

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 or revised 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;
- ▶ modifies the description of the current state flag; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **36-29-101**, as enacted by Laws of Utah 2015, Chapter 219

36 **63G-1-501**, as renumbered and amended by Laws of Utah 2008, Chapter 382

37 **63I-2-236**, as last amended by Laws of Utah 2019, Chapter 389

38 **63I-2-263**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 12

39 ENACTS:

40 **36-29-201**, Utah Code Annotated 1953

41 **36-29-202**, Utah Code Annotated 1953

42 **36-29-203**, Utah Code Annotated 1953

43 **63G-1-502**, Utah Code Annotated 1953



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

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

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

48 **Part 1. Legislative Task Forces**

49 **36-29-101. Title.**

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

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

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

54 **36-29-201. Definitions.**

55 As used in this part, "task force" means the State Flag Task Force created in Section
56 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) the governor, or the governor's designee;

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

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

65 (d) three members of the House of Representatives, appointed by the speaker of the
66 House of Representatives; and

67 (e) the executive director of the Department of Heritage and Arts.

68 (3) Each individual with authority to appoint a member of the task force under
69 Subsection (2) shall make the appointment on or before June 1, 2021.

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

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

73 (6) The task force shall ensure that each meeting of the task force complies with Title
74 52, Chapter 4, Open and Public Meetings Act.

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

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

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

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

84 (i) Sections [63A-3-106](#) and [63A-3-107](#); and

85 (ii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and

86 [63A-3-107](#).

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

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

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

93 **36-29-203. Task force duties.**

94 The task force shall:

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

96 (2) establish and adopt guiding principles for the task force regarding flag design and
97 the goals of recommending a revised or new state flag for the state;

98 (3) create a process for the submission and task force assessment of proposed designs
99 for a revised or new state flag of Utah, including a process that includes the design community;

100 (4) on or before September 15, 2021, select a group of up to 10 proposed flag designs
101 that:

102 (a) represent the state; and

103 (b) adhere to the guiding principles described in Subsection (2);

104 (5) create a process that includes the gathering of public input to review the proposed
105 flag designs described in Subsections (2) and (3), including the public input of children and
106 young people in the state, and to select a proposed revised or new state flag of Utah; and

107 (6) on or before November 1, 2021, provide a written report and recommendations to
108 the Economic Development and Workforce Services Interim Committee and the Legislature
109 regarding:

110 (a) the proposed flag designs described in Subsection (3);

111 (b) the process and results of the review of the proposed flag designs described in
112 Subsection (5);

113 (c) the task force's recommendation for the design of a revised or new state flag of

114 Utah; and
 115 (d) proposed legislation retaining the current flag, revising the current flag, or
 116 designating a new state flag of Utah, which may include a recommendation to designate the
 117 current state flag of Utah described in Section [63G-1-501](#) as the governor's flag.

118 (7) The task force may:
 119 (a) create working groups to carry out the task force's duties under this section,
 120 including working with one or more graphic designers or other professionals to review and
 121 improve designs for consideration by the task force; and

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

124 Section 5. Section **63G-1-501** is amended to read:

125 **63G-1-501. State flag.**

126 The state flag of Utah shall be a flag of blue field, [~~fringed, with gold borders,~~] with the
 127 following device worked in natural colors on the center of the blue field:

- 128 [~~The~~] (1) in the center a shield;
 129 (2) above the shield and thereon an American eagle with outstretched wings;
 130 (3) the top of the shield pierced with six arrows arranged crosswise;
 131 (4) upon the shield under the arrows the word "Industry," and below the word
 132 "Industry" on the center of the shield, a beehive;
 133 (5) on each side of the beehive, growing sego lilies;
 134 (6) below the beehive and near the bottom of the shield, the word [~~"Utah," and~~] "Utah";
 135 (7) below the word "Utah" and on the bottom of the shield, the figures "1847";
 136 (8) with the appearance of being back of the shield there shall be two American flags
 137 on flagstuffs placed crosswise with the flag so draped that they will project beyond each side of
 138 the shield, the heads of the flagstuffs appearing in front of the eagle's wings and the bottom of
 139 each staff appearing over the face of the draped flag below the shield;
 140 (9) below the shield and flags and upon the blue field, the figures "1896"; and
 141 (10) around the entire design, a narrow circle in gold.

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

143 **63G-1-502. Commemorative state flag -- Display.**

144 (1) As used in this section:

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

147 (b) "Commemorative state flag" means the flag described in Subsection (3).

148 (c) "Governmental entity" means the same as that term is defined in Section
149 [63G-2-103](#).

150 (d) "Legacy gold" means a color with:

151 (i) an RGB value of 251, 178, 23;

152 (ii) a CMYK value of 1, 33, 100, 0;

153 (iii) a web color value of #fbb217; and

154 (iv) a Pantone value of 2010 C.

155 (e) "Liberty blue" means a color with:

156 (i) an RGB value of 11, 36, 68;

157 (ii) a CMYK value of 100, 86, 44, 47;

158 (iii) a web color value of #0b2444; and

159 (iv) a Pantone value of 282 C.

160 (f) "Mountain white" means a color with:

161 (i) an RGB value of 255, 255, 255;

162 (ii) a CMYK value of 0, 0, 0, 0;

163 (iii) a web color value of #ffffff; and

164 (iv) a Pantone value of Safe.

165 (g) "Pantone" means the color model of printing using ink mixes to create a color
166 match.

167 (h) "Public grounds" means the same as that term is defined in Section [11-61-102](#).

