LEGISLATIVE GENERAL COUNSEL
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₵ 09-26-01 1:37 PM ₵

S.B. 2001
3rd Sub. (Ivory)

Representative Gerry A. Adair proposes the following substitute bill:

SENATE REDISTRICTING PLAN

2001 SECOND SPECIAL SESSION

STATE OF UTAH

Sponsor: Michael G. Waddoups

This act modifies statutory provisions governing Utah State Senate districts. This act eliminates current boundaries and establishes new boundaries. This act establishes election dates for each district to ensure that Senate terms are staggered. This act establishes certain maps as the legal boundaries of Senate districts and establishes procedures for addressing omissions and uncertain boundaries. This act takes effect on January 1, 2002 for purposes of nominating and electing members of the Utah State Senate and on January 1, 2003 for all other purposes.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

36-1-101, Utah Code Annotated 1953

36-1-102, Utah Code Annotated 1953

36-1-103, Utah Code Annotated 1953

36-1-104, Utah Code Annotated 1953

36-1-105, Utah Code Annotated 1953

REPEALS:

36-1-1, as last amended by Chapter 112, Laws of Utah 1999

36-1-2, as last amended by Chapter 4, Laws of Utah 1991, Second Special Session

36-1-3, as last amended by Chapter 10, Laws of Utah 1997

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

Section 1. Section **36-1-101** is enacted to read:

Part 1. Utah State Senate

36-1-101. Utah State Senate -- District boundaries.

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

(2) (a) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2000 national decennial census as the official data for establishing Senate district boundaries.

(b) The numbers and boundaries of the Senate districts are designated and established by the maps attached to the bill that enacts this section.

Section 2. Section **36-1-102** is enacted to read:

36-1-102. Election of senators -- Staggered terms.

(1) Unless otherwise provided by law, each senator elected from Senate Districts 1, 6, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 at the 2000 General Election shall serve out the term of office for which he or she was elected and shall represent the realigned district if he or she resides in that district.

(2) At the general election to be held in 2002, senators elected from Senate Districts 2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, and 28 shall be elected to serve a term of office of four years.

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

36-1-103. Official maps of Senate Districts.

(1) (a) The Legislature shall file copies of the official maps enacted by the Legislature, and any other relevant data, with the lieutenant governor's office.

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

(2) When questions of interpretation of Senate district boundaries arise, the official maps on file in the lieutenant governor's office shall serve as the indication of the legislative intent in drawing the Senate district boundaries.

(3) (a) Each county clerk shall obtain copies of the official maps for the clerk's county from the lieutenant governor's office.

(b) Each county clerk shall establish voting precincts and polling places within each Senate district according to the procedures and requirements of Section 20A-5-303.

(4) Maps identifying the boundaries for Senate districts may be viewed on the Internet at the lieutenant governor's website.

Section 4. Section **36-1-104** is enacted to read:

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

(1) If any area of the state is omitted from a Utah State Senate district in the maps enacted by the Legislature, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate Senate district according to the requirements of Subsections (2) and (3).

(2) If the area is surrounded by a Senate district, the area shall be attached to that district.

(3) If the area is contiguous to two districts, the area shall be attached to the district that has the least population, as determined by the census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2000 national decennial census.

(4) Any attachment made under Subsection (1) shall be certified in writing and filed with the lieutenant governor.

Section 5. Section **36-1-105** is enacted to read:

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

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

(a) a senator whose Utah State Senate district boundary is uncertain because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether or not he or another person resides in a particular Senate district;

(b) a candidate for senator whose Senate district boundary is uncertain because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether or not he or another person resides in a particular Senate district; or

(c) a person who is uncertain about which Senate district contains the person's residence because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified.

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

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

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

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

(b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review the official maps and obtain and review other relevant data such as census block and tract descriptions, aerial photographs, aerial maps, or other data about the area.

(c) Within five days of receipt of the request, the lieutenant governor shall review the maps, obtain and review any relevant data, and make a determination.

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

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

(ii) send a copy of the certification to the affected party and the county clerk of the affected county.

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

(i) the person;

(ii) the affected party who filed the petition, if different than the person whose Senate district number was identified; and

(iii) the county clerk of the affected county.

