

1 **UTAH STATE SENATE BOUNDARIES AND ELECTION**

2 **DESIGNATION**

3 2021 SECOND SPECIAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Scott D. Sandall**

6 House Sponsor: Paul Ray

7

8 **LONG TITLE**

9 **Redistricting Boundary Information:**

10 The Utah State Senate district boundary information may be found at
11 <https://le.utah.gov>.

12 Block equivalency file: SB2006_BEF.txt

13 Block equivalency file security code: 8fcad85b11c612ded4f6f60160276630

14 **General Description:**

15 This bill, which includes this printed text and the electronic data affiliated with this text
16 that is available on the Legislature's website and also included on the electronic storage
17 device accompanying this bill when presented to the governor, establishes new Utah
18 State Senate district boundaries and election designations.

19 **Highlighted Provisions:**

20 This bill:

- 21 ▶ repeals current Utah State Senate boundaries and establishes new Utah State Senate
- 22 boundaries;
- 23 ▶ designates the election year for each Utah State Senate district;
- 24 ▶ establishes the block equivalency file that is part of this bill in electronic form as the
- 25 legal boundaries of the Utah State Senate districts;
- 26 ▶ provides a hash code to verify the authenticity of the block equivalency file; and
- 27 ▶ makes technical and conforming changes.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 This bill provides revisor instructions.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **36-1-101.1**, as last amended by Laws of Utah 2013, Chapter 454

36 **36-1-101.5**, as last amended by Laws of Utah 2021, Chapter 345

37 **36-1-102**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 7

38 **36-1-103**, as last amended by Laws of Utah 2013, Chapter 454

39 **36-1-103.2**, as last amended by Laws of Utah 2021, Chapter 162

40 **36-1-104**, as last amended by Laws of Utah 2018, Chapter 330

41 **36-1-105**, as last amended by Laws of Utah 2021, Chapters 162 and 345

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

43 **36-1-101.5**, as last amended by Laws of Utah 2021, Chapter 345

44 **36-1-102**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 7



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

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

48 **36-1-101.1. Definitions.**

49 As used in this part:

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

54 (2) "Senate block [~~assignment~~] equivalency file" means the electronic file designated
55 as SB2006_BEF.txt that assigns each of Utah's [~~115,406~~] 71,207 census blocks to a particular
56 Utah State Senate district.

57 (3) "Senate shapefile" means the electronic shapefile that:

58 (a) is the resulting projection of the Senate block equivalency file; and

59 (b) stores the boundary of each of the 29 Utah State Senate districts.

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

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

63 **36-1-101.5. Utah State Senate -- District boundaries.**

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

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

67 [~~(b) "Database" means the State Geographic Information Database created in Section
68 63A-16-506.~~]

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

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

73 [~~(2)~~] (1) The Utah State Senate shall consist of 29 members, with one member to be
74 elected from each Utah State Senate district.

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

79 [~~(4)~~] (3) (a) [~~Notwithstanding Subsection (3), the~~] The Legislature enacts the district
80 numbers and boundaries of the Senate districts designated in the Senate block equivalency file
81 and resulting Senate shapefile that is the electronic component of [the bill that enacts this
82 section.] this bill:

83 (i) for purposes of nominating and electing certain members of the Utah State Senate
84 beginning January 1, 2022; and

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

86 (b) [~~That~~] The Legislature shall ensure that the Senate shapefile, and the Senate district
87 boundaries generated from [that] the Senate shapefile, [may be accessed via] are accessible on
88 the Utah Legislature's website.

89 Section 3. Section **36-1-102** is amended to read:

90 **36-1-102. Election of senators -- Staggered terms.**91 [~~(†)~~] Unless otherwise provided by law, [~~each senator elected from~~] and92 notwithstanding Subsection 20A-1-503(3):93 (1) voters in the following districts shall elect a senator for a term of four years:94 (a) at the 2022 General Election, Senate Districts [2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22,
95 and 26] 1, 5, 6, 7, 9, 11, 12, 13, 14, 18, 19, 20, 21, 23, and 28; and96 (b) at the [2010] 2024 General Election [shall serve out the term of office for which he
97 or she was elected], Senate Districts 2, 3, 4, 8, 10, 15, 16, 17, 22, 23, 25, 26, 27, and 29; and98 (2) a senator representing a district described in Subsection (1)(b) on the effective date
99 of this bill shall represent the realigned district, if [he or she] the senator resides in [that] the
100 realigned district, for a term of office that ends January 1, 2025.101 [~~(2) At the general election to be held in 2012, senators elected from Senate Districts 1,~~
102 ~~6, 7, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 shall be elected to serve a term of office of~~
103 ~~four years.]~~104 [~~(3)(a) Because the senator from Senate District 28 was appointed to fill a mid-term~~
105 ~~vacancy that occurred more than two years before the next regular general election, Subsection~~
106 ~~20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general~~
107 ~~election.]~~108 [~~(b) Consequently:]~~109 [~~(i) at the general election to be held in 2012, the senator elected from Senate District~~
110 ~~28 shall be elected to serve a term of office of two years; and]~~111 [~~(ii) at the general election to be held in 2014, the senator elected from Senate District~~
112 ~~28 shall be elected to serve a term of office of four years.]~~113 [~~(4)(a) If one of the incumbent senators from new Senate District 4 files written notice~~
114 ~~with the lieutenant governor by close of business on January 3, 2012, that the senator will not~~
115 ~~seek election to the Senate from that Senate District 4, that incumbent senator may serve until~~
116 ~~January 1, 2013, and the other incumbent senator from District 4 shall serve out the term for~~
117 ~~which the member was elected, which is until January 1, 2015:]~~118 [~~(b)(i) If one of the incumbent senators in Senate District 4 does not file the written~~
119 ~~notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4~~
120 ~~as an office to be filled in the 2012 regular general election in the notice of election required by~~

