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

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

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

33   **36-1-201.5.   Utah House of Representatives -- House district boundaries.**

34   (1) As used in this section:

35   (a) "County boundary" means the county boundary's location in the database as of

36 January 1, 2010.

37   (b) "Database" means the State Geographic Information Database created in Section

38 63F-1-507.

39   (c) "Local school district boundary" means the local school district boundary's location

40 in the database as of January 1, 2010.

41   (d) "Municipal boundary" means the municipal boundary's location in the database as

42 of January 1, 2010.

43   [(1)] (2) The Utah House of Representatives shall consist of 75 members, with one

44 member to be elected from each Utah House of Representative district.

45   [(2) The] (3) Except as modified by Subsection (5), the Legislature adopts the official

46 census population figures and maps of the Bureau of the Census of the United States

47 Department of Commerce developed in connection with the taking of the 2010 national

48 decennial census as the official data for establishing House district boundaries.

49   [(3)] (4) (a) [The] Except as modified by Subsection (5), the Legislature enacts the

50 numbers and boundaries of the House districts designated by the House block assignment file

51 that is the electronic component of the bill that enacts this section.

52   (b) That House block assignment file, and the legislative boundaries generated from

53 that block assignment file together with the modifications made by Subsection (5), may be

54 accessed via the Utah Legislature's website.

55   (5) (a) The following census blocks from the 2010 Census are placed into House

56 District 1 and removed from House District 29: 490039608021025, 490039608021026, and

57 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,

64 490050003001063, and 490050003002005.

65   (d) The following census blocks from the 2010 Census are placed into House District 4

66 and removed from House District 5: 490050012013039 and 490050012013040.

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

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

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

70 11 and removed from House District 10: 490572105112040, 490572105112042,

71 490572105112043, 490572105123002, 490572109005003, 490572112011013,

72 490572112011014, 490572112011015, 490572112011016, 490572112011018,

73 490572112011023, 490572112011024, and 490572112012011.

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

75 11 and removed from House District 12: 490572105121012, 490572105121013,

76 490572105121014, and 490572107011001.

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

78 11 and removed from House District 16: 490111251032073, 490111251032074,

79 490111251032075, 490111252002084, 490111252002254, 490111252002256,

80 490111252002258, 490111252002259, 490111252002274, 490111252002275,

81 490111252002276, 490111252002277, 490111252002278, 490111252002288,

82 490111252002289, and 490111252002307.

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

84 13 and removed from House District 11: 490111252002104, 490111252002105,

85 490111252002106, 490111252002115, 490111252002116, 490111252002117,

86 490111252002118, 490111252002119, 490111252002120, 490111252002121,

87 490111252002186, 490111253011000, 490111253011001, 490111253011002,

88 490111253012000, 490111253012001, 490111253013000, 490111253013001,

89 490111253013032, 490111253014000, 490111253014001, 490111253014002, and

90 490111253014022.

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

92 17 and removed from House District 18: 490111251022075, 490111251022076,

93 490111261051020, 490111262032003, 490111262032013, and 490111262032014.

94   (k) The following census blocks from the 2010 Census are placed into House District

95 18 and removed from House District 17: 490111262022001, 490111262022003,

96 490111262022004, 490111262032011, and 490111262032044.

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

98 and removed from House District 19: 490111266002006.

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

100 and removed from House District 18: 490111265002014.

101   (n) The following census blocks from the 2010 Census are placed into House District

102 19 and removed from House District 20: 490111267001006, 490111267001008,

103 490111267002007, 490111267002023, 490111269016000, 490111269016001,

104 490111269016002, 490111269016008, 490111270043000, 490111270043001, and

105 490111270043010.

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

107 and removed from House District 68: 490451307012018.

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

109 and removed from House District 28: 490351148003023.

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

111 26 and removed from House District 31: 490351133051011, 490351133051011, and

112 490351133051011.

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

114 27 and removed from House District 56: 490490002051025, 490490102172032,

115 490490102172033, and 490490102183020.

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

117 27 and removed from House District 6: 490351128201063, 490490102122001,

118 490490102122009, 490490102122010, 490490102122011, 490490102122097,

119 490490102122107, 490490102122108, 490490102122115, 490490102122117,

120 490490102122122, 490490102122123, 490490102122124, 490490102171057, and

121   490490102171059.

