

**Representative Joel K. Briscoe** proposes the following substitute bill:

**UTAH STATE HOUSE BOUNDARIES DESIGNATION**

2021 SECOND SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Scott D. Sandall

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**LONG TITLE**

**Redistricting Boundary Information:**

The Utah State House of Representatives district boundary information may be found at <https://le.utah.gov>.

Block equivalency file: HB2005S01\_BEf.txt

Block equivalency file security code: 3d979c48b0c1f86474897c80d6f1ef2d

**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 Utah State House of Representative district boundaries.

**Highlighted Provisions:**

This bill:

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



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 This bill provides revisor instructions.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **36-1-201.1**, as last amended by Laws of Utah 2017, Chapter 243

34 **36-1-201.5**, as last amended by Laws of Utah 2021, Chapter 345

35 **36-1-202**, as last amended by Laws of Utah 2013, Chapter 382

36 **36-1-202.2**, as last amended by Laws of Utah 2021, Chapter 162

37 **36-1-203**, as last amended by Laws of Utah 2018, Chapter 330

38 **36-1-204**, as last amended by Laws of Utah 2021, Chapters 162 and 345

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

40 **36-1-201.5**, as last amended by Laws of Utah 2021, Chapter 345



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

43 Section 1. Section **36-1-201.1** is amended to read:

44 **36-1-201.1. Definitions.**

45 As used in this part:

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

50 (2) "House block [~~assignment~~] equivalency file" means the electronic file designated as  
51 HB2005S01 BEF.txt that assigns each of Utah's [~~115,406~~] 71,207 census blocks to a  
52 particular Utah State House of Representatives district.

53 (3) "House shapefile" means the electronic shapefile that:

54 (a) is the resulting projection of the House block equivalency file; and

55 (b) stores the boundary of each of the 75 Utah House of Representatives districts.

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

57 and associated attribute information [~~and includes the boundary change in Subsection~~  
58 ~~36-1-201.5(4)(b)~~].

59 Section 2. Section **36-1-201.5** is amended to read:

60 **36-1-201.5. Utah State House of Representatives -- House district boundaries.**

61 [~~(1) As used in this section:~~]

62 [~~(a) "County boundary" means the county boundary's location in the database as of~~  
63 ~~January 1, 2017.~~]

64 [~~(b) "Database" means the State Geographic Information Database created in Section~~  
65 ~~63A-16-506.~~]

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

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

70 [~~(2)~~] (1) The Utah State House of Representatives shall consist of 75 members, with  
71 one member to be elected from each Utah House of Representative district.

72 [~~(3)~~] (2) The Legislature adopts the official census population figures and maps of the  
73 Bureau of the Census of the United States Department of Commerce developed in connection  
74 with the taking of the [~~2010~~] 2020 national decennial census as the official data for establishing  
75 House district boundaries.

76 [~~(4)~~] (3) (a) [~~Notwithstanding Subsection (3), and except as modified by Subsection~~  
77 ~~(4)(b), the~~] The Legislature enacts the district numbers and boundaries of the House of  
78 Representatives districts designated [by the] in the House block equivalency file and resulting  
79 House shapefile that is the electronic component of [2013 General Session H.B. 366, State  
80 House Boundary Amendments.] this bill:

81 (i) for purposes of nominating and electing members of the Utah State House of  
82 Representatives beginning January 1, 2022; and

83 (ii) for all other purposes beginning January 1, 2023.

84 [~~(b) The boundary between House District 1 and House District 5 in the shapefile~~  
85 ~~described in Subsection (4)(a) is changed to follow the county boundary of Box Elder County~~  
86 ~~and Cache County from the intersection of Cache, Box Elder, and Weber counties, north to the~~  
87 ~~intersection of House District 1, House District 3, and House District 5.]~~

88           ~~[(c)]~~ (b) ~~[That]~~ The Legislature shall ensure that the House shapefile, and the  
89 legislative boundaries generated from ~~[that]~~ the House shapefile, ~~[may be accessed via]~~ are  
90 accessible on the Utah Legislature's website.

91           Section 3. Section **36-1-202** is amended to read:

92           **36-1-202. House districts -- Filing -- Legal boundaries.**

93           (1) (a) The Legislature shall file a copy of the House ~~[shapefile]~~ block equivalency file  
94 enacted by the Legislature and the resulting House shapefile with the lieutenant governor's  
95 office.

96           (b) The legal boundaries of House districts are contained in the House shapefile on file  
97 with the lieutenant governor's office.

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

99           (i) verify the House block equivalency file that the Legislature files under Subsection  
100 (1) using block equivalency file security code "3d979c48b0c1f86474897c80d6f1ef2d" and the  
101 corresponding House shapefile;

102           ~~[(+)]~~ (ii) generate maps of each House district from the House shapefile; and

103           ~~[(+)]~~ (iii) ensure that ~~[those]~~ the district maps are available for viewing on the  
104 lieutenant governor's website.