Section 6. **Repealer.**

This act repeals:

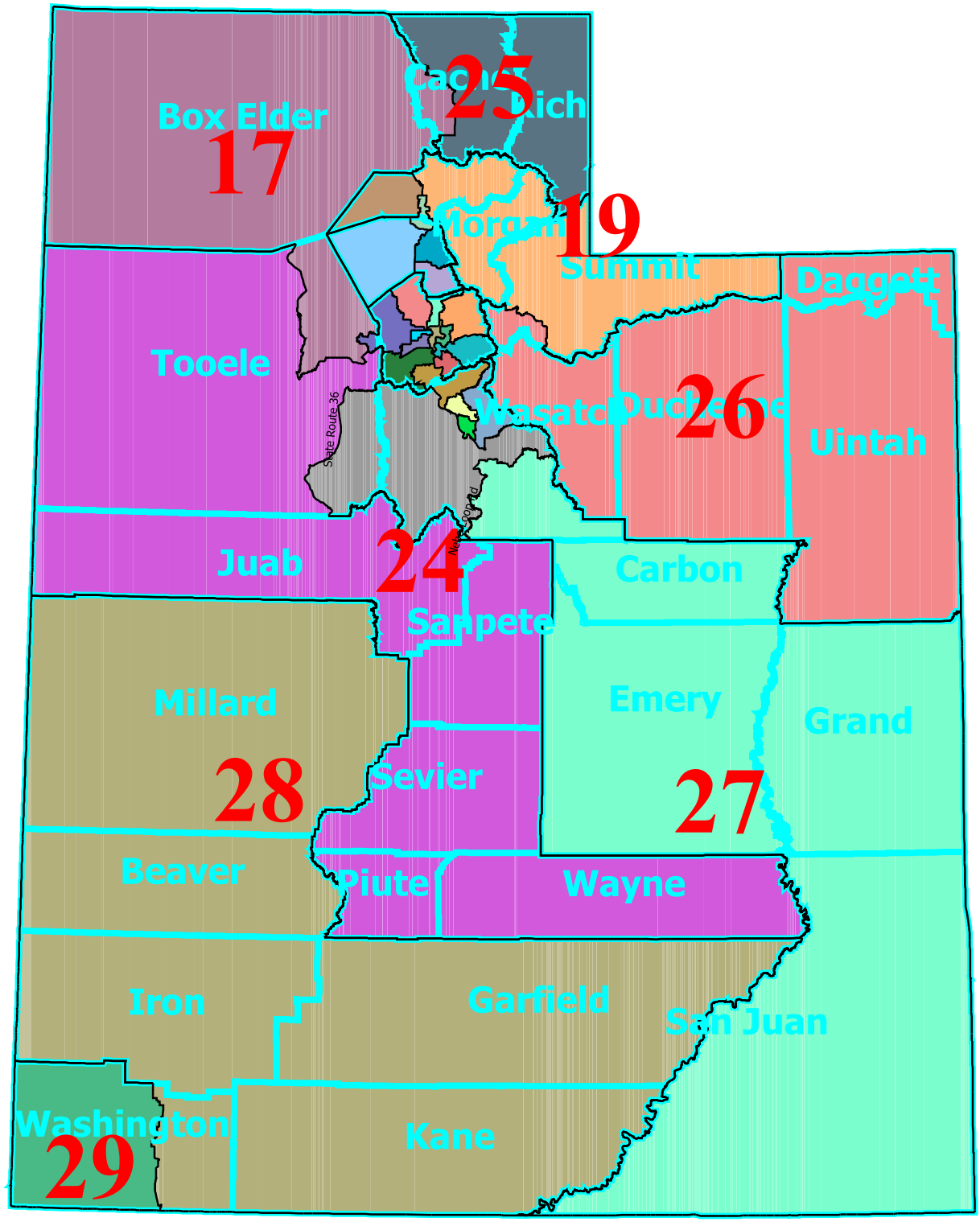
Section **36-1-1, Senatorial districts -- Definitions -- Numbers and boundaries of districts -- Resolving omissions and ambiguity.**