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

123   29 and removed from House District 1: 490039605002094, 490039605002100,

124   490039605002101, 490039605002102, and 490039605002103.

125   (u) The following census blocks from the 2010 Census are placed into House District

126   29 and removed from House District 8: 490572103024007 and 490572103041048.

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

128   and removed from House District 31: 490351135091002.

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

130   34 and removed from House District 43: 490351142001003 and 490351142001004.

131   (x) The following census blocks from the 2010 Census are placed into House District

132   48 and removed from House District 60: 490490014022000 and 490490014022001.

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

134   and removed from House District 53: 490439643061158.

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

136   56 and removed from House District 27: 490490102172007, 490490102172009,

137   490490102172023, 490490102172024, 490490102172025, 490490102172026,

138   490490102172027, 490490102172028, 490490102172029, 490490102172036,

139   490490102172038, 490490102172039, 490490102172066, and 490490102173014.

140   (aa) The following census block from the 2010 Census is placed into House District 57

141   and removed from House District 27: 490490102101066.

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

143   and removed from House District 61: 490490022011099.

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

145   60 and removed from House District 48: 490490013001010, 490490013001012,

146   490490013001013, 490490013001014, 490490013001016, 490490013001017,

147   490490013001018, 490490013001020, 490490013001021, 490490014012012,

148   490490014012013, and 490490014012014.

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

150   61 and removed from House District 64: 490490022073011, 490490022073012,

151   490490022073016, and 490490022073017.

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

153   62 and removed from House District 75: 490532712001032 and 490532712001033.

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

155   66 and removed from House District 64: 490490105032030, 490490105032033,

156   490490105032034, 490490105032035, 490490105032036, 490490105032037, and

157   490490105032062.

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

159   67 and removed from House District 66: 490490104112001, 490490104112002,

160   490490104112006, 490490104112007, 490490104112015, and 490490104113267.

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

162   68 and removed from House District 21: 490451307032023, 490451307032030,

163   490451307033696, and 490451307033697.

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

165   71 and removed from House District 62: 490532708011188, 490532708011193,

166   490532708011194, 490532708011208, 490532717021058, 490532717021059,

167   490532717021060, 490532717021061, 490532717021065, 490532717021066,

168   490532717021067, and 490532717021077.

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

170   71 and removed from House District 72: 490211102001068, 490211102001069,

171   490211102001104, 490211102003259, 490211102003270, and 490211102003276.

172   (kk) The boundary between House District 7 and House District 8 is changed to follow

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

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

175   Harrisville municipal boundary with 2150 North street in North Ogden east along 2150 North

176   Street to the existing House boundary.

177   (ll) The boundary between House District 10 and House District 11 is changed to

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

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

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

181   Drive.

182   (mm) The boundary between House District 11 and House District 16 is changed to

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

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

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

186   the House district boundary with the Layton municipal boundary.

187   (nn) The boundary between House District 18 and House District 19 is changed to

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

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

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

191   Bountiful municipal boundary with Pages Lane.

192   (oo) The boundary between House District 53 and House District 54 is changed to

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

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

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

196   80.

197   (pp) The boundary between House District 55 and House District 69 is changed to

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

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

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

201   2000 South Street.

202   (qq) The boundary between House District 57 and House District 59 is changed to

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

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

205   municipal boundary with 1500 East Street in Pleasant Grove.

206   (rr) The boundary between House District 63 and House District 64 is changed to

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

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

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

210   (ss) The boundary between House District 71 and House District 72 is changed to

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

212   (tt) The boundary between House District 74 and House District 75 is changed to

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

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

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

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

217   Hills Drive.

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

219   **36-1-202.   House districts -- Filing -- Legal boundaries.**

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

221   the Legislature with the lieutenant governor's office.

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

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

224   office.

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

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

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

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

229   website.

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

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

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

233   36-1-201.5(5), [is] are controlling.

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

235   **36-1-202.2.   County clerk, Automated Geographic Reference Center, and**

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

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

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

239   36-1-201.5(5).

