

ELECTION DISTRICT BOUNDARIES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: John Dougall

Cosponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill modifies the boundaries of certain United States House of Representatives districts, State Senate districts, and State House districts and establishes certain review and evaluation requirements for the lieutenant governor, the Automated Geographic Reference Center, and county clerks.

Highlighted Provisions:

This bill:

- ▶ modifies a portion of the common boundary between United States House of Representatives District 2 and District 3;
- ▶ modifies a portion of the common boundary between Senate District 11 and Senate District 14;
- ▶ modifies a portion of the common boundary between House District 27 and House District 57;
- ▶ establishes requirements for county clerks to submit certain maps and data to the lieutenant governor for review and evaluation;
- ▶ requires the Automated Geographic Reference Center to compare certain maps and data submitted by the county clerks with boundaries of Congressional, State School Board, Senate, and House districts as established by the Legislature's official maps;
- and
- ▶ makes technical changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides an immediate effective date.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **20A-13-101 (Contingently Superseded)**, as repealed and reenacted by Laws of Utah
36 2001, Second Special Session, Chapter 6

37 **20A-13-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
38 Chapter 6

39 **20A-14-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
40 Chapter 2

41 **36-1-101**, as last amended by Laws of Utah 2006, Chapter 12

42 **36-1-103**, as last amended by Laws of Utah 2006, Chapter 12

43 **36-1-201**, as last amended by Laws of Utah 2006, Chapter 12

44 **36-1-202**, as last amended by Laws of Utah 2006, Chapter 12

45 ENACTS:

46 **20A-13-102.2**, Utah Code Annotated 1953

47 **20A-14-102.3**, Utah Code Annotated 1953

48 **36-1-103.2**, Utah Code Annotated 1953

49 **36-1-202.2**, Utah Code Annotated 1953



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

52 Section 1. Section **20A-13-101 (Contingently Superseded)** is amended to read:

53 **20A-13-101 (Contingently Superseded). Representatives to the United States**
54 **Congress -- Three representative districts -- When elected -- District boundaries.**

55 (1) (a) The state of Utah is divided into three districts for the election of representatives
56 to the Congress of the United States, with one member to be elected from each Congressional

57 district.

58 (b) At the general election to be held in 2002, and biennially thereafter, one
59 representative from each Congressional district shall be elected to serve in the Congress of the
60 United States.

61 (2) (a) The Legislature adopts the official census population figures and maps of the
62 Bureau of the Census of the United States Department of Commerce developed in connection
63 with the taking of the 2000 national decennial census as the official data for establishing
64 Congressional district boundaries.

65 (b) ~~[The]~~ Except as provided in Subsection (3), the numbers and boundaries of the
66 Congressional districts are designated and established by the maps attached to the bill that
67 enacts this section.

68 (3) The following census blocks from the 2000 census are removed from
69 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
70 Blocks 1000, 1001, 3001, 3003, and 3004.

71 Section 2. Section **20A-13-102** is amended to read:

72 **20A-13-102. Official maps of Congressional districts.**

73 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
74 and any other relevant materials, with the lieutenant governor's office.

75 (b) ~~[The]~~ Except as provided in Subsection (2), the legal boundaries of Utah's
76 Congressional districts are contained in the official maps on file with the lieutenant governor's
77 office.

78 (2) The following census blocks from the 2000 census are removed from
79 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
80 Blocks 1000, 1001, 3001, 3003, and 3004.

81 ~~[(2)]~~ (3) When questions of interpretation of Congressional district boundaries arise,
82 the official maps on file in the lieutenant governor's office shall serve as the indication of the
83 legislative intent in drawing the Congressional district boundaries.

84 ~~[(3) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~

85 ~~from the lieutenant governor's office.]~~

86 ~~(b) Each county clerk shall establish voting precincts and polling places within each~~
87 ~~Congressional district according to the procedures and requirements of Section 20A-5-303.]~~

88 (4) Maps identifying the boundaries for Congressional districts may be viewed on the
89 Internet at the lieutenant governor's website.