Section **36-1-2, Election of senators.**

Section **36-1-3, Official maps of Senate districts.**

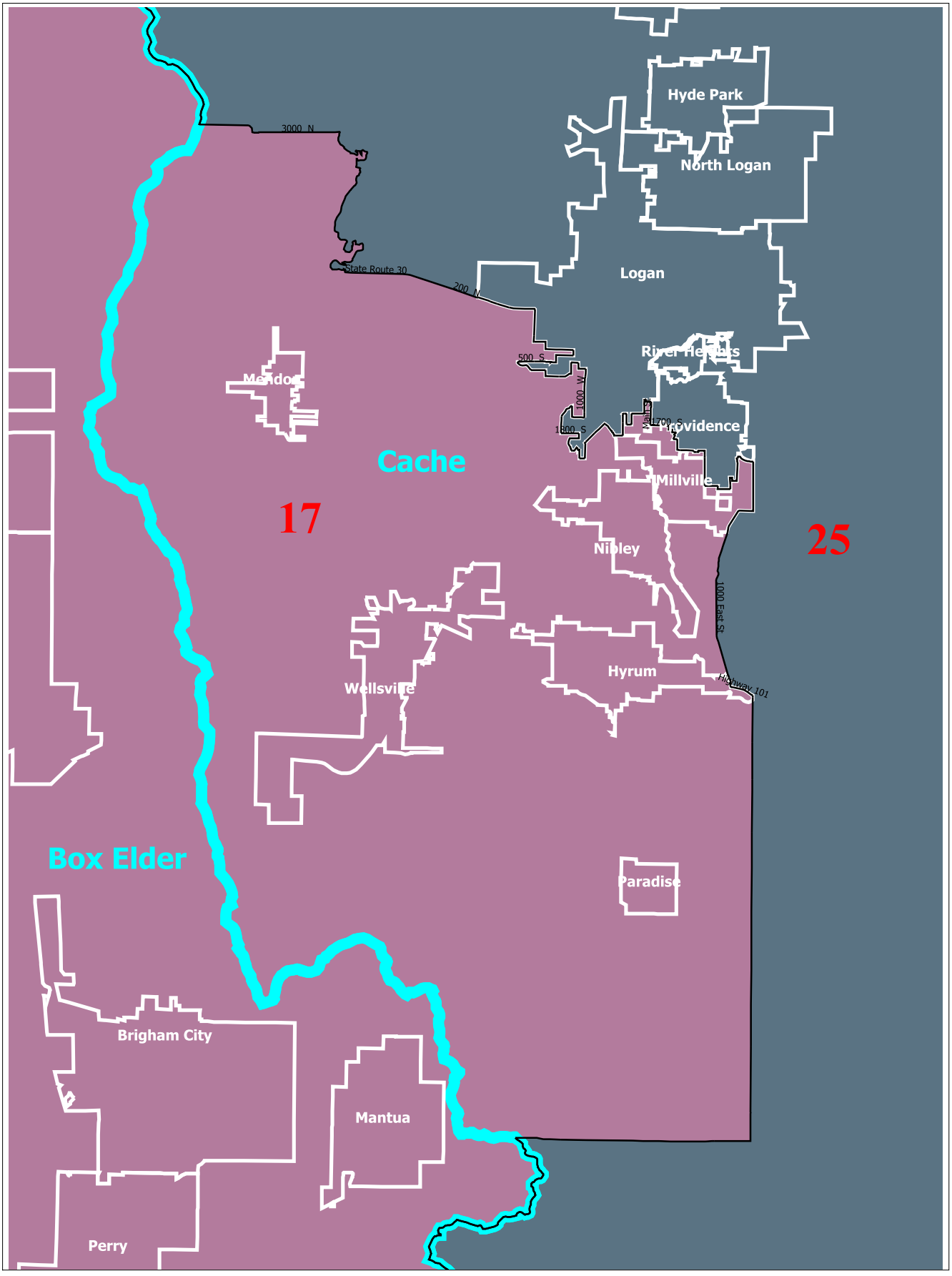
Section 7. **Effective date.**

This act takes effect on January 1, 2002 for purposes of nominating and electing members of the Utah State Senate and on January 1, 2003 for all other purposes.