240   [(1)] (2) Each county clerk shall obtain a copy of the [House block assignment file]

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

242   [(2)] (3) (a) A county clerk may create one or more county maps that identify the

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

244   boundary data.

245   (b) Before publishing or distributing any map or data created by the county clerk that
246 identifies the boundaries of House districts within the county, the clerk shall submit the county
247 map and data to the lieutenant governor and to the Automated Geographic Reference Center for
248 review.
249   (c) Within 30 days after receipt of a county map and data from a county clerk, the
250 Automated Geographic Reference Center shall:
251   (i) review the county map and data to evaluate if the county map and data accurately
252 reflect the boundaries of House districts established by the Legislature in the [House block
253 assignment file] redistricting boundary data;
254   (ii) determine whether the county map and data are correct or incorrect; and
255   (iii) communicate those findings to the lieutenant governor.
256   (d) The lieutenant governor shall either notify the county clerk that the county map and
257 data are correct or notify the county clerk that the county map and data are incorrect.
258   (e) If the county clerk receives notice from the lieutenant governor that the county map
259 and data submitted are incorrect, the county clerk shall:
260   (i) make the corrections necessary to conform the county map and data to the [House
261 block assignment file] redistricting boundary data; and
262   (ii) resubmit the corrected county map and data to the lieutenant governor and to the
263 Automated Geographic Reference Center for a new review under this Subsection [(2)] (3).
264   [(3)] (4) (a) Subject to the requirements of this Subsection [(3)] (4), each county clerk
265 shall establish voting precincts and polling places within each House district according to the
266 procedures and requirements of Section 20A-5-303.
267   (b) Within five working days after approval of voting precincts and polling places by
268 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
269 voting precinct map identifying the boundaries of each voting precinct within the county to the
270 lieutenant governor and to the Automated Geographic Reference Center for review.
271   (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
272 Automated Geographic Reference Center shall:
273   (i) review the voting precinct map to evaluate if the county map accurately reflects the
274 boundaries of House districts established by the Legislature in the [House block assignment
275 file] redistricting boundary data;

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

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

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

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

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

281   precinct map is incorrect, the county clerk shall:

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

283   block assignment file] redistricting boundary data; and

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

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

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

287   **36-1-204.   Uncertain boundaries -- How resolved.**

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

289   (a) "Affected party" means:

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

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

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

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

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

295   in a particular House district;

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

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

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

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

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

301   House district; or

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

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

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

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

306   identified.

307   (b) "Feature" means a geographic or other identifiable tangible or intangible object
308   such as a road or political subdivision boundary that is used to establish a House district
309   boundary.
310   (2) (a) An affected party may file a written request petitioning the lieutenant governor
311   to determine:
312   (i) the precise location of the House district boundary;
313   (ii) the number of the House district in which a person resides; or
314   (iii) both Subsections (2)(a)(i) and (ii).
315   (b) In order to make the determination required by Subsection (2)(a), the lieutenant
316   governor shall review:
317   (i) the House block assignment file;
318   (ii) the modifications to the boundary made in Subsection 36-1-201.5(5); and [obtain
319   and review]
320   (iii) other relevant data such as aerial photographs, aerial maps, or other data about the
321   area.
322   (c) Within five days of receipt of the request, the lieutenant governor shall:
323   (i) review the House block assignment file[, obtain and];
324   (ii) review the modifications to the boundary made in Subsection 36-1-201.5(5);
325   (iii) review any relevant data[.]; and
326   (iv) make a determination.
327   (d) When the lieutenant governor determines the location of the House district
328   boundary, the lieutenant governor shall:
329   (i) prepare a certification identifying the appropriate House district boundary and
330   attaching a map, if necessary; and
331   (ii) send a copy of the certification to:
332   (A) the affected party;
333   (B) the county clerk of the affected county; and
334   (C) the Automated Geographic Reference Center created under Section 63F-1-506.
335   (e) If the lieutenant governor determines the number of the House district in which a
336   particular person resides, the lieutenant governor shall send a letter identifying that district by
337   number to:

338   (i) the person;

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

340   district number was identified; and

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

342   Section 5. **Effective date.**

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

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

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

346   the date of veto override.