

Senator Derek L. Kitchen proposes the following substitute bill:

CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://le.utah.gov>.

Block equivalency file: HB2004S07_BEF.txt

Block equivalency file security code: 684d678fd3e477525a6c8a5439975bdc

General Description:

This bill, which includes this printed text and the electronic data affiliated with this text that is available on the Legislature's website and also included on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

- ▶ repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;
- ▶ establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;
- ▶ provides a hash code to verify the authenticity of the block equivalency file; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 This bill provides a special effective date.

29 This bill provides revisor instructions.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **20A-13-101.1**, as last amended by Laws of Utah 2013, Chapter 383

33 **20A-13-101.5**, as last amended by Laws of Utah 2013, Chapter 383

34 **20A-13-102**, as last amended by Laws of Utah 2013, Chapter 383

35 **20A-13-102.2**, as last amended by Laws of Utah 2021, Chapter 162

36 **20A-13-103**, as last amended by Laws of Utah 2018, Chapter 330

37 **20A-13-104**, as last amended by Laws of Utah 2021, Chapters 162 and 345

38 **Utah Code Sections Affected by Revisor Instructions:**

39 **20A-13-101.5**, as last amended by Laws of Utah 2013, Chapter 383



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

42 Section 1. Section **20A-13-101.1** is amended to read:

43 **20A-13-101.1. Definitions.**

44 As used in this part:

45 (1) "Census block" means any one of the [~~115,406~~] 71,207 individual geographic areas
46 into which the Bureau of the Census of the United States Department of Commerce has divided
47 the state of Utah, to each of which the Bureau of the Census has attached a discrete population
48 tabulation from the [~~2010~~] 2020 decennial census.

49 (2) "Congressional block [~~assignment~~] equivalency file" means the electronic file
50 designated as HB2004S07_BEF.txt that assigns each of Utah's [~~115,406~~] 71,207 census blocks
51 to a particular Congressional district.

52 (3) "Congressional shapefile" means the electronic shapefile that:

53 (a) is the resulting projection of the Congressional block equivalency file; and

54 (b) stores the boundary of each of the four United States Congressional district
55 boundaries for Utah.

56 (4) "Shapefile" means the digital vector storage format for storing geometric location

57 and associated attribute information.

58 Section 2. Section **20A-13-101.5** is amended to read:

59 **20A-13-101.5. Representatives to the United States Congress -- Four**
60 **representative districts -- When elected -- District boundaries.**

61 (1) (a) The state of Utah is divided into four districts for the election of representatives
62 to the Congress of the United States, with one member to be elected from each Congressional
63 district.

64 (b) At the general election to be held in [~~2012~~] 2022, and biennially thereafter, one
65 representative from each Congressional district shall be elected to serve in the Congress of the
66 United States.

67 (2) The Legislature adopts the official census population figures and maps of the
68 Bureau of the Census of the United States Department of Commerce developed in connection
69 with the taking of the [~~2010~~] 2020 national decennial census as the official data for establishing
70 Congressional district boundaries.

71 (3) (a) [~~Notwithstanding Subsection (2), the~~] The Legislature enacts the district
72 numbers and boundaries of the Congressional districts designated in the Congressional block
73 equivalency file and resulting Congressional shapefile that is the electronic component of [~~the~~
74 ~~bill that enacts this section~~] this bill.

75 (b) [~~That~~] The Legislature shall ensure that the Congressional shapefile, and
76 Congressional boundaries generated from [that] the Congressional shapefile, [may be accessed
77 via] are accessible on the Utah Legislature's website.

78 Section 3. Section **20A-13-102** is amended to read:

79 **20A-13-102. Congressional districts -- Filing -- Legal boundaries.**

80 (1) (a) The Legislature shall file a copy of the Congressional [~~shapefile~~] block
81 equivalency file enacted by the Legislature and the resulting Congressional shapefile with the
82 lieutenant governor's office.

83 (b) The legal boundaries of Utah's Congressional districts are contained in the
84 Congressional shapefile on file with the lieutenant governor's office.

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

86 (i) verify the Congressional block equivalency file that the Legislature files under
87 Subsection (1) using block equivalency file security code

88 "684d678fd3e477525a6c8a5439975bdc" and the corresponding Congressional shapefile;

89 ~~[(†)]~~ (ii) generate maps of each Congressional district from the Congressional shapefile;

90 and

91 ~~[(†)]~~ (iii) ensure that ~~[those]~~ the district maps are available for viewing on the

92 lieutenant governor's website.

93 (b) If there is any inconsistency between the district maps and the Congressional
94 shapefile resulting from the Congressional block equivalency file, the Congressional shapefile
95 is controlling.

96 Section 4. Section **20A-13-102.2** is amended to read:

97 **20A-13-102.2. County clerk, Utah Geospatial Resource Center, and lieutenant**
98 **governor responsibilities -- Maps and voting precinct boundaries.**

99 (1) As used in this section, "redistricting boundary data" means the Congressional
100 shapefile in the possession of the lieutenant governor's office.

101 ~~[(†)]~~ (2) Each county clerk shall obtain a copy of the ~~[Congressional shapefile]~~
102 redistricting boundary data for the clerk's county from the lieutenant governor's office.

