

**First Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 03-1216.01 Stephen Miller

HOUSE BILL 03-1368

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A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENT OF A DAILY RECITATION OF THE**
102 **PLEDGE OF ALLEGIANCE IN EACH PUBLIC SCHOOL IN THE STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires every classroom in each public elementary, middle, junior high, and high school in the state of Colorado to begin each school day with the teacher and students reciting aloud the pledge of allegiance to the flag of the United States of America.

Clarifies that the requirement should not be construed to require a recitation of the pledge either by a teacher or student who objects on religious grounds, or by a foreign student attending school in Colorado.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
May 7, 2003

SENATE
Amended 2nd Reading
May 6, 2003

HOUSE
Amended 3rd Reading
May 1, 2003

HOUSE
Amended 2nd Reading
April 30, 2003

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 22-1-106, Colorado Revised Statutes, is amended
3 to read:

4 **22-1-106. Information as to honor and use of flag.** (1) The
5 commissioner of education shall provide the necessary instruction and
6 information so that all teachers in the grade and high schools in the state
7 of Colorado may teach the pupils therein the proper respect of the flag of
8 the United States, to honor and properly salute the flag when passing in
9 parade, and to properly use the flag in decorating and displaying.

10 (2) (a) THE TEACHER AND STUDENTS IN EACH CLASSROOM IN EACH
11 PUBLIC ELEMENTARY, MIDDLE, AND JUNIOR HIGH SCHOOL IN THE STATE OF
12 COLORADO SHALL BEGIN EACH SCHOOL DAY BY RECITING ALOUD THE
13 PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.
14 THE TEACHER AND STUDENTS IN EACH CLASSROOM IN EACH PUBLIC HIGH
15 SCHOOL IN THE STATE OF COLORADO SHALL RECITE ALOUD THE PLEDGE OF
16 ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA WHEN THE
17 SCHOOL CONDUCTS ITS DAILY ANNOUNCEMENTS. IF A PUBLIC HIGH
18 SCHOOL DOES NOT CONDUCT DAILY ANNOUNCEMENTS, THEN THE TEACHER
19 AND STUDENTS IN EACH CLASSROOM IN THE PUBLIC HIGH SCHOOL SHALL,
20 ON A DAILY BASIS, RECITE ALOUD THE PLEDGE OF ALLEGIANCE TO THE
21 FLAG OF THE UNITED STATES OF AMERICA.

22 (b) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO
23 REQUIRE A TEACHER OR A STUDENT TO RECITE THE PLEDGE OF ALLEGIANCE
24 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) IF THE TEACHER OR
25 STUDENT OBJECTS TO THE RECITATION OF THE PLEDGE ON RELIGIOUS
26 GROUNDS. A STUDENT SHALL BE EXEMPT FROM RECITING THE PLEDGE OF

1 ALLEGIANCE IF A PARENT OR GUARDIAN OF THE STUDENT OBJECTS IN
2 WRITING TO THE RECITATION OF THE PLEDGE ON ANY GROUNDS AND FILES
3 THE OBJECTION WITH THE PRINCIPAL OF THE SCHOOL.

4 (c) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO
5 REQUIRE STUDENTS AND TEACHERS WHO ARE NOT UNITED STATES
6 CITIZENS AND ARE ATTENDING OR TEACHING SCHOOL IN THE STATE OF
7 COLORADO TO RECITE THE PLEDGE OF ALLEGIANCE DESCRIBED IN
8 PARAGRAPH (a) OF THIS SUBSECTION (2).

9 **SECTION 2. Effective date.** This act shall take effect at 12:01
10 a.m. on the day following the expiration of the ninety-day period after
11 final adjournment of the general assembly that is allowed for submitting
12 a referendum petition pursuant to article V, section 1 (3) of the state
13 constitution; except that, if a referendum petition is filed against this act
14 or an item, section, or part of this act within such period, then the act,
15 item, section, or part, if approved by the people, shall take effect on the
16 date of the official declaration of the vote thereon by proclamation of the
17 governor.