

1 **STATE SENATE BOUNDARY AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ralph Okerlund**

5 House Sponsor: Brad L. Dee

7 **LONG TITLE**

8 **Redistricting Boundary Information:**

9 The Utah State Senate district boundary information may be found at <http://le.utah.gov>.

10 Electronic file security code: c3a991a19448f37cb53aeacd24f03b6

11 **General Description:**

12 This bill, which includes this printed text and the electronic data affiliated with it,
13 makes minor adjustments to Utah State Senate district boundaries.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ adopts the Senate district boundaries adjusted and approved by the lieutenant
17 governor and used in the November 2012 election, which reconcile United States
18 Census Bureau geographic data with state geographic data for:
- 19 • county boundaries;
 - 20 • municipal boundaries; and
 - 21 • school district boundaries;
- 22 ▶ incorporates two small doughnut holes with the district that completely surrounds
23 the doughnut hole;
- 24 ▶ removes references to census blocks that are now incorporated in the shapefile; and
 - 25 ▶ establishes the Senate shapefile in the electronic file, which is part of this bill in
26 electronic form, as the legal boundaries of Utah State Senate districts.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **36-1-101.1**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 7

34 **36-1-101.5**, as last amended by Laws of Utah 2012, Chapter 3

35 **36-1-103**, as last amended by Laws of Utah 2012, Chapter 3

36 **36-1-103.2**, as last amended by Laws of Utah 2012, Chapter 3

37 **36-1-104**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 7

38 **36-1-105**, as last amended by Laws of Utah 2012, Chapter 3

39

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

41 Section 1. Section **36-1-101.1** is amended to read:

42 **36-1-101.1. Definitions.**

43 As used in this part:

44 (1) "Census block" means any one of the 115,406 individual geographic areas into
45 which the Bureau of the Census of the United States Department of Commerce has divided the
46 state of Utah, to each of which the Bureau of the Census has attached a discrete population
47 tabulation from the 2010 decennial census.

48 (2) "Senate block assignment file" means the electronic file that assigns each of Utah's
49 115,406 census blocks to a particular Utah State Senate district.

50 (3) "Senate shapefile" means the electronic shapefile that stores the boundary of each
51 of the 29 Utah State Senate districts.

52 (4) "Shapefile" means the digital vector storage format for storing geometric location
53 and associated attribute information.

54 Section 2. Section **36-1-101.5** is amended to read:

55 **36-1-101.5. Utah State Senate -- District boundaries.**

56 (1) As used in this section:

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

58 January 1, 2010.

59 (b) "Database" means the State Geographic Information Database created in Section
60 63F-1-507.

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

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

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

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

71 (4) (a) ~~[Except as modified by]~~ Notwithstanding Subsection ~~[(5)]~~ (3), the Legislature
72 enacts the district numbers and boundaries of the Senate districts designated in the Senate
73 ~~[block assignment file]~~ shapefile that is the electronic component of the bill that enacts this
74 section.

75 (b) That Senate ~~[block assignment file]~~ shapefile, and the Senate district boundaries
76 generated from that Senate ~~[block assignment file, together with the modifications made by~~
77 Subsection (5); shapefile, may be accessed via the Utah Legislature's website.

78 ~~[(5) (a) The following census blocks from the 2010 Census are placed into Senate~~
79 ~~District 1 and removed from Senate District 3: 490351133053025, 490351133053028, and~~
80 ~~490351133053030.]~~

81 ~~[(b) The following census block from the 2010 Census is placed into Senate District 6~~
82 ~~and removed from Senate District 8: 490351135331005.]~~

83 ~~[(c) The following census blocks from the 2010 Census are placed into Senate District~~
84 ~~8 and removed from Senate District 6: 490351135331034, 490351135331035,~~
85 ~~490351142001003, and 490351142001004.]~~

86 ~~[(d) The following census blocks from the 2010 Census are placed into Senate District~~
87 ~~11 and removed from Senate District 10: 490351146003002, and 490351146003003.]~~

