1   **STATE HOUSE BOUNDARY AMENDMENTS**

2   2012 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Kenneth W. Sumsion**

5   Senate Sponsor: Ralph Okerlund

6

7   **LONG TITLE**

8   **General Description:**

9   This bill makes minor adjustments to State House district boundaries to reconcile

10   United States Census data with state maps and to resolve certain election administration

11   issues.

12   **Highlighted Provisions:**

13   This bill:

14   ▸   defines terms;

15   ▸   makes changes to State House district boundaries to reconcile United States Census

16   data with state maps;

17   ▸   makes changes to State House district boundaries to resolve certain election

18   administration issues; and

19   ▸   makes technical corrections.

20   **Money Appropriated in this Bill:**

21   None

22   **Other Special Clauses:**

23   This bill provides an immediate effective date.

24   **Utah Code Sections Affected:**

25   AMENDS:

26   **36-1-201.5**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 6

27   **36-1-202**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

28   **36-1-202.2**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

29   **36-1-204**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

30

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

Section 1. Section **36-1-201.5** is amended to read:

36-1-201.5.   Utah House of Representatives -- House district boundaries.

(1) As used in this section:

(a) "County boundary" means the county boundary's location in the database as of January 1, 2010.

(b) "Database" means the State Geographic Information Database created in Section 63F-1-507.

(c) "Local school district boundary" means the local school district boundary's location in the database as of January 1, 2010.

(d) "Municipal boundary" means the municipal boundary's location in the database as of January 1, 2010.

[(1)] (2) The Utah House of Representatives shall consist of 75 members, with one member to be elected from each Utah House of Representative district.

[(2) The] (3) Except as modified by Subsection (5), the Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2010 national decennial census as the official data for establishing House district boundaries.

[(3)] (4) (a) [The] Except as modified by Subsection (5), the Legislature enacts the numbers and boundaries of the House districts designated by the House block assignment file that is the electronic component of the bill that enacts this section.

(b) That House block assignment file, and the legislative boundaries generated from that block assignment file together with the modifications made by Subsection (5), may be accessed via the Utah Legislature's website.

(5) (a) The following census blocks from the 2010 Census are placed into House District 1 and removed from House District 29: 490039608021025, 490039608021026, and 490039608021027.

58   (b) The following census blocks from the 2010 Census are placed into House District 1

59 and removed from House District 3: 490050003001047, 490050003001048,

60 490050003001049, and 490050003001050.

61   (c) The following census blocks from the 2010 Census are placed into House District 3

62 and removed from House District 1: 490050003001046, 490050003001056,

63 490050003001057, 490050003001058, 490050003001059, 490050003001061, and

64 490050003001063.

65   (d) The following census blocks from the 2010 Census are placed into House District 7

66 and removed from House District 8: 490572103042017 and 490572103042018.

67   (e) The following census blocks from the 2010 Census are placed into House District

68 11 and removed from House District 10: 490572105112040, 490572105112042,

69 490572105112043, 490572105123002, 490572109005003, 490572112011013,

70 490572112011014, 490572112011015, 490572112011016, 490572112011018,

71 490572112011023, 490572112011024, and 490572112012011.

72   (f) The following census blocks from the 2010 Census are placed into House District

73 11 and removed from House District 12: 490572105121012, 490572105121013,

74 490572105121014, and 490572107011001.

75   (g) The following census blocks from the 2010 Census are placed into House District

76 11 and removed from House District 16: 490111251032073, 490111251032074,

77 490111251032075, 490111252002084, 490111252002254, 490111252002256,

78 490111252002258, 490111252002259, 490111252002274, 490111252002275,

79 490111252002276, 490111252002277, 490111252002278, 490111252002288,

80 490111252002289, and 490111252002307.

81   (h) The following census blocks from the 2010 Census are placed into House District

82 13 and removed from House District 11: 490111252002104, 490111252002105,

83 490111252002106, 490111252002115, 490111252002116, 490111252002117,

84 490111252002118, 490111252002119, 490111252002120, 490111252002121,

85 490111252002186, 490111253011000, 490111253011001, 490111253011002,

86   490111253012000, 490111253012001, 490111253013000, 490111253013001,

87   490111253013032, 490111253014000, 490111253014001, 490111253014002, and

88   490111253014022.

