SB0031S03 compared with SB0031S02

~~{deleted text}~~ shows text that was in SB0031S02 but was deleted in SB0031S03.

inserted text shows text that was not in SB0031S02 but was inserted into SB0031S03.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~{ceremonial}~~historical state flag;
- provides for the display of both flags;~~{ and}~~
- depicts ~~{both}~~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

ENACTS:

63G-1-503, Utah Code Annotated 1953

REPEALS AND REENACTS:

63G-1-501, as last amended by Laws of Utah 2021, Chapter 205

Utah Code Sections Affected by Coordination Clause:

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

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

Section 1. Section **41-1a-402** is amended to read:

41-1a-402. Required colors, numerals, and letters -- Expiration.

(1) Each license plate shall have displayed on it:

(a) the registration number assigned to the vehicle for which it is issued;

(b) the name of the state; and

(c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing the date of expiration displayed in accordance with Subsection (6).

(2) If registration is extended by affixing a registration decal to the license plate, the expiration date of the decal governs the expiration date of the license plate.

(3) Except as provided in Subsection (4), each original license plate that is not one of the special group license plates issued under Section 41-1a-418 shall be:

(a) a statehood centennial license plate with the same color, design, and slogan as the plates issued in conjunction with the statehood centennial;

(b) a Ski Utah license plate; [~~or~~]

(c) an In God We Trust license plate[~~.~~]; or

(d) a license plate that reflects the state flag of Utah described in Section 63G-1-501.

(4) Beginning on the date that the division determines the existing inventories of

statehood centennial license plates and Ski Utah license plates are exhausted, each license plate that is not one of the special group license plates issued under Section 41-1a-418 shall:

(a) (i) display the "Life Elevated" slogan; and

(ii) have a color and design approved by the 57th Legislature in the 2007 General Session that features:

(A) a skier with the "Greatest Snow on Earth" slogan; or

(B) Delicate Arch;

(b) be an In God We Trust license plate;

(c) be a license plate that reflects the state flag of Utah described in Section 63G-1-501; or

[~~(c)~~] (d) beginning on the date that the division determines the existing inventories of decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive license plate displaying the word "apportioned" or the abbreviation "APP."

(5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, license plates shall be renewed annually.

(b) (i) The division shall issue the vehicle owner a month decal and a year decal upon the vehicle's first registration with the division.

(ii) The division shall issue the vehicle owner only a year decal upon subsequent renewals of registration to validate registration renewal.

(6) The decals issued in accordance with Subsection (5) shall be applied as follows:

(a) for license plates issued beginning in 1974 through 1985, decals displayed on license plates with black lettering on a white background shall be applied to the lower left-hand corner of the rear of the license plate vehicles;

(b) decals displayed on statehood centennial license plates and on Ski Utah license plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of the rear license plate;

(c) decals displayed on special group license plates issued in accordance with Section 41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a plate indentation on the upper left-hand corner of the license plate;

(d) decals displayed on license plates with the "Life Elevated" slogan issued in accordance with Subsection (4) shall be applied in the upper left-hand corner for the month

decal and the upper right-hand corner for the year decal;

(e) decals displayed on license plates with the "In God We Trust" slogan issued in accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear license plate unless there is a plate indentation on the upper left-hand corner of the license plate;

(f) decals displayed on license plates reflecting the state flag of Utah issued in accordance with Subsection (4) shall be applied in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal;

[~~(f)~~] (g) decals issued for motorcycles shall be applied to the upper corner of the license plate opposite the word "Utah"; and

[~~(g)~~] (h) decals displayed on license plates issued under Section 41-1a-416 shall be applied as appropriate for the year of the plate.

(7) (a) The month decal issued in accordance with Subsection (5) shall be displayed on the license plate in the left position.

(b) The year decal issued in accordance with Subsection (5) shall be displayed on the license plate in the right position.

(8) The current year decal issued in accordance with Subsection (5) shall be placed over or in place of the previous year decal.

(9) If a license plate, month decal, or year decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.

(10) (a) A violation of this section is an infraction.

(b) A court shall waive a fine for a violation under this section if:

(i) the registration for the vehicle was current at the time of the citation; and

(ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate and decals are properly displayed in compliance with this section.

Section ~~{1}~~2. Section **63G-1-501** is repealed and reenacted to read:

Part 5. State Flags

63G-1-501. State flag -- Description -- Image -- Display.