90 Section 3. Section **20A-13-102.2** is enacted to read:

91 **20A-13-102.2. County clerk, Automated Geographic Reference Center, and**
92 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

93 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
94 from the lieutenant governor's office.

95 (2) (a) A county clerk may create one or more county maps that identify the boundaries
96 of Utah's Congressional districts as shown on the official maps.

97 (b) Before publishing or distributing any map or data created by the county clerk that
98 identifies the boundaries of Utah's Congressional districts within the county, the county clerk
99 shall submit the map and data to the lieutenant governor and to the Automated Geographic
100 Reference Center for review.

101 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
102 Geographic Reference Center shall:

103 (i) review the map and data to evaluate if the county map and data accurately reflect the
104 boundaries of Utah's Congressional districts established by the Legislature in the official maps;

105 (ii) determine whether the map and data are correct or incorrect; and

106 (iii) communicate those findings to the lieutenant governor.

107 (d) The lieutenant governor shall either notify the county clerk that the map and data
108 are correct or notify the county clerk that the map and data are incorrect.

109 (e) If the county clerk receives notice from the lieutenant governor that the map and
110 data submitted are incorrect, the county clerk shall:

111 (i) make the corrections necessary to conform the map and data to the official maps;
112 and

113 (ii) resubmit the corrected map and data to the lieutenant governor and to the
114 Automated Geographic Reference Center for a new review under this Subsection (2).

115 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
116 establish voting precincts and polling places within each Utah Congressional district according
117 to the procedures and requirements of Section 20A-5-303.

118 (b) Within five working days after approval of voting precincts and polling places by
119 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
120 voting precinct map identifying the boundaries of each voting precinct within the county to the
121 lieutenant governor and to the Automated Geographic Reference Center for review.

122 (c) Within 30 days after receipt of a map from a county clerk, the Automated
123 Geographic Reference Center shall:

124 (i) review the voting precinct map to evaluate if the county map accurately reflects the
125 boundaries of Utah's Congressional districts established by the Legislature in the official maps;

126 (ii) determine whether the map is correct or incorrect; and

127 (iii) communicate those findings to the lieutenant governor.

128 (d) The lieutenant governor shall either notify the county clerk that the map is correct
129 or notify the county clerk that the map is incorrect.

130 (e) If the county clerk receives notice from the lieutenant governor that the map is
131 incorrect, the county clerk shall:

132 (i) make the corrections necessary to conform the voting precinct map to the official
133 maps; and

134 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
135 Geographic Reference Center for a new review under this Subsection (3).

136 Section 4. Section **20A-14-102** is amended to read:

137 **20A-14-102. Official maps of state board districts.**

138 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature
139 with the lieutenant governor's office.

140 (b) The legal boundaries of State Board of Education districts are contained in the

141 official maps on file with the lieutenant governor's office.

142 (2) When questions of interpretation of state board district boundaries arise, the official
143 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
144 intent in drawing the state board district boundaries.

145 ~~[(3)(a) Each county clerk shall obtain copies of the official maps for the clerk's county
146 from the lieutenant governor's office.]~~

147 ~~[(b) Each county clerk shall establish voting precincts and polling places within each
148 state board district according to the procedures and requirements of Section 20A-5-303.]~~

149 ~~[(4)]~~ (3) Maps identifying the boundaries for state board districts may be viewed on the
150 Internet at the lieutenant governor's website.

151 Section 5. Section **20A-14-102.3** is enacted to read:

152 **20A-14-102.3. County clerk, Automated Geographic Reference Center, and**
153 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

154 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
155 from the lieutenant governor's office.

156 (2) (a) A county clerk may create one or more county maps that identify the boundaries
157 of state board districts as shown on the official maps.

158 (b) Before publishing or distributing any map or data created by the county clerk that
159 identifies the boundaries of state board districts within the county, the clerk shall submit the
160 map and data to the lieutenant governor and to the Automated Geographic Reference Center for
161 review.