89   (i) The following census blocks from the 2010 Census are placed into House District

90   17 and removed from House District 18: 490111251022075, 490111251022076,

91   490111261051020, 490111262032003, 490111262032013, and 490111262032014.

92   (j) The following census blocks from the 2010 Census are placed into House District

93   18 and removed from House District 17: 490111262022001, 490111262022003,

94   490111262022004, 490111262032011, and 490111262032044.

95   (k) The following census block from the 2010 Census is placed into House District 18

96   and removed from House District 19: 490111266002006.

97   (l) The following census block from the 2010 Census is placed into House District 19

98   and removed from House District 18: 490111265002014.

99   (m) The following census blocks from the 2010 Census are placed into House District

100   19 and removed from House District 20: 490111267001006, 490111267001008,

101   490111267002007, 490111267002023, 490111269016000, 490111269016001,

102   490111269016002, 490111269016008, 490111270043000, 490111270043001, and

103   490111270043010.

104   (n) The following census block from the 2010 Census is placed into House District 21

105   and removed from House District 68: 490451307012018.

106   (o) The following census block from the 2010 Census is placed into House District 24

107   and removed from House District 28: 490351148003023.

108   (p) The following census block from the 2010 Census is placed into House District 26

109   and removed from House District 31: 490351133051011.

110   (q) The following census blocks from the 2010 Census are placed into House District

111   27 and removed from House District 56: 490490002051025, 490490102172032,

112   490490102172033, and 490490102183020.

113   (r) The following census blocks from the 2010 Census are placed into House District

114   27 and removed from House District 6: 490351128201063, 490490102122001,

115   490490102122009, 490490102122010, 490490102122011, 490490102122097,

116   490490102122107, 490490102122108, 490490102122115, 490490102122117,

117   490490102122122, 490490102122123, 490490102122124, 490490102171057, and

118   490490102171059.

119   (s) The following census blocks from the 2010 Census are placed into House District

120   29 and removed from House District 1: 490039605002094, 490039605002100,

121   490039605002101, 490039605002102, and 490039605002103.

122   (t) The following census blocks from the 2010 Census are placed into House District

123   29 and removed from House District 8: 490572103024007 and 490572103041048.

124   (u) The following census block from the 2010 Census is placed into House District 33

125   and removed from House District 31: 490351135091002.

126   (v) The following census blocks from the 2010 Census are placed into House District

127   34 and removed from House District 43: 490351142001003 and 490351142001004.

128   (w) The following census blocks from the 2010 Census are placed into House District

129   48 and removed from House District 60: 490490014022000 and 490490014022001.

130   (x) The following census block from the 2010 Census is placed into House District 54

131   and removed from House District 53: 490439643061158.

132   (y) The following census blocks from the 2010 Census are placed into House District

133   56 and removed from House District 27: 490490102172007, 490490102172009,

134   490490102172023, 490490102172024, 490490102172025, 490490102172026,

135   490490102172027, 490490102172028, 490490102172029, 490490102172036,

136   490490102172038, 490490102172039, 490490102172066, and 490490102173014.

137   (z) The following census blocks from the 2010 Census are placed into House District

138   57 and removed from House District 27: 490490005052051, 490490005052052,

139   490490005052055, 490490005052057, 490490005052058, 490490005053017,

140   490490005053018, 490490005053022, 490490005053023, 490490005053024,

141   490490005053025, 490490005053026, 490490005053027, 490490005053028,

142   490490005053029, 490490005053030, 490490005053031, 490490005053032,

143   490490005053033, 490490005053034, 490490005053035, 490490005053036,

144   490490005053037, 490490005053038, 490490005053039, 490490005053040,

145   490490005053041, 490490005053042, 490490005053043, 490490005053044,

146   490490005053045, 490490005053046, 490490005053047, 490490005053048,

147   490490005053049, 490490005053050, 490490005053051, 490490005053052,

148   490490005053053, 490490005053054, 490490005053055, 490490005053056,

149   490490005053057, 490490005053058, 490490005053059, 490490005053060,

150   490490005053061, 490490005053062, 490490005053065, 490490005071018,

151   490490005071019, 490490005071020, 490490005071025, 490490005071026,

152   490490005071031, 490490005071032, 490490005071033, and 490490102101066.

153   (aa) The following census block from the 2010 Census is placed into House District 59

154   and removed from House District 61: 490490022011099.