105           (b) If there is any inconsistency between the district maps and the House shapefile  
106 resulting from the House block equivalency file, the House shapefile is controlling.

107           Section 4. Section **36-1-202.2** is amended to read:

108           **36-1-202.2. County clerk, Utah Geospatial Resource Center, and lieutenant**  
109 **governor responsibilities -- Maps and voting precinct boundaries.**

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

112           (2) Each county clerk shall obtain a copy of the redistricting boundary data for the  
113 clerk's county from the lieutenant governor's office.

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

116           (b) Before publishing or distributing any map or data created by the county clerk that  
117 identifies the boundaries of House districts within the county, the clerk shall submit the county  
118 map and data to the lieutenant governor and to the Utah Geospatial Resource Center for

119 review.

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

122 (i) review the county map and data to evaluate if the county map and data accurately  
123 reflect the boundaries of House districts established by the Legislature in the redistricting  
124 boundary data;

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

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

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

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

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

133 (ii) resubmit the corrected county map and data to the lieutenant governor and to the  
134 Utah Geospatial Resource Center for a new review under this Subsection (3).

135 (4) (a) Subject to the requirements of this Subsection (4), each county clerk shall  
136 establish voting precincts and polling places within each House district according to the  
137 procedures and requirements of Section [20A-5-303](#).

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

142 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the Utah  
143 Geospatial Resource Center shall:

144 (i) review the voting precinct map to evaluate if the county map accurately reflects the  
145 boundaries of House districts established by the Legislature in the redistricting boundary data;

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

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

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

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

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

154 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the  
155 Utah Geospatial Resource Center for a new review under this Subsection (4).

156 Section 5. Section **36-1-203** is amended to read:

157 **36-1-203. Omissions from maps -- How resolved.**

158 (1) If any area of the state is omitted from a Utah State House of Representatives  
159 district in the House shapefile [~~enacted by the Legislature~~] in the possession of the lieutenant  
160 governor's office, the county clerk of the affected county, upon discovery of the omission, shall  
161 attach the area to the appropriate House district according to the requirements of Subsections  
162 (2) and (3).

163 (2) If the omitted area is surrounded by a single House district, the county clerk shall  
164 attach the area to that district.

165 (3) If the omitted area is contiguous to two or more House districts, the county clerk  
166 shall attach the area to the district that has the least population, as determined by the Utah  
167 Population Committee.

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

170 Section 6. Section **36-1-204** is amended to read:

171 **36-1-204. Uncertain boundaries -- How resolved.**

172 (1) As used in this section:

173 (a) "Affected party" means:

174 (i) a representative whose Utah State House of Representatives district boundary is  
175 uncertain because the feature used to establish the district boundary in the House shapefile has  
176 been removed, modified, or is unable to be identified or who is uncertain about whether the  
177 representative or another individual resides in a particular House district;

178 (ii) a candidate for representative whose House district boundary is uncertain because  
179 the feature used to establish the district boundary in the House shapefile has been removed,  
180 modified, or is unable to be identified or who is uncertain about whether the candidate or

181 another individual resides in a particular House district; or

182 (iii) an individual who is uncertain about which House district contains the individual's  
183 residence because the feature used to establish the district boundary in the House shapefile has  
184 been removed, modified, or is unable to be identified.

185 (b) "Feature" means a geographic or other identifiable tangible or intangible object  
186 such as a road or political subdivision boundary that is used to establish a House district  
187 boundary.

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

- 190 (i) the precise location of the House district boundary;  
191 (ii) the number of the House district in which an individual resides; or  
192 (iii) both Subsections (2)(a)(i) and (ii).

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

- 195 (i) the House block equivalency file and the resulting House shapefile; and  
196 (ii) any other relevant data such as aerial photographs, aerial maps, or other data about  
197 the area.

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

- 199 (i) complete the review [the House shapefile;] described in Subsection (2)(b); and  
200 [~~(ii) review any relevant data; and~~]  
201 [~~(iii)~~] (ii) make a determination.

202 (d) When the lieutenant governor determines the location of the House district  
203 boundary, the lieutenant governor shall:

204 (i) prepare a certification identifying the appropriate House district boundary and  
205 attaching a map, if necessary; and

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

- 207 (A) the affected party;  
208 (B) the county clerk of the affected county; and  
209 (C) the Utah Geospatial Resource Center created under Section [63A-16-505](#).

210 (e) If the lieutenant governor determines the number of the House district in which a  
211 particular individual resides, the lieutenant governor shall send a letter identifying that district

212 by number to:

213 (i) the individual;

214 (ii) the affected party who filed the petition, if different than the individual whose  
215 House district number was identified; and

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

217 Section 7. **Effective date.**

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

222 Section 8. **Revisor instructions.**

223 The Legislature intends that the Office of Legislative Research and General Counsel, in  
224 preparing the Utah Code database for publication, replace the references in Section 36-1-201.5  
225 from "this bill" to the bill's designated chapter number in the Laws of Utah.