88 ~~[(e) The following census blocks from the 2010 Census are placed into Senate District~~
89 ~~11 and removed from Senate District 14: 490490102172036, and 490490102173014.]~~

90 ~~[(f) The following census block from the 2010 Census is placed into Senate District 12~~
91 ~~and removed from Senate District 5: 490351135263001.]~~

92 ~~[(g) The following census blocks from the 2010 Census are placed into Senate District~~
93 ~~13 and removed from Senate District 14: 490490002051002, 490490002051003,~~
94 ~~490490002051007, 490490002051025, and 490490002051026.]~~

95 ~~[(h) The following census block from the 2010 Census is placed into Senate District 15~~
96 ~~and removed from Senate District 7: 490490022011099.]~~

97 ~~[(i) The following census block from the 2010 Census is placed into Senate District 15~~
98 ~~and removed from Senate District 14: 490490101122091.]~~

99 ~~[(j) The following census blocks from the 2010 Census are placed into Senate District~~
100 ~~17 and removed from Senate District 12: 490451307032023, 490451307032030,~~
101 ~~490451307033696, and 490451307033697.]~~

102 ~~[(k) The following census blocks from the 2010 Census are placed into Senate District~~
103 ~~17 and removed from Senate District 25: 490050012011029, 490050012021000,~~
104 ~~490050012021001, 490050012022029, 490050012022030, 490050012022031, and~~
105 ~~490050012022032.]~~

106 ~~[(l) The following census blocks from the 2010 Census are placed into Senate District~~
107 ~~18 and removed from Senate District 20: 490572105121012, 490572105121013,~~
108 ~~490572105121014, and 490572107011001.]~~

109 ~~[(m) The following census blocks from the 2010 Census are placed into Senate District~~
110 ~~19 and removed from Senate District 20: 490572103041012, 490572103041052,~~
111 ~~490572103041053, and 490572104021005.]~~

112 ~~[(n) The following census blocks from the 2010 Census are placed into Senate District~~
113 ~~19 and removed from Senate District 26: 490439643062073, 490439643062086,~~

114 ~~490439643062087, 490439643062088, 490439643062090, 490439643062091,~~
115 ~~490439643062092, 490439643062093, and 490439643062101.]~~

116 ~~[(o) The following census blocks from the 2010 Census are placed into Senate District~~
117 ~~20 and removed from Senate District 18: 490111252002104, 490111252002105,~~
118 ~~490111252002106, 490111252002186, 490111253011000, 490111253011001,~~
119 ~~490111253011002, 490111253012000, 490111253012001, 490111253013000,~~
120 ~~490111253013001, and 490111253013032.]~~

121 ~~[(p) The following census blocks from the 2010 Census are placed into Senate District~~
122 ~~20 and removed from Senate District 19: 490572003001087 and 490572003001088.]~~

123 ~~[(q) The following census blocks from the 2010 Census are placed into Senate District~~
124 ~~21 and removed from Senate District 22: 490111258081000, 490111258081001,~~
125 ~~490111258081002, and 490111258083001.]~~

126 ~~[(r) The following census blocks from the 2010 Census are placed into Senate District~~
127 ~~23 and removed from Senate District 22: 490111263041048, 490111263041049,~~
128 ~~490111263041070, 490111263041084, and 490111263041086.]~~

129 ~~[(s) The following census blocks from the 2010 Census are placed into Senate District~~
130 ~~24 and removed from Senate District 7: 490490104092048, 490490104092052,~~
131 ~~490490104092053, 490490104092054, and 490490104092055.]~~

132 ~~[(t) The following census blocks from the 2010 Census are placed into Senate District~~
133 ~~28 and removed from Senate District 29: 490532711004012, 490532711004013,~~
134 ~~490532711004014, 490532711004035, 490532712001032, and 490532712001033.]~~