155   (bb) The following census blocks from the 2010 Census are placed into House District

156   60 and removed from House District 48: 490490013001010, 490490013001012,

157   490490013001013, 490490013001014, 490490013001016, 490490013001017,

158   490490013001018, 490490013001020, 490490013001021, 490490014012012,

159   490490014012013, and 490490014012014.

160   (cc) The following census blocks from the 2010 Census are placed into House District

161   61 and removed from House District 64: 490490022073011, 490490022073012,

162   490490022073016, and 490490022073017.

163   (dd) The following census blocks from the 2010 Census are placed into House District

164   62 and removed from House District 75: 490532712001032 and 490532712001033.

165   (ee) The following census blocks from the 2010 Census are placed into House District

166   66 and removed from House District 64: 490490105032030, 490490105032033,

167   490490105032034, 490490105032035, 490490105032036, 490490105032037, and

168   490490105032062.

169   (ff) The following census blocks from the 2010 Census are placed into House District

170   67 and removed from House District 66: 490490104112001, 490490104112002,

171   490490104112006, 490490104112007, 490490104112015, 490490104113161,

172   490490104113166, 490490104113267, and 490490104113290.

173   (gg) The following census blocks from the 2010 Census are placed into House District

174   68 and removed from House District 21: 490451307032023, 490451307032030,

175   490451307033696, and 490451307033697.

176   (hh) The following census blocks from the 2010 Census are placed into House District

177   71 and removed from House District 62: 490532708011188, 490532708011193,

178   490532708011194, 490532708011208, 490532717021058, 490532717021059,

179   490532717021060, 490532717021061, 490532717021065, 490532717021066,

180   490532717021067, and 490532717021077.

181   (ii) The following census blocks from the 2010 Census are placed into House District

182   71 and removed from House District 72: 490211102001068, 490211102001069,

183   490211102001104, 490211102003259, 490211102003270, and 490211102003276.

184   (jj) The boundary between House District 7 and House District 8 is changed to follow

185   the Harrisville municipal boundary from the point where the municipal boundaries of Pleasant

186   View, North Ogden, and Harrisville intersect, generally south to the intersection of the

187   Harrisville municipal boundary with 2150 North Street in North Ogden east along 2150 North

188   Street to the existing House boundary.

189   (kk) The boundary between House District 10 and House District 11 is changed to

190   follow the South Ogden municipal boundary from the intersection of the established House

191   district boundary with Combe Road, along the South Ogden municipal boundary generally east,

192   south, west, and north to the intersection of the South Ogden municipal boundary with Wasatch

193   Drive.

194   (ll) The boundary between House District 11 and House District 16 is changed to

195   follow the South Weber municipal boundary from the northernmost intersection of the

196   established House district boundary for House District 16 with State Highway 89, along the

197   South Weber municipal boundary generally east then south and then west to the intersection of

198   the House district boundary with the Layton municipal boundary.

199   (mm) The boundary between House District 18 and House District 19 is changed to

200   follow Interstate 15 from the intersection of Pages Lane in Bountiful with Interstate 15, north to

201   the intersection of Interstate 15 with the Bountiful municipal boundary, then along the

202   Bountiful municipal boundary generally north, then east, then south to the intersection of the

203   Bountiful municipal boundary with Pages Lane.

204   (nn) The boundary between House District 53 and House District 54 is changed to

205   follow the Summit County Service Area Number 3 boundary from the intersection of the

206   House district boundary with Summit County Service Area Number 3, generally east, then

207   north, then east, then projecting the same service area boundary east to intersect with Interstate

208   80.

209   (oo) The boundary between House District 55 and House District 69 is changed to

210   follow the Roosevelt municipal boundary from the northernmost point where Roosevelt City

211   shares a boundary with Duchesne County, then along the Roosevelt municipal boundary

212   generally west, north, and south to the intersection of the Roosevelt municipal boundary with

213   2000 South Street.

214   (pp) The boundary between House District 57 and House District 59 is changed to

215   follow the Pleasant Grove municipal boundary from the southernmost intersection of the House

216   district boundary with State Street, generally east to the intersection of the Pleasant Grove

217   municipal boundary with 1500 East Street in Pleasant Grove.

218   (qq) The boundary between House District 63 and House District 64 is changed to

219   follow Summit Drive from the intersection of Summit Drive and 1420 East Street, generally

220   east, then north to the intersection of Summit Drive and Ridge Drive, then due east to the

221   United States Forest Service boundary, then north to the established House boundary.

222   (rr) The boundary between House District 71 and House District 72 is changed to

223   follow the Parowan municipal boundary so that all of Parowan City is in House District 71.