162 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
163 Geographic Reference Center shall:

164 (i) review the map and data to evaluate if the county map and data accurately reflect the
165 boundaries of state board districts established by the Legislature in the official maps;

166 (ii) determine whether the map and data are correct or incorrect; and

167 (iii) communicate those findings to the lieutenant governor.

168 (d) The lieutenant governor shall either notify the county clerk that the map and data

169 are correct or inform the county clerk that the map and data are incorrect.

170 (e) If the county clerk receives notice from the lieutenant governor that the map and
171 data submitted are incorrect, the county clerk shall:

172 (i) make the corrections necessary to conform the map and data to the official maps;
173 and

174 (ii) resubmit the corrected map and data to the lieutenant governor for a new review
175 under this Subsection (2).

176 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
177 establish voting precincts and polling places within each state board district according to the
178 procedures and requirements of Section 20A-5-303.

179 (b) Within five working days after approval of voting precincts and polling places by
180 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
181 voting precinct map identifying the boundaries of each voting precinct within the county to the
182 lieutenant governor and to the Automated Geographic Reference Center for review.

183 (c) Within 30 days after receipt of a map from a county clerk, the Automated
184 Geographic Reference Center shall:

185 (i) review the voting precinct map to evaluate if the county map accurately reflects the
186 boundaries of state board districts established by the Legislature in the official maps;

187 (ii) determine whether the map is correct or incorrect; and

188 (iii) communicate those findings to the lieutenant governor.

189 (d) The lieutenant governor shall either notify the county clerk that the map is correct
190 or notify the county clerk that the map is incorrect.

191 (e) If the county clerk receives notice from the lieutenant governor that the map is
192 incorrect, the county clerk shall:

193 (i) make the corrections necessary to conform the voting precinct map to the official
194 maps; and

195 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
196 Geographic Reference Center for a new review under this Subsection (3).

197 Section 6. Section **36-1-101** is amended to read:

198 **36-1-101. Utah State Senate -- District boundaries.**

199 (1) As used in this chapter:

200 (a) "New county boundary" means the adjusted common boundary between Salt Lake
201 County and Utah County as certified by the lieutenant governor on December 29, 2005.

202 (b) "Old county boundary" means the common boundary between Salt Lake County
203 and Utah County before the boundary change certified by the lieutenant governor on December
204 29, 2005.

205 (c) "Southwestern intersection" means the western-most three way intersection of the
206 old county boundary, the new county boundary, and the boundary separating Senate District 9
207 and Senate District 11.

208 (2) The Utah State Senate shall consist of 29 members, with one member to be elected
209 from each Utah State Senate district.

210 (3) (a) The Legislature adopts the official census population figures and maps of the
211 Bureau of the Census of the United States Department of Commerce developed in connection
212 with the taking of the 2000 national decennial census as the official data for establishing Senate
213 district boundaries.

214 (b) Except as provided in Subsection (4), the numbers and boundaries of the Senate
215 districts are designated and established by the maps attached to the bill that enacts this section.

216 (4) (a) Because of the new county boundary separating Salt Lake County and Utah
217 County, the boundary separating Senate District 9 and Senate District 11 that followed the old
218 county boundary is changed to follow the new county boundary eastward from the
219 southwestern intersection to the point where the existing boundary of Senate District 9 turns
220 north from the old county boundary.

221 (b) The following census blocks from the 2000 census are removed from Senate
222 District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,
223 3003, and 3004.

224 Section 7. Section **36-1-103** is amended to read:

225 **36-1-103. Official maps of Senate districts.**

226 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
227 and any other relevant data, with the lieutenant governor's office.

228 (b) Except as provided in Subsection (2), the legal boundaries of Senate districts are
229 contained in the official maps on file with the lieutenant governor's office.