Counties
Cities
Districts

3rd Substitute S.B. 2001
Utah Senate
Statewide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Brigham City
Mantua
Perry
3000 N
State Route 30
200 N
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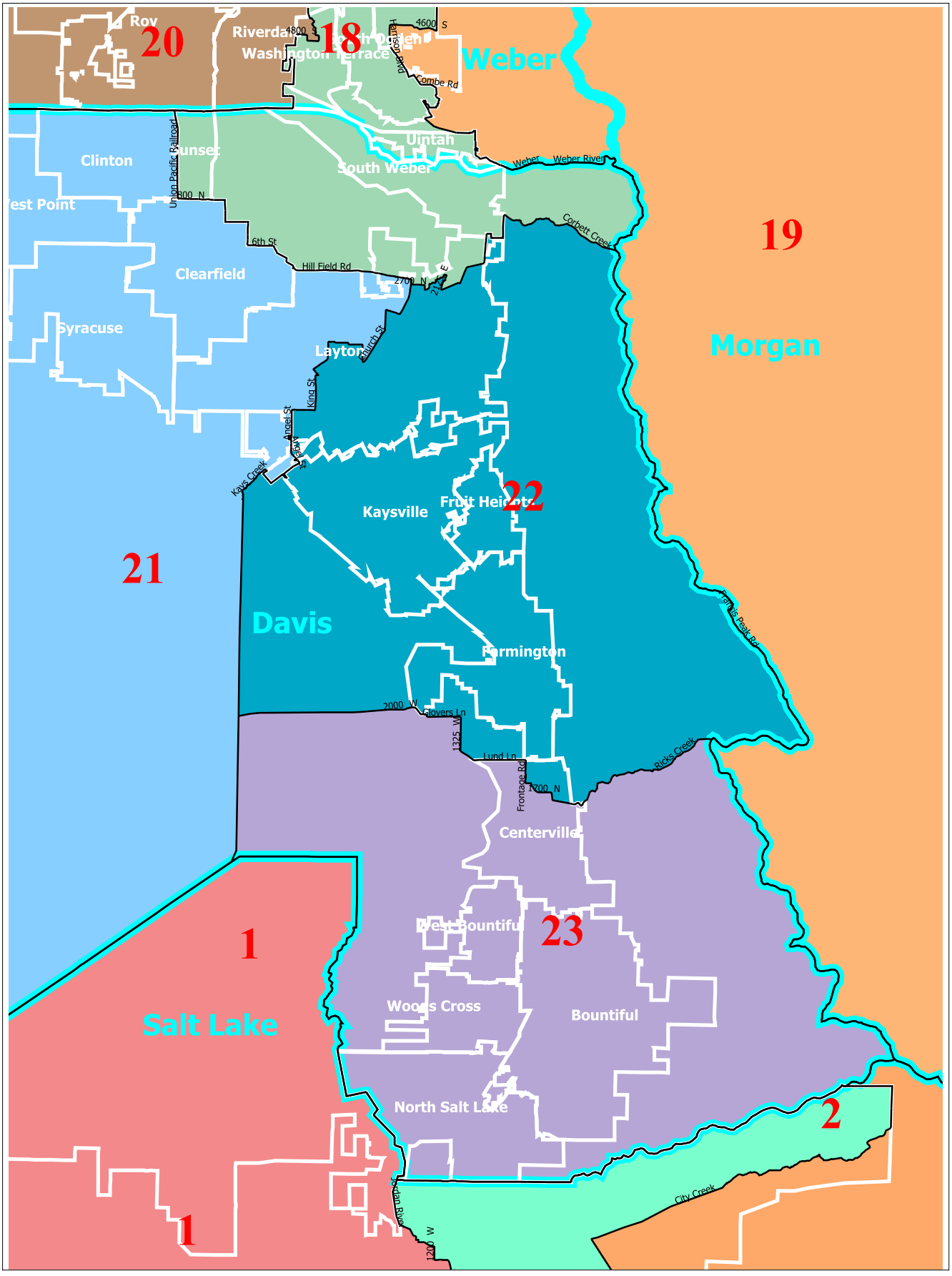
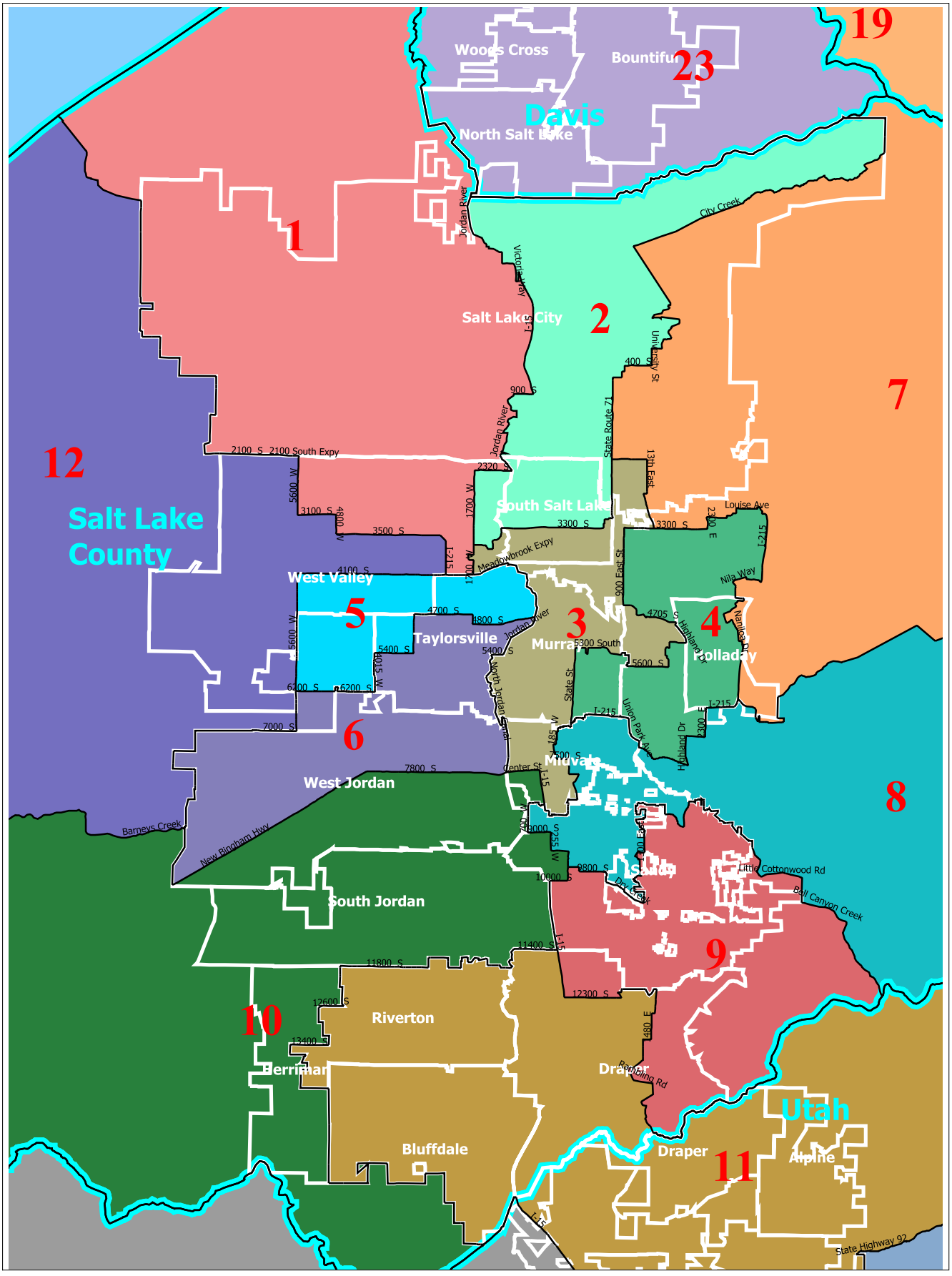
Counties
Cities
Districts
3rd Substitute S.B. 2001
Utah Senate
Cache County