224   (ss) The boundary between House District 74 and House District 75 is changed to

225   follow Sunset Boulevard west from the westernmost intersection of Sunset Boulevard and the

226 established House boundary, west to the easternmost intersection of Sunset Boulevard with the

227 St. George municipal boundary, then along the St. George municipal boundary generally south,

228 then west, and then east to the intersection of the St. George municipal boundary with Indian

229 Hills Drive.

230 (tt) The following census block from the 2010 Census is placed into House District 5

231 and removed from House District 4: 490050003003118.

232 (uu) The boundary of House District 3 is changed to follow the Trenton City municipal

233 boundary so that all of Trenton City is within House District 3.

234 (vv) The boundary between House District 33 and House District 39 is changed to

235 follow the West Valley City municipal boundary from the intersection of the West Valley City

236 municipal boundary with 4000 West, west to the point where 4685 West in West Valley City,

237 projected south, intersects with the West Valley City municipal boundary.

238 (ww) The boundary between House District 30 and House District 39 is changed to

239 follow the West Valley City municipal boundary from the point where 4685 West in West

240 Valley City, projected south, intersects with the West Valley City municipal boundary, west to

241 the intersection of the municipal boundary with 4725 West.

242 (xx) The boundary between House District 30 and House District 38 is changed to

243 follow the West Valley City municipal boundary from the intersection of the municipal

244 boundary with 4725 West west to the intersection of the municipal boundary with 4800 West.

245 Section 2. Section **36-1-202** is amended to read:

246 **36-1-202. House districts -- Filing -- Legal boundaries.**

247 (1) (a) The Legislature shall file a copy of the House block assignment file enacted by

248 the Legislature with the lieutenant governor's office.

249 (b) [The] Except as provided in Subsection 36-1-201.5(5) the legal boundaries of House

250 districts are contained in the House block assignment file on file with the lieutenant governor's

251 office.

252 (2) (a) The lieutenant governor shall:

253 (i) generate maps of each House district from the House block assignment file and the

254   modifications to boundaries made in Subsection 36-1-201.5(5); and

255   (ii) ensure that those maps are available for viewing on the lieutenant governor's

256   website.

257   (b) If there is any inconsistency between the maps [and], the House block assignment

258   file, and the modifications made to boundaries in Subsection 36-1-201.5(5), the House block

259   assignment file, as adjusted by the modifications to boundaries made in Subsection

260   36-1-201.5(5), [is] are controlling.

261   Section 3. Section **36-1-202.2** is amended to read:

262   **36-1-202.2. County clerk, Automated Geographic Reference Center, and**

263   **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

264   (1) As used in this section, "redistricting boundary data" means the House block

265   assignment file and any modifications made to the House district boundaries by Subsection

266   36-1-201.5(5).

267   [(1)] (2) Each county clerk shall obtain a copy of the [House block assignment file]

268   redistricting boundary data for the clerk's county from the lieutenant governor's office.

269   [(2)] (3) (a) A county clerk may create one or more county maps that identify the

270   boundaries of House districts as generated from the [House block assignment file] redistricting

271   boundary data.

272   (b) Before publishing or distributing any map or data created by the county clerk that

273   identifies the boundaries of House districts within the county, the clerk shall submit the county

274   map and data to the lieutenant governor and to the Automated Geographic Reference Center for

275   review.

276   (c) Within 30 days after receipt of a county map and data from a county clerk, the

277   Automated Geographic Reference Center shall:

278   (i) review the county map and data to evaluate if the county map and data accurately

279   reflect the boundaries of House districts established by the Legislature in the [House block

280   assignment file] redistricting boundary data;

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

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

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

284   data are correct or notify the county clerk that the county map and data are incorrect.

285   (e) If the county clerk receives notice from the lieutenant governor that the county map

286   and data submitted are incorrect, the county clerk shall:

287   (i) make the corrections necessary to conform the county map and data to the [House

288   block assignment file] redistricting boundary data; and

289   (ii) resubmit the corrected county map and data to the lieutenant governor and to the

290   Automated Geographic Reference Center for a new review under this Subsection [(2)] (3).

291   [(3)] (4) (a) Subject to the requirements of this Subsection [(3)] (4), each county clerk

292   shall establish voting precincts and polling places within each House district according to the

293   procedures and requirements of Section 20A-5-303.