230 (2) (a) Because of the new county boundary separating Salt Lake County and Utah
231 County, the boundary separating Senate District 9 and Senate District 11 that followed the old
232 county boundary is changed to follow the new county boundary eastward from the
233 southwestern intersection to the point where the existing boundary of Senate District 9 turns
234 north from the old county boundary.

235 (b) The following census blocks from the 2000 census are removed from Senate
236 District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,
237 3003, and 3004.

238 (3) When questions of interpretation of Senate district boundaries arise, the official
239 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
240 intent in drawing the Senate district boundaries.

241 ~~[(4) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
242 ~~from the lieutenant governor's office.]~~

243 ~~[(b) Each county clerk shall establish voting precincts and polling places within each~~
244 ~~Senate district according to the procedures and requirements of Section 20A-5-303.]~~

245 ~~[(5)]~~ (4) Maps identifying the boundaries for Senate districts may be viewed on the
246 Internet at the lieutenant governor's website.

247 Section 8. Section **36-1-103.2** is enacted to read:

248 **36-1-103.2. County clerk, Automated Geographic Reference Center, and**
249 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

250 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
251 from the lieutenant governor's office.

252 (2) (a) A county clerk may create one or more county maps that identify the boundaries

253 of Senate districts as shown on the official maps.

254 (b) Before publishing or distributing any map or data created by the county clerk that
255 identifies the boundaries of Senate districts within the county, the clerk shall submit the map
256 and data to the lieutenant governor and to the Automated Geographic Reference Center for
257 review.

258 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
259 Geographic Reference Center shall:

260 (i) review the map and data to evaluate if the county map and data accurately reflect the
261 boundaries of Senate districts established by the Legislature in the official maps;

262 (ii) determine whether the map and data are correct or incorrect; and

263 (iii) communicate those findings to the lieutenant governor.

264 (d) The lieutenant governor shall either notify the county clerk that the map and data
265 are correct or notify the county clerk that the map and data are incorrect.

266 (e) If the county clerk receives notice from the lieutenant governor that the map and
267 data submitted are incorrect, the county clerk shall:

268 (i) make the corrections necessary to conform the map and data to the official maps;
269 and

270 (ii) resubmit the corrected map and data to the lieutenant governor and to the
271 Automated Geographic Reference Center for a new review under this Subsection (2).

272 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
273 establish voting precincts and polling places within each Senate district according to the
274 procedures and requirements of Section 20A-5-303.

275 (b) Within five working days after approval of voting precincts and polling places by
276 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
277 voting precinct map identifying the boundaries of each voting precinct within the county to the
278 lieutenant governor and to the Automated Geographic Reference Center for review.

279 (c) Within 30 days after receipt of a map from a county clerk, the Automated
280 Geographic Reference Center shall:

281 (i) review the voting precinct map to evaluate if the county map accurately reflects the
282 boundaries of Senate districts established by the Legislature in the official maps;

283 (ii) determine whether the map is correct or incorrect; and

284 (iii) communicate those findings to the lieutenant governor.

285 (d) The lieutenant governor shall either notify the county clerk that the map is correct
286 or notify the county clerk that the map is incorrect.

287 (e) If the county clerk receives notice from the lieutenant governor that the map is
288 incorrect, the county clerk shall:

289 (i) make the corrections necessary to conform the voting precinct map to the official
290 maps; and

291 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
292 Geographic Reference Center for a new review under this Subsection (3).

293 Section 9. Section **36-1-201** is amended to read:

294 **36-1-201. Utah House of Representatives -- District boundaries.**

295 (1) The Utah House of Representatives shall consist of 75 members, with one member
296 to be elected from each Utah House of Representatives district.

297 (2) (a) The Legislature adopts the official census population figures and maps of the
298 Bureau of the Census of the United States Department of Commerce developed in connection
299 with the taking of the 2000 national decennial census as the official data for establishing House
300 district boundaries.

301 (b) Except as provided in Subsection (3), the numbers and boundaries of the House
302 districts are designated and established by the maps attached to the bill that enacts this section.

