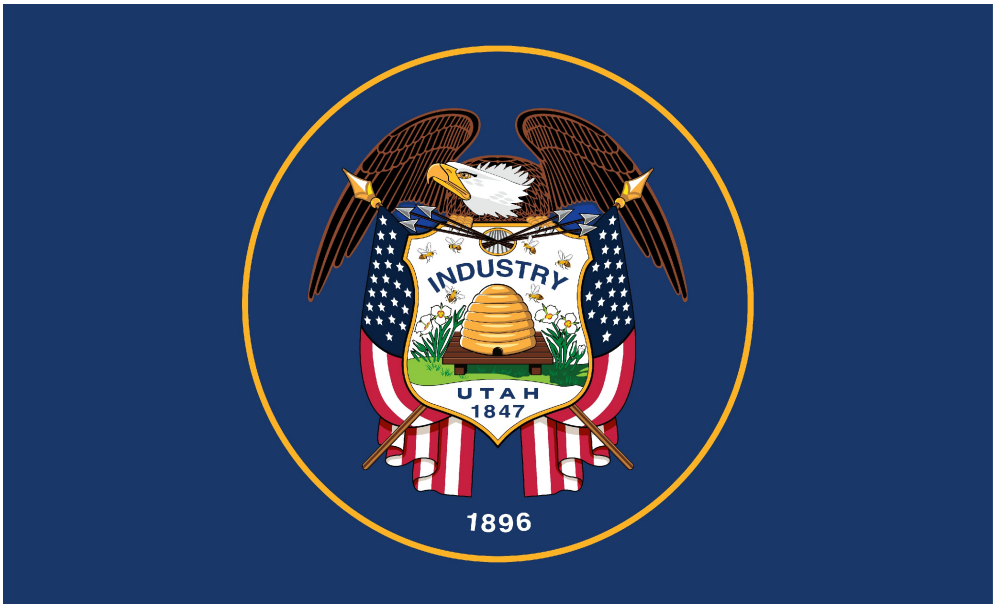
150 (d) the top segment described in Subsection (1)(a)(i) represents Utah's skies and
151 symbolizes faith;
152 (e) the middle segment described in Subsection (1)(a)(ii) represents Utah's snowy
153 mountains and peace, the peaks of which symbolize Utah's indigenous peoples; and
154 (f) the bottom segment described in Subsection (1)(a)(iii) represents the red rocks of
155 Southern Utah and symbolizes perseverance and the state's unique landscapes.
156 (3) The state flag shall appear consistent with the following image:

157

158 (4) The state flag shall be available in the public domain and be displayed on all
159 occasions when the state is officially and publicly represented, with the privilege of use by all
160 citizens upon any occasion deemed fitting and appropriate.
161 (5) The lieutenant governor shall establish standards and specifications for the
162 manufacture and display of the state flag.
163 Section 3. Section **63G-1-503** is enacted to read:
164 **63G-1-503. Historic state flag -- Description -- Image -- Display.**
165 (1) The historic state flag shall be a flag of blue field, with the following device
166 worked in natural colors on the center of the blue field:
167 (a) in the center a shield;
168 (b) above the shield and thereon an American eagle with outstretched wings;
169 (c) the top of the shield pierced with six arrows arranged crosswise;
170 (d) upon the shield under the arrows the word "Industry," and below the word

171 "Industry" on the center of the shield, a beehive;
172 (e) on each side of the beehive, growing sego lilies;
173 (f) below the beehive and near the bottom of the shield, the word "Utah";
174 (g) below the word "Utah" and on the bottom of the shield, the figures "1847";
175 (h) behind the shield, there shall be two American flags on flagstaffs placed crosswise
176 with the flags so draped to project beyond each side of the shield, the heads of the flagstaffs
177 appearing in front of the eagle's wings and the bottom of each staff appearing over the face of
178 the draped flag below the shield;
179 (i) below the shield and flags and upon the blue field, the figures "1896"; and
180 (j) around the entire design, a narrow circle in gold.
181 (2) The historic state flag shall appear consistent with any of the following three
182 images:

183



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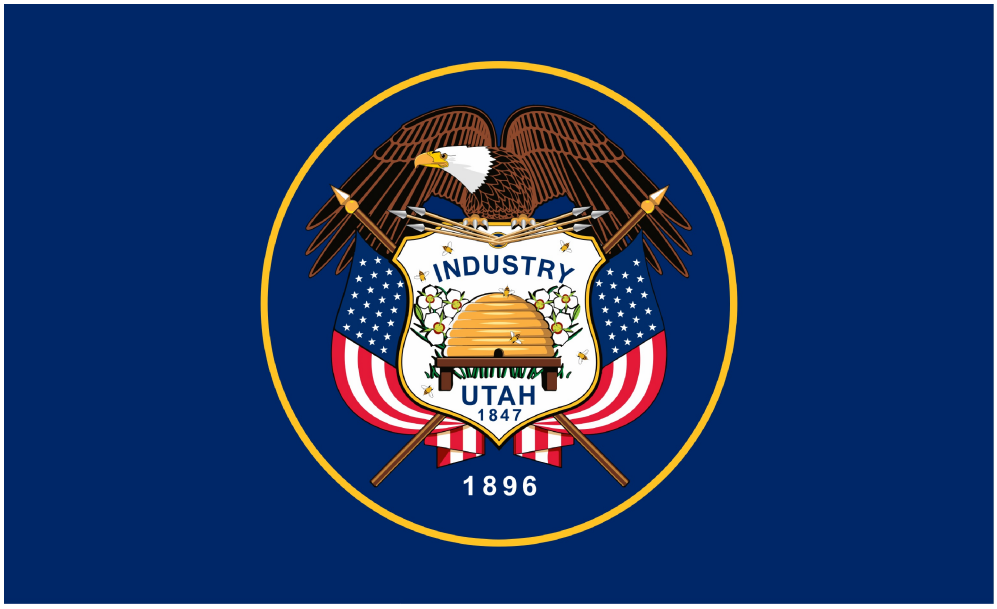
185 

186 (3) All citizens maintain the right to use the historic state flag upon any occasion
187 deemed fitting and appropriate.
188 (4) The lieutenant governor shall establish standards and specifications for the
189 manufacture and display of the historic state flag.
190 (5) The historic state flag shall be displayed on the capitol hill complex, as defined in
191 Section 63C-9-102, during the annual general session of the Legislature.
192 (6) (a) The historic state flag may be displayed on state property for ceremonial
193 purposes, so long as the flag is serviceable.

194 (b) The historic state flag shall be replaced by the state flag of Utah, as described in
195 Section 63G-1-501, when the historic state flag is not displayed for ceremonial purposes.
196 (c) When displaying the historic state flag on public grounds in any location where the
197 state flag of Utah, as described in Section 63G-1-501, is also displayed, the governmental
198 entity responsible for the display of the flags shall ensure that the historic state flag is displayed
199 beneath the state flag of Utah.
200 Section 4. **Effective date.**
201 This bill takes effect on March 9, 2024.
202 Section 5. **Coordinating S.B. 31 with H.B. 26 -- Substantive and technical**
203 **amendments.**
204 If this S.B. 31 and H.B. 26, License Plate Amendments, both pass and become law, it is
205 the intent of the Legislature that the Office of Legislative Research and General Counsel shall
206 prepare the Utah Code database for publication on March 9, 2024, by amending Subsection
207 41-1a-402(1) in H.B. 26 to read:
208 "(1) (a) upon registering a vehicle, the division shall issue to the owner a standard
209 license plate described in Subsection (1)(b) unless the division issues to the owner:
210 (i) a special group license plate in accordance with Section 41-1a-418; or
211 (ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.
212 (b) The division may offer up to four standard license plate options at one time, each
213 with a different design as follows:
214 (i) two designs that incorporate one or more elements that represent the state's
215 economy or geography;
216 (ii) one design that reflects the state flag of Utah described in Section 63G-1-501; and
217 (iii) one design that commemorates a current event relevant to the state or a significant
218 anniversary of a historic event relevant to the state.
219 (c) The division shall offer:
220 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and
221 (ii) the design described in Subsection (1)(b)(iii) for no more than a five-year period.
222 (d) The division may not offer more than four standard license plate designs at any one
223 time.".