103 ~~[(2)]~~ (3) (a) A county clerk may create one or more county maps that identify the
104 boundaries of Utah's Congressional districts as generated from the ~~[Congressional shapefile]~~
105 redistricting boundary data.

106 (b) Before publishing or distributing any map or data created by the county clerk that
107 identifies the boundaries of Utah's Congressional districts within the county, the county clerk
108 shall submit the county map and data to the lieutenant governor and to the Utah Geospatial
109 Resource Center for review.

110 (c) Within 30 days after receipt of a county map and data from a county clerk, the Utah
111 Geospatial Resource Center shall:

112 (i) review the county map and data to evaluate if the county map and data accurately
113 reflect the boundaries of Utah's Congressional districts established by the Legislature in the
114 ~~[Congressional shapefile]~~ redistricting boundary data;

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

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

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

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

121 (i) make the corrections necessary to conform the county map and data to the
122 [~~Congressional shapefile~~] redistricting boundary data; and

123 (ii) resubmit the corrected county map and data to the lieutenant governor and to the
124 Utah Geospatial Resource Center for a new review under this Subsection [(2)] (3).

125 [(3)] (4) (a) Subject to the requirements of this Subsection [(3)] (4), each county clerk
126 shall establish voting precincts and polling places within each Utah Congressional district
127 according to the procedures and requirements of Section 20A-5-303.

128 (b) Within five working days after approval of voting precincts and polling places by
129 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
130 voting precinct map identifying the boundaries of each voting precinct within the county to the
131 lieutenant governor and to the Utah Geospatial Resource Center for review.

132 (c) Within 30 days after receipt of a map from a county clerk, the Utah Geospatial
133 Resource Center shall:

134 (i) review the voting precinct map to evaluate if the voting precinct map accurately
135 reflects the boundaries of Utah's Congressional districts established by the Legislature in the
136 [~~Congressional shapefile~~] redistricting boundary data;

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

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

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

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

143 (i) make the corrections necessary to conform the voting precinct map to the
144 [~~Congressional shapefile~~] redistricting boundary data; and

145 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
146 Utah Geospatial Resource Center for a new review under this Subsection [(3)] (4).

147 Section 5. Section 20A-13-103 is amended to read:

148 **20A-13-103. Omissions from maps -- How resolved.**

149 (1) If any area of the state is omitted from a Congressional district in the Congressional

150 shapefile [~~enacted by the Legislature~~] in the possession of the lieutenant governor's office, the
151 county clerk of the affected county, upon discovery of the omission, shall attach the area to the
152 appropriate Congressional district according to the requirements of Subsections (2) and (3).

153 (2) If the omitted area is surrounded by a single Congressional district, the county clerk
154 shall attach the area to that district.

155 (3) If the omitted area is contiguous to two or more Congressional districts, the county
156 clerk shall attach the area to the district that has the least population, as determined by the Utah
157 Population Committee.

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

160 Section 6. Section **20A-13-104** is amended to read:

161 **20A-13-104. Uncertain boundaries -- How resolved.**

162 (1) As used in this section, "affected party" means:

163 (a) a representative whose Congressional district boundary is uncertain because the
164 boundary in the Congressional shapefile used to establish the district boundary has been
165 removed, modified, or is unable to be identified or who is uncertain about whether the
166 representative or another individual resides in a particular Congressional district;

167 (b) a candidate for Congressional representative whose Congressional district boundary
168 is uncertain because the boundary in the Congressional shapefile used to establish the district
169 boundary has been removed, modified, or is unable to be identified or who is uncertain about
170 whether the candidate or another individual resides in a particular Congressional district; or

171 (c) an individual who is uncertain about which Congressional district contains the
172 individual's residence because the boundary in the Congressional shapefile used to establish the
173 district boundary has been removed, modified, or is unable to be identified.

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

176 (i) the precise location of the Congressional district boundary;

177 (ii) the number of the Congressional district in which an individual resides; or

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

179 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
180 governor shall review:

181 (i) the Congressional block equivalency file and the resulting Congressional shapefile
182 [and obtain and review]; and

183 (ii) any other relevant data such as aerial photographs, aerial maps, or other data about
184 the area.

185 (c) Within five days of receipt of the request, the lieutenant governor shall ~~[review the~~
186 ~~Congressional shapefile, obtain and review any relevant data,];~~

187 (i) complete the review described in Subsection (2)(b); and

188 (ii) make a determination.

189 (d) When the lieutenant governor determines the location of the Congressional district
190 boundary, the lieutenant governor shall:

191 (i) prepare a certification identifying the appropriate boundary and attaching a map, if
192 necessary; and

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

194 (A) the affected party;

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

196 (C) the Utah Geospatial Resource Center created under Section 63A-16-505.

197 (e) If the lieutenant governor determines the number of the Congressional district in
198 which a particular individual resides, the lieutenant governor shall send a letter identifying that
199 district by number to:

200 (i) the individual;

201 (ii) the affected party who filed the petition, if different than the individual whose
202 Congressional district number was identified; and

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

204 **Section 7. Effective date.**

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

209 **Section 8. Revisor instructions.**

210 The Legislature intends that the Office of Legislative Research and General Counsel, in
211 preparing the Utah Code database for publication, replace the references in Section

212 [20A-13-101.5](#) from "this bill" to the bill's designated chapter number in the Laws of Utah.