303 (3) (a) Because of the new county boundary separating Salt Lake County and Utah
304 County, the boundary separating House District 51 and House District 27 that follows the old
305 county boundary is changed to follow the new county boundary.

306 (b) The following census blocks from the 2000 census are removed from House
307 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
308 3003, and 3004.

309 Section 10. Section **36-1-202** is amended to read:

310 **36-1-202. Official maps of House districts.**

311 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
312 and any other relevant materials, with the lieutenant governor's office.

313 (b) Except as provided in Subsection (2), the legal boundaries of House districts are
314 contained in the official maps on file with the lieutenant governor's office.

315 (2) (a) Because of the new county boundary separating Salt Lake County and Utah
316 County, the boundary separating House District 51 and House District 27 that follows the old
317 county boundary is changed to follow the new county boundary.

318 (b) The following census blocks from the 2000 census are removed from House
319 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
320 3003, and 3004.

321 (3) When questions of interpretation of House district boundaries arise, the official
322 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
323 intent in drawing the House district boundaries.

324 [~~(4)(a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
325 ~~from the lieutenant governor's office.]~~

326 [~~(b) Each county clerk shall establish voting precincts and polling places within each~~
327 ~~House district according to the procedures and requirements of Section 20A-5-303.]~~

328 [~~(5)~~] (4) Maps identifying the boundaries for House districts may be viewed on the
329 Internet at the lieutenant governor's website.

330 Section 11. Section **36-1-202.2** is enacted to read:

331 **36-1-202.2. County clerk, Automated Geographic Reference Center, and**
332 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

333 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
334 from the lieutenant governor's office.

335 (2) (a) A county clerk may create one or more county maps that identify the boundaries
336 of House districts as shown on the official maps.

337 (b) Before publishing or distributing any map or data created by the county clerk that
338 identifies the boundaries of House districts within the county, the clerk shall submit the map
339 and data to the lieutenant governor and to the Automated Geographic Reference Center for
340 review.

341 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
342 Geographic Reference Center shall:

343 (i) review the map and data to evaluate if the county map and data accurately reflect the
344 boundaries of House districts established by the Legislature in the official maps;

345 (ii) determine whether the map and data are correct or incorrect; and

346 (iii) communicate those findings to the lieutenant governor.

347 (d) The lieutenant governor shall either notify the county clerk that the map and data
348 are correct or notify the county clerk that the map and data are incorrect.

349 (e) If the county clerk receives notice from the lieutenant governor that the map and
350 data submitted are incorrect, the county clerk shall:

351 (i) make the corrections necessary to conform the map and data to the official maps;
352 and

353 (ii) resubmit the corrected map and data to the lieutenant governor and to the
354 Automated Geographic Reference Center for a new review under this Subsection (2).

355 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
356 establish voting precincts and polling places within each House district according to the
357 procedures and requirements of Section 20A-5-303.

358 (b) Within five working days after approval of voting precincts and polling places by
359 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
360 voting precinct map identifying the boundaries of each voting precinct within the county to the
361 lieutenant governor and to the Automated Geographic Reference Center for review.

362 (c) Within 30 days after receipt of a map from a county clerk, the Automated
363 Geographic Reference Center shall:

364 (i) review the voting precinct map to evaluate if the county map accurately reflects the

365 boundaries of House districts established by the Legislature in the official maps;

366 (ii) determine whether the map is correct or incorrect; and

367 (iii) communicate those findings to the lieutenant governor.

368 (d) The lieutenant governor shall either notify the county clerk that the map is correct
369 or notify the county clerk that the map is incorrect.

370 (e) If the county clerk receives notice from the lieutenant governor that the map is
371 incorrect, the county clerk shall:

372 (i) make the corrections necessary to conform the voting precinct map to the official
373 maps; and

374 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
375 Geographic Reference Center for a new review under this Subsection (3).

376 Section 12. **Effective date.**

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