(1) The state flag of Utah shall be a rectangle that has a width to length ratio of three to

five and contain the following:

(a) two irregular, horizontal lines dividing the flag into three separate segments, of which:

(i) the top segment:

(A) is located above the higher horizontal line; and

(B) is shaded in blue;

(ii) the middle segment:

(A) is located between the two horizontal lines;

(B) is shaded in white;

(C) at the higher horizontal line, takes the shape of a mountain with five peaks, the center peak being the tallest and following the shape of the highest point of the hexagon described in Subsection (1)(b); and

(D) at the lower horizontal line, follows the shape of the lowest point of the hexagon described in Subsection (1)(b); and

(iii) the bottom segment:

(A) is located below the lower horizontal line; and

(B) is shaded in red;

(b) one hexagon that:

(i) is shaded in blue;

(ii) contains a smaller gold hexagon outline; and

(iii) is placed within the center of the middle segment described in Subsection (1)(a)(ii);

(c) one beehive that:

(i) is shaded in gold;

(ii) contains five hive sections with a small semicircle removed from the center of the base of the lowest section; and

(iii) is placed within the center of the hexagon described in Subsection (1)(b); and

(d) one five-pointed Utah star that:

(i) is shaded in white; and

(ii) is placed below the center of the beehive described in Subsection (1)(c).

(2) The state flag shall represent and symbolize the following:

(a) the beehive described in Subsection (1)(c) symbolizes industry, community, and the year 1847, the year in which pioneers first settled Utah;

(b) the Utah star described in Subsection (1)(d) symbolizes hope and the year 1896, the year in which Utah was admitted to statehood;

(c) the hexagon described in Subsection (1)(b) symbolizes the strength of Utah's people;

(d) the top segment described in Subsection (1)(a)(i) represents Utah's skies and symbolizes faith;

(e) the middle segment described in Subsection (1)(a)(ii) represents Utah's snowy mountains and peace, the peaks of which symbolize Utah's indigenous peoples; and

(f) the bottom segment described in Subsection (1)(a)(iii) represents the red rocks of Southern Utah and symbolizes perseverance and the state's unique landscapes.

(3) The state flag shall appear consistent with the following image:

(4) The state flag shall be available in the public domain and be displayed on all occasions when the state is officially and publicly represented, with the privilege of use by all citizens upon any occasion deemed fitting and appropriate.

(5) The lieutenant governor shall establish standards and specifications for the manufacture and display of the state flag.

Section ~~{2}~~3. Section **63G-1-503** is enacted to read:

63G-1-503.~~{ Ceremonial}~~ Historic state flag -- Description -- Image -- Display.

(1) The ~~{ceremonial}~~historic state flag shall be a flag of blue field, with the following device worked in natural colors on the center of the blue field:

(a) in the center a shield;

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

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

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

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

(f) below the beehive and near the bottom of the shield, the word "Utah";

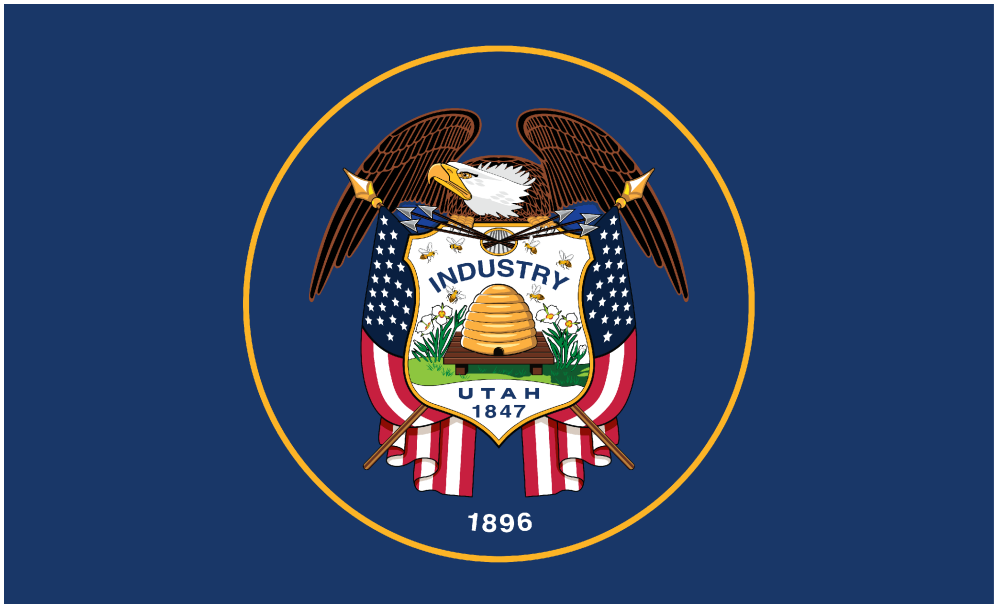
(g) below the word "Utah" and on the bottom of the shield, the figures "1847";