Counties
Cities
Districts

3rd Substitute S.B. 2001
Utah Senate
Davis County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12
2100 S 2100 South Expy
5600 W
2320 W
1700 W
3100 S
4800 W
3500 S
South Salt Lake
3300 S
1300 E
Louise Ave
I-215
Salt Lake County
Meadowbrook Expy
900 East St
Nila Way
West Valley
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4700 S
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3
4
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Taylorsville
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Murray
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Holladay
Highland Dr
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6200 S
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State St
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6
1485 W
Union Park Ave
7200 S
Midvale
Center St
I-15
West Jordan
7800 S
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Barneys Creek
New Bingham Hwy
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8000 S
Sandy
0800 S
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10000 S
Dry Creek
Bell Canyon Creek
South Jordan
I-15
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9
11800 S
12300 S
12600 S
10
Riverton
1300 E
12400 S
Herriman
Draper
Rambling Rd
Utah
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Counties
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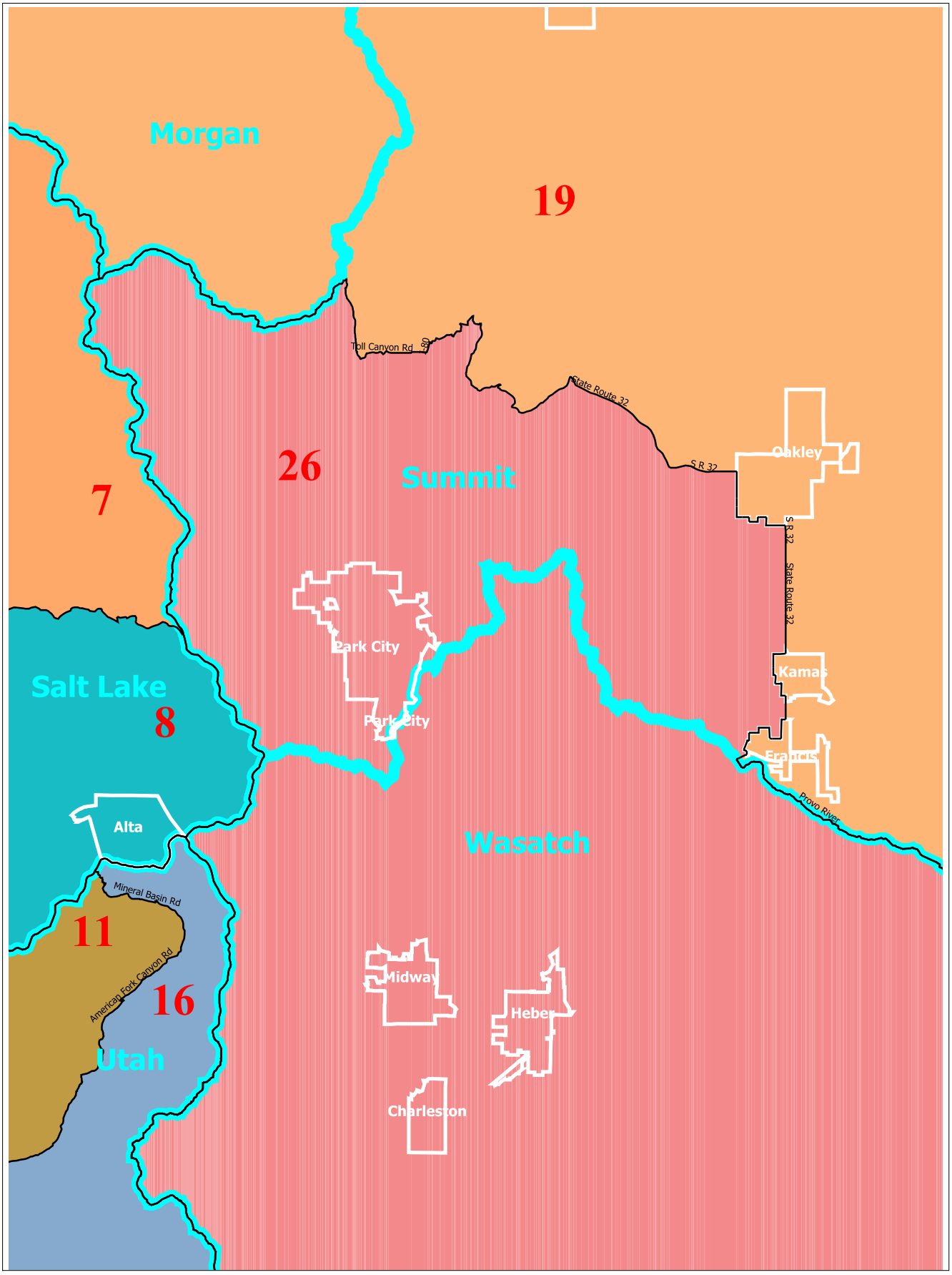
3rd Substitute S.B. 2001
Utah Senate
Salt Lake County