121 Section ~~20A-5-101~~.]

122 [~~(ii) If the Subsection (4)(b)(i) contingency occurs:~~]

123 [~~(A) the senator elected from Senate District 4 at the 2012 regular general election shall~~
124 ~~be elected to serve a term of office of two years; and]~~

125 [~~(B) the senator elected from Senate District 4 at the 2014 regular general election shall~~
126 ~~be elected to serve a term of office of four years.]~~

127 Section 4. Section **36-1-103** is amended to read:

128 **36-1-103. Senate districts -- Filing -- Legal boundaries.**

129 (1) (a) The Legislature shall file a copy of the Senate [~~shapefile~~] block equivalency file
130 enacted by the Legislature and the resulting Senate shapefile with the lieutenant governor's
131 office.

132 (b) The legal boundaries of Senate districts are contained in the Senate shapefile on file
133 with the lieutenant governor's office.

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

135 (i) verify the Senate block equivalency file that the Legislature filed under Subsection
136 (1) using block equivalency file security code "8fcad85b11c612ded4f6f60160276630" and the
137 resulting Senate shapefile;

138 [~~(i)~~] (ii) generate maps of each Utah State Senate district from the Senate shapefile;
139 and

140 [~~(ii)~~] (iii) ensure that [~~those~~] the district maps are available for viewing on the
141 lieutenant governor's website.

142 (b) If there is any inconsistency between the district maps and the Senate shapefile
143 resulting from the Senate block equivalency file, the Senate shapefile is controlling.

144 Section 5. Section **36-1-103.2** is amended to read:

145 **36-1-103.2. County clerk, Utah Geospatial Resource Center, and lieutenant**
146 **governor responsibilities -- Maps and voting precinct boundaries.**

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

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

151 (3) (a) A county clerk may create one or more county maps that identify the boundaries

152 of Senate districts as generated from the redistricting boundary data.

153 (b) Before publishing or distributing any map or data created by the county clerk that
154 identifies the boundaries of Senate districts within the county, the clerk shall submit the county
155 map and data to the lieutenant governor and to the Utah Geospatial Resource Center for
156 review.

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

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

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

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

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

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

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

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

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

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

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

181 (i) review the voting precinct map to evaluate if the voting precinct map accurately
182 reflects the boundaries of Senate districts established by the Legislature in the redistricting

183 boundary data;

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

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

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

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

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

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

194 Section 6. Section **36-1-104** is amended to read:

195 **36-1-104. Omissions from maps -- How resolved.**

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

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

202 (3) If the omitted area is contiguous to two or more Senate districts, the county clerk
203 shall attach the area to the district that has the least population, as determined by the Utah
204 Population Committee.

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

207 Section 7. Section **36-1-105** is amended to read:

208 **36-1-105. Uncertain boundaries -- How resolved.**

209 (1) As used in this section:

210 (a) "Affected party" means:

211 (i) a senator whose Utah State Senate district boundary is uncertain because the feature
212 used to establish the district boundary in the Senate shapefile has been removed, modified, or is
213 unable to be identified or who is uncertain about whether the senator or another individual

214 resides in a particular Senate district;

215 (ii) a candidate for senator whose Senate district boundary is uncertain because the
216 feature used to establish the district boundary in the Senate shapefile has been removed,
217 modified, or is unable to be identified or who is uncertain about whether the candidate or
218 another individual resides in a particular Senate district; or

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

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

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

- 226 (i) the precise location of the Senate district boundary;
- 227 (ii) the number of the Senate district in which an individual resides; or
- 228 (iii) both Subsections (2)(a)(i) and (ii).

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

- 231 (i) the Senate block equivalency file and the resulting Senate shapefile; and
- 232 (ii) any other relevant data such as aerial photographs, aerial maps, or other data about
233 the area.

234 (c) Within five days [of receipt of the request] after the day on which the lieutenant
235 governor receives the request described in Subsection (2)(a), the lieutenant governor shall:

- 236 [~~(i) review the Senate shapefile;~~
- 237 [~~(ii) review any relevant data; and~~
- 238 (i) complete the review described in Subsection (2)(b); and
- 239 [~~(iii)~~] (ii) make a determination.

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

- 242 (i) prepare a certification identifying the appropriate Senate district boundary and
243 attaching a map, if necessary; and
- 244 (ii) send a copy of the certification to:

- 245 (A) the affected party;
- 246 (B) the county clerk of the affected county; and
- 247 (C) the Utah Geospatial Resource Center created under Section [63A-16-505](#).
- 248 (e) If the lieutenant governor determines the number of the Senate district in which a
- 249 particular individual resides, the lieutenant governor shall send a letter identifying that district
- 250 by number to:
- 251 (i) the individual;
- 252 (ii) the affected party who filed the petition, if different than the individual whose
- 253 Senate district number was identified; and
- 254 (iii) the county clerk of the affected county.

255 **Section 8. Effective date.**

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

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

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

259 the date of veto override.

260 **Section 9. Revisor instructions.**

261 The Legislature intends that the Office of Legislative Research and General Counsel, in

262 preparing the Utah Code database for publication, replace the following references:

- 263 (1) in Section [36-1-101.5](#), from "this bill" to the bill's designated chapter number in the
- 264 Laws of Utah; and
- 265 (2) in Section [36-1-102](#), from "the effective date of this bill" to the bill's actual
- 266 effective date.