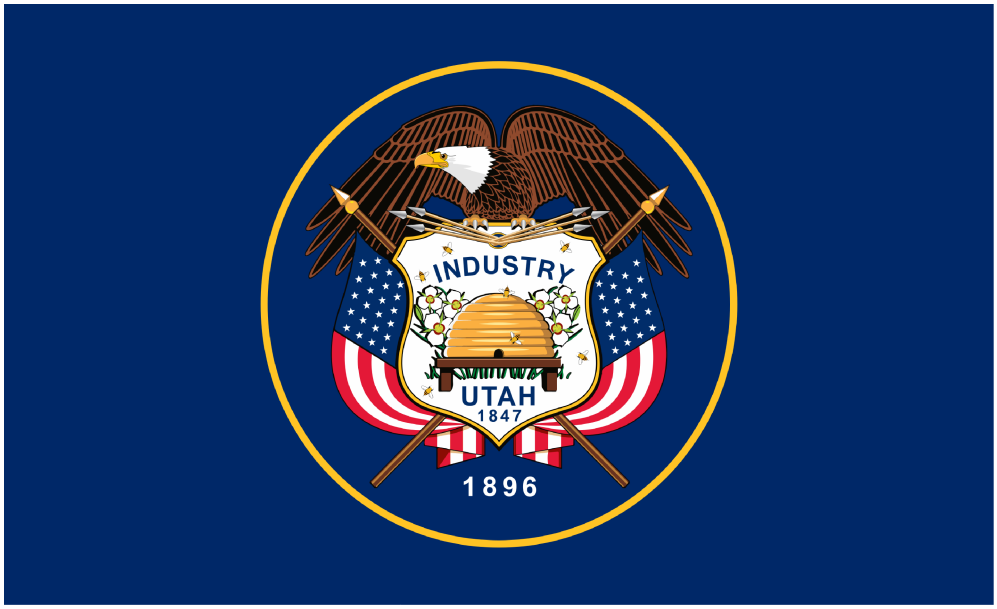
(h) behind the shield, there shall be two American flags on flagstaffs placed crosswise with the flags so draped to project beyond each side of the shield, the heads of the flagstaffs appearing in front of the eagle's wings and the bottom of each staff appearing over the face of the draped flag below the shield;

(i) below the shield and flags and upon the blue field, the figures "1896"; and

(j) around the entire design, a narrow circle in gold.

(2) The ~~{ceremonial}~~historic state flag shall appear consistent with any of the following ~~{image}~~three images:





(3) All citizens maintain the right to use the ~~{ceremonial}~~historic state flag upon any occasion deemed fitting and appropriate.

(4) The lieutenant governor shall establish standards and specifications for the manufacture and display of the ~~{ceremonial}~~historic state flag.

(5) The ~~{ceremonial}~~historic state flag shall be displayed on the capitol hill complex, as defined in Section 63C-9-102, during the annual general session of the Legislature.

(6) (a) The ~~{ceremonial}~~historic state flag may be displayed on state property for

ceremonial purposes, so long as the flag is serviceable.

(b) The {ceremonial}historic state flag shall be replaced by the state flag of Utah, as described in Section 63G-1-501, when the {ceremonial}historic state flag is not displayed for ceremonial purposes.

(c) When displaying the {ceremonial}historic state flag on public grounds in any location where the state flag of Utah, as described in Section 63G-1-501, is also displayed, the governmental entity responsible for the display of the flags shall ensure that the {ceremonial}historic state flag is displayed beneath the state flag of Utah.

Section {3}4. **Effective date.**

This bill takes effect on March 9, 2024.

Section 5. **Coordinating S.B. 31 with H.B. 26 -- Substantive and technical amendments.**

If this S.B. 31 and H.B. 26, License Plate Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication on March 9, 2024, by amending Subsection 41-1a-402(1) in H.B. 26 to read:

"(1) (a) upon registering a vehicle, the division shall issue to the owner a standard license plate described in Subsection (1)(b) unless the division issues to the owner:

(i) a special group license plate in accordance with Section 41-1a-418; or

(ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

(b) The division may offer up to four standard license plate options at one time, each with a different design as follows:

(i) two designs that incorporate one or more elements that represent the state's economy or geography;

(ii) one design that reflects the state flag of Utah described in Section 63G-1-501; and

(iii) one design that commemorates a current event relevant to the state or a significant anniversary of a historic event relevant to the state.

(c) The division shall offer:

(i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

(ii) the design described in Subsection (1)(b)(iii) for no more than a five-year period.

(d) The division may not offer more than four standard license plate designs at any one

time.".