Counties
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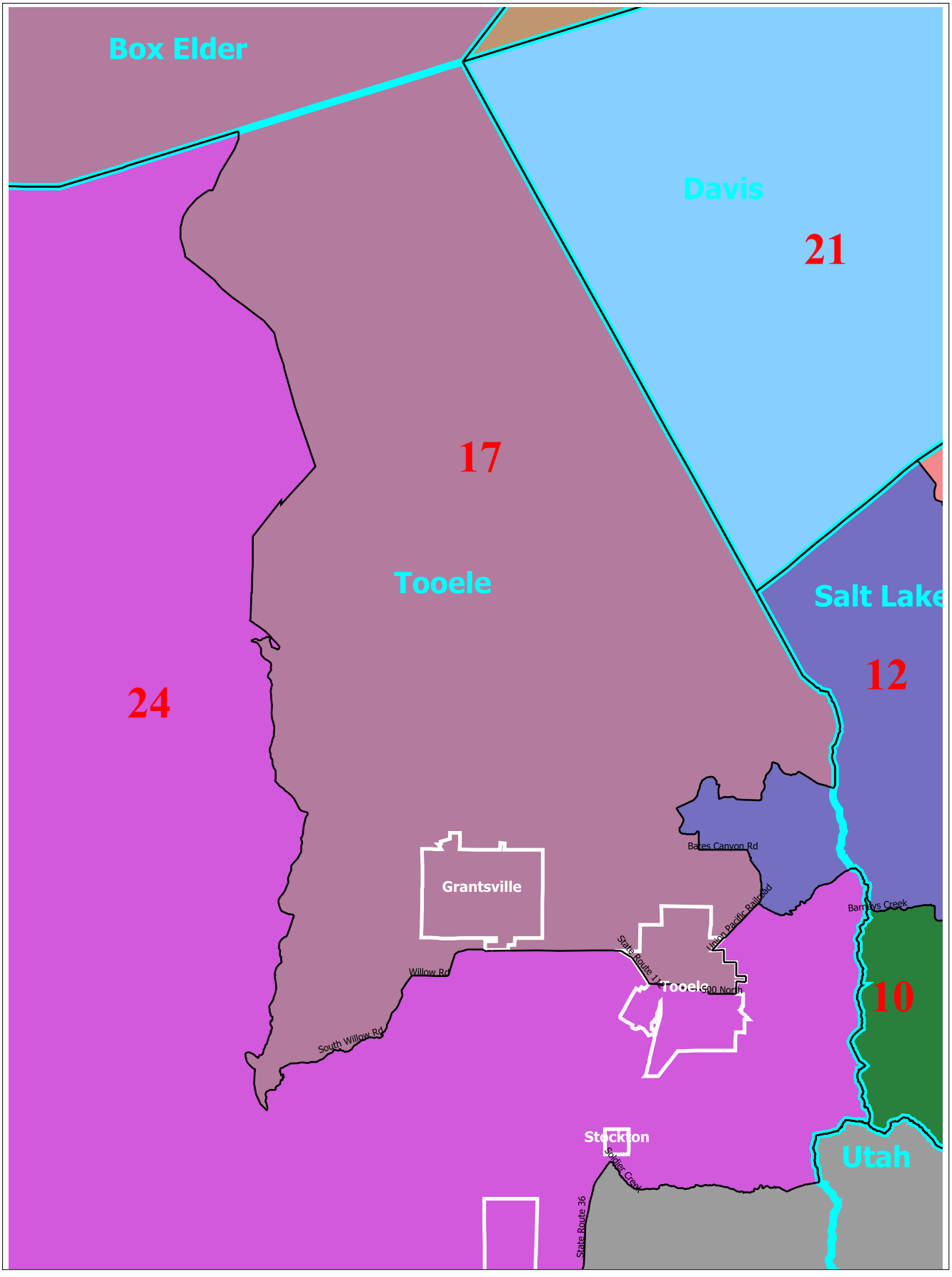
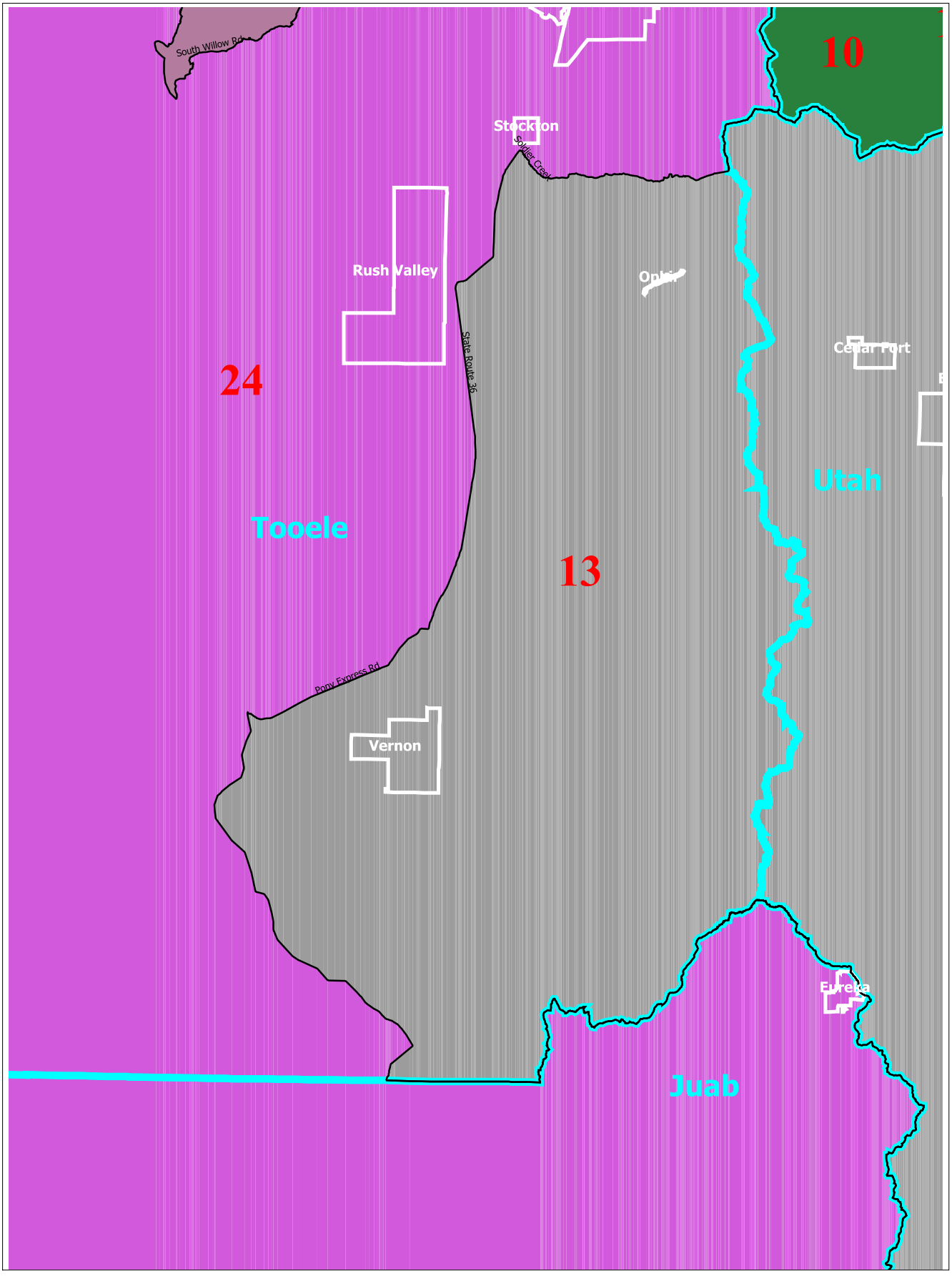
3rd Substitute S.B. 2001
Utah Senate
Summit County