294   (b) Within five working days after approval of voting precincts and polling places by

295   the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

296   voting precinct map identifying the boundaries of each voting precinct within the county to the

297   lieutenant governor and to the Automated Geographic Reference Center for review.

298   (c) Within 30 days after receipt of a voting precinct map from a county clerk, the

299   Automated Geographic Reference Center shall:

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

301   boundaries of House districts established by the Legislature in the [House block assignment

302   file] redistricting boundary data;

303   (ii) determine whether the voting precinct map is correct or incorrect; and

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

305   (d) The lieutenant governor shall either notify the county clerk that the voting precinct

306   map is correct or notify the county clerk that the voting precinct map is incorrect.

307   (e) If the county clerk receives notice from the lieutenant governor that the voting

308   precinct map is incorrect, the county clerk shall:

309   (i) make the corrections necessary to conform the voting precinct map to the [House

310   ~~block assignment file~~] redistricting boundary data; and

311   (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the

312   Automated Geographic Reference Center for a new review under this Subsection [~~(3)~~] (4).

313   Section 4. Section **36-1-204** is amended to read:

314   **36-1-204.   Uncertain boundaries -- How resolved.**

315   (1) As used in this section[~~, "affected~~]:

316   (a) "Affected party" means:

317   [~~(a)~~] (i) a representative whose Utah House of Representatives district boundary is

318   uncertain because the [~~boundary~~] feature used to establish the district boundary in the House

319   block assignment file [~~used to establish the House district boundary~~] or in any modifications to

320   the boundary made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be

321   identified or who is uncertain about whether or not the representative or another person resides

322   in a particular House district;

323   [~~(b)~~] (ii) a candidate for representative whose House district boundary is uncertain

324   because the [~~boundary~~] feature used to establish the district boundary in the House block

325   assignment file [~~used to establish the district boundary~~] or in any modifications to the boundary

326   made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be identified or

327   who is uncertain about whether or not the candidate or another person resides in a particular

328   House district; or

329   [~~(c)~~] (iii) a person who is uncertain about which House district contains the person's

330   residence because the [~~boundary~~] feature used to establish the district boundary in the House

331   block assignment file [~~used to establish the House district boundary~~] or in any modifications to

332   the boundary made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be

333   identified.

334   (b) "Feature" means a geographic or other identifiable tangible or intangible object

335   such as a road or political subdivision boundary that is used to establish a House district

336   boundary.

337   (2) (a) An affected party may file a written request petitioning the lieutenant governor

338   to determine:

339   (i) the precise location of the House district boundary;

340   (ii) the number of the House district in which a person resides; or

341   (iii) both Subsections (2)(a)(i) and (ii).

342   (b) In order to make the determination required by Subsection (2)(a), the lieutenant

343   governor shall review:

344   (i) the House block assignment file;

345   (ii) the modifications to the boundary made in Subsection 36-1-201.5(5); and [obtain

346   and review]

347   (iii) other relevant data such as aerial photographs, aerial maps, or other data about the

348   area.

349   (c) Within five days of receipt of the request, the lieutenant governor shall:

350   (i) review the House block assignment file[, obtain and];

351   (ii) review the modifications to the boundary made in Subsection 36-1-201.5(5);

352   (iii) review any relevant data[,]; and

353   (iv) make a determination.

354   (d) When the lieutenant governor determines the location of the House district

355   boundary, the lieutenant governor shall:

356   (i) prepare a certification identifying the appropriate House district boundary and

357   attaching a map, if necessary; and

358   (ii) send a copy of the certification to:

359   (A) the affected party;

360   (B) the county clerk of the affected county; and

361   (C) the Automated Geographic Reference Center created under Section 63F-1-506.

362   (e) If the lieutenant governor determines the number of the House district in which a

363   particular person resides, the lieutenant governor shall send a letter identifying that district by

364   number to:

365   (i) the person;

366   (ii) the affected party who filed the petition, if different than the person whose House

367 district number was identified; and

368   (iii) the county clerk of the affected county.

369   Section 5. **Effective date.**

370   If approved by two-thirds of all the members elected to each house, this bill takes effect

371 upon approval by the governor, or the day following the constitutional time limit of Utah

372 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

373 the date of veto override.