135 ~~[(u) The boundary between Senate District 14 and Senate District 15 is changed to~~
136 ~~follow the Pleasant Grove municipal boundary south of 1000 South between 1320 East Street~~
137 ~~and 1500 East Street in Pleasant Grove.]~~

138 ~~[(v) The boundary between Senate District 17 and Senate District 25 is changed to~~
139 ~~follow the Nibley municipal boundary from the intersection of 2200 South and 1200 West~~
140 ~~Streets, then along the same municipal boundary generally south then west to the intersection~~
141 ~~of Highway 89 and Kendell Mae Lane.]~~

142 [~~(w) The boundary between Senate District 19 and Senate District 26 is changed to~~
143 ~~follow the local school district boundary from the intersection of the local school district~~
144 ~~boundary with the shared boundary between Summit County and Rich County, then along the~~
145 ~~same local school district boundary generally south and west to the intersection of the local~~
146 ~~school district boundary with Promontory Ranch Road.]~~

147 Section 3. Section **36-1-103** is amended to read:

148 **36-1-103. Senate districts -- Copies -- Legal boundaries.**

149 (1) (a) The Legislature shall file a copy of the Senate [~~block assignment file~~] shapefile
150 enacted by the Legislature with the lieutenant governor's office.

151 (b) [~~Except as provided in Subsection 36-1-101.5(5), the~~] The legal boundaries of
152 Senate districts are contained in the Senate [~~block assignment file~~] shapefile on file with the
153 lieutenant governor's office.

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

155 (i) generate maps of each Utah State Senate district from the Senate [~~block assignment~~
156 ~~file and modifications to boundaries made in Subsection 36-1-101.5(5)~~] shapefile; and

157 (ii) ensure that those maps are available for viewing on the lieutenant governor's
158 website.

159 (b) If there is any inconsistency between the maps[;] and the Senate [~~block assignment~~
160 ~~file, and the modifications made to boundaries in Subsection 36-1-101.5(5)~~] shapefile, the
161 Senate [~~block assignment file as adjusted by the modifications to boundaries made in~~
162 ~~Subsection 36-1-101.5(5) are~~] shapefile is controlling.

163 Section 4. Section **36-1-103.2** is amended to read:

164 **36-1-103.2. County clerk, Automated Geographic Reference Center, and**
165 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

166 (1) As used in this section, "redistricting boundary data" means the Senate [~~block~~
167 ~~assignment file and any modifications made to the Senate district boundaries by Subsection~~
168 ~~36-1-101.5(5)~~] shapefile.

169 (2) Each county clerk shall obtain a copy of the redistricting boundary data for the

170 clerk's county from the lieutenant governor's office.

171 (3) (a) A county clerk may create one or more county maps that identify the boundaries
172 of Senate districts as generated from the redistricting boundary data.

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

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

179 (i) review the county map and data to evaluate if the county map and data accurately
180 reflect the boundaries of Senate districts established by the Legislature in the redistricting
181 boundary data;

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

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

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

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

188 (i) make the corrections necessary to conform the county map and data to the
189 redistricting boundary data; and

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

192 (4) (a) Subject to the requirements of this Subsection (4), each county clerk shall
193 establish voting precincts and polling places within each Senate district according to the
194 procedures and requirements of Section 20A-5-303.

195 (b) Within five working days after approval of voting precincts and polling places by
196 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
197 voting precinct map identifying the boundaries of each voting precinct within the county to the

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

199 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
200 Automated Geographic Reference Center shall:

201 (i) review the voting precinct map to evaluate if the voting precinct map accurately
202 reflects the boundaries of Senate districts established by the Legislature in the redistricting
203 boundary data;

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

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

206 (d) The lieutenant governor shall either notify the county clerk that the voting precinct
207 map is correct or notify the county clerk that the map is incorrect.

208 (e) If the county clerk receives notice from the lieutenant governor that the voting
209 precinct map is incorrect, the county clerk shall:

210 (i) make the corrections necessary to conform the voting precinct map to the
211 redistricting boundary data; and

212 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
213 Automated Geographic Reference Center for a new review under this Subsection (4).