168 (i) "RGB" means the color model of three-color video and computer displays using red,
169 green, and blue light.

- 170 (j) "State flag of Utah" means the flag described in Section [63G-1-501](#).
- 171 (k) "Utah red" means a color with:
- 172 (i) an RGB value of 175, 31, 36;
- 173 (ii) a CMYK value of 22, 100, 99, 13;
- 174 (iii) a web color value of #af1f24; and
- 175 (iv) a Pantone value of 2350 C.
- 176 (l) "Web color" means the color model of web page displays using a hexadecimal color
- 177 code.
- 178 (2) The state may commemorate the 125th anniversary of Utah's statehood in 2021
- 179 with the display of a commemorative state flag.
- 180 (3) The commemorative state flag shall be a rectangle that has a width to length ratio of
- 181 three to five and contain the following:
- 182 (a) one diagonal cross pattern that creates four triangles meeting at the center of the
- 183 flag:
- 184 (i) with the two triangles in the horizontal plane that are:
- 185 (A) equal in width and length, spreading the full width and length of the flag; and
- 186 (B) colored mountain white;
- 187 (ii) with the upper and lower triangle shaped quadrants:
- 188 (A) each having a length equal to the full length of the flag; and
- 189 (B) the upper triangle shaped quadrant being colored liberty blue and the lower triangle
- 190 shaped quadrant being colored Utah red;
- 191 (iii) with the cross pattern to represent:
- 192 (A) Utah's moniker as "the Crossroads of the West"; and
- 193 (B) the history of Promontory Point;
- 194 (iv) with the two triangles in the horizontal plane colored mountain white to represent
- 195 the Rocky Mountains of Utah;
- 196 (v) with the upper triangle shaped quadrant colored liberty blue to represent:
- 197 (A) the Great Salt Lake; and

198 (B) the tradition of Utah; and
199 (vi) with the lower triangle shaped quadrant colored Utah red to represent the red rocks
200 and national parks of Southern Utah;
201 (b) one circle that:
202 (i) is shaded legacy gold and filled with a background that is shaded liberty blue;
203 (ii) contains a slightly thinner gold circle that is:
204 (A) shaded legacy gold; and
205 (B) filled with a background that is shaded liberty blue;
206 (iii) is placed over the meeting point of the four triangle shaped quadrants described in
207 Subsection (3)(a) in the center of the flag; and
208 (iv) represents, in combination with the four triangle shaped quadrants, the following
209 Native American Tribes of Utah:
210 (A) the Ute;
211 (B) the Paiute;
212 (C) the Navajo;
213 (D) the Shoshone; and
214 (E) the Goshute;
215 (c) one beehive that is shaded legacy gold that:
216 (i) contains six hive sections with a small semicircle removed from the center of the
217 base of the lowest section;
218 (ii) is placed within the circles described in Subsection (3)(b); and
219 (iii) represents:
220 (A) Utah's identity as "the Beehive State"; and
221 (B) industry; and
222 (d) one regular, five-pointed star that:
223 (i) is shaded mountain white;
224 (ii) is located below the center of the beehive described in Subsection (3)(c);
225 (iii) is spaced so that the upper point of the star is located near the removed semicircle

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

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

228 (v) represents:

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

230 in 1896; and

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

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

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

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

235 2021 calendar year.

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

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

238 the state flag of Utah.

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

240 **63I-2-236. Repeal dates -- Title 36.**

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

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

243 2023:

244 (1) Section 36-29-201;

245 (2) Section 36-29-202; and

246 (3) Section 36-29-203.

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

248 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

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

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

251 [~~(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after~~

252 ~~May 8, 2018," is repealed.]~~

253 [~~(2)~~] (1) Section **63A-3-111** is repealed June 30, 2021.

254 ~~[(3)]~~ (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
255 repealed July 1, 2021.

256 ~~[(4)]~~ (3) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology
257 Commission is repealed July 1, 2023.

258 (4) Section [63G-1-502](#) is repealed July 1, 2022.

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

261 (a) Section [63G-1-801](#);

262 (b) Section [63G-1-802](#);

263 (c) Section [63G-1-803](#); and

264 (d) Section [63G-1-804](#).

265 (6) Subsections [63G-6a-802\(1\)\(d\)](#) and [63G-6a-802\(3\)\(b\)\(iii\)](#), regarding a procurement
266 relating to a vice presidential debate, are repealed January 1, 2021.

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

268 (a) Section [63H-6-104.5](#) is repealed; and

269 (b) Subsections [63H-6-104\(8\)](#) and (9) are repealed.

270 (8) Section [63H-7a-303](#) is repealed July 1, 2024.

271 (9) Subsection [63J-1-206\(3\)\(c\)](#), relating to coronavirus, is repealed July 1, 2021.

272 (10) In relation to the Employability to Careers Program Board, on July 1, 2022:

273 (a) Subsection [63J-1-602.1\(57\)](#) is repealed;

274 (b) Subsection [63J-4-301\(1\)\(h\)](#), related to the review of data and metrics, is repealed;

275 and

276 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

277 (11) Title 63M, Chapter 4, Part 8, Voluntary Home Energy Information Pilot Program
278 Act, is repealed January 1, 2022.

279 (12) Sections [63M-7-213](#) and [63M-7-213.5](#) are repealed on January 1, 2023.

280 (13) Subsection [63N-12-508\(3\)](#) is repealed December 31, 2021.

281 (14) Title 63N, Chapter 13, Part 3, Facilitating Public-Private Partnerships Act, is

282 repealed January 1, 2024.

283 (15) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is repealed

284 December 31, 2021.