214 Section 5. Section **36-1-104** is amended to read:

215 **36-1-104. Omissions from maps -- How resolved.**

216 (1) If any area of the state is omitted from a Utah State Senate district in the Senate
217 [~~block assignment file~~] shapefile enacted by the Legislature, the county clerk of the affected
218 county, upon discovery of the omission, shall attach the area to the appropriate Senate district
219 according to the requirements of Subsections (2) and (3).

220 (2) If the omitted area is surrounded by a single Senate district, the county clerk shall
221 attach the area to that district.

222 (3) If the omitted area is contiguous to two or more Senate districts, the county clerk
223 shall attach the area to the district that has the least population, as determined by the [~~official~~
224 ~~census population figures and maps described in Subsection 36-1-101.5(2)] Utah Population
225 Estimates Committee.~~

226 (4) The county clerk shall certify in writing and file with the lieutenant governor any
227 attachment made under this section.

228 Section 6. Section **36-1-105** is amended to read:

229 **36-1-105. Uncertain boundaries -- How resolved.**

230 (1) As used in this section:

231 (a) "Affected party" means:

232 (i) a senator whose Utah State Senate district boundary is uncertain because the feature
233 used to establish the district boundary in the Senate [~~block assignment file or in any~~
234 ~~modifications to the boundary made in Subsection 36-1-101.5(5)] shapefile has been removed,
235 modified, or is unable to be identified or who is uncertain about whether or not the senator or
236 another person resides in a particular Senate district;~~

237 (ii) a candidate for senator whose Senate district boundary is uncertain because the
238 feature used to establish the district boundary in the Senate [~~block assignment file or in any~~
239 ~~modifications to the boundary made in Subsection 36-1-101.5(5)] shapefile has been removed,
240 modified, or is unable to be identified or who is uncertain about whether or not the candidate or
241 another person resides in a particular Senate district; or~~

242 (iii) a person who is uncertain about which Senate district contains the person's
243 residence because the feature used to establish the district boundary in the Senate [~~block~~
244 ~~assignment file or in any modifications to the boundary made in Subsection 36-1-101.5(5)]
245 shapefile has been removed, modified, or is unable to be identified.~~

246 (b) "Feature" means a geographic or other tangible or intangible mark such as a road or
247 political subdivision boundary that is used to establish a Senate district boundary.

248 (2) (a) An affected party may file a written request petitioning the lieutenant governor
249 to determine:

250 (i) the precise location of the Senate district boundary;

251 (ii) the number of the Senate district in which a person resides; or

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

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

254 governor shall review:

255 (i) the Senate [~~block assignment file~~] shapefile; and
256 [~~(ii) the modifications to the boundary made in Subsection 36-1-101.5(5); and~~]
257 [~~(iii)~~] (ii) other relevant data such as aerial photographs, aerial maps, or other data
258 about the area.

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

260 (i) review the Senate [~~block assignment file~~] shapefile;
261 [~~(ii) review the modifications to the boundary made in Subsection 36-1-101.5(5);~~]
262 [~~(iii)~~] (ii) review any relevant data; and
263 [~~(iv)~~] (iii) make a determination.

264 (d) When the lieutenant governor determines the location of the Senate district
265 boundary, the lieutenant governor shall:

266 (i) prepare a certification identifying the appropriate Senate district boundary and
267 attaching a map, if necessary; and
268 (ii) send a copy of the certification to:
269 (A) the affected party;
270 (B) the county clerk of the affected county; and
271 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

272 (e) If the lieutenant governor determines the number of the Senate district in which a
273 particular person resides, the lieutenant governor shall send a letter identifying that district by
274 number to:

275 (i) the person;
276 (ii) the affected party who filed the petition, if different than the person whose Senate
277 district number was identified; and
278 (iii) the county clerk of the affected county.