Counties
Cities
Districts

3rd Substitute S.B. 2001
Utah Senate
Tooele County - North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Cedar Fort
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Utah
Tooele
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Vernon
Eureka
Juab
Counties
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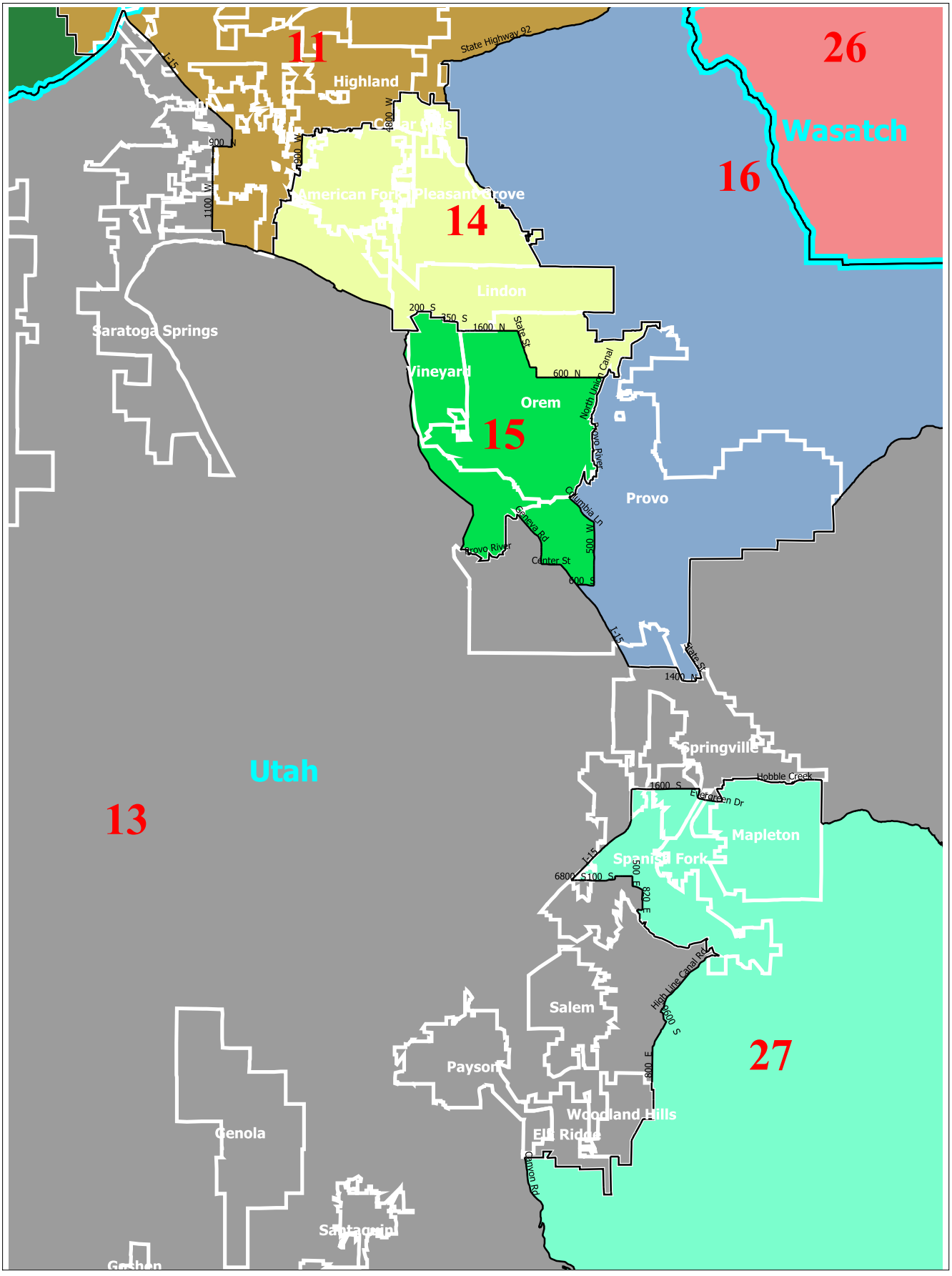
Utah Senate
Tooele County - South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Highland
Cedar Hills
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Provo
Springville
Mapleton
Spanish Fork
Salem
Payson
Woodland Hills
Elk Ridge
Genola
Santaquin
Goshen
Utah
Wasatch
State Highway 92
I-15
Provo River
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Edgeview Rd
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Counties
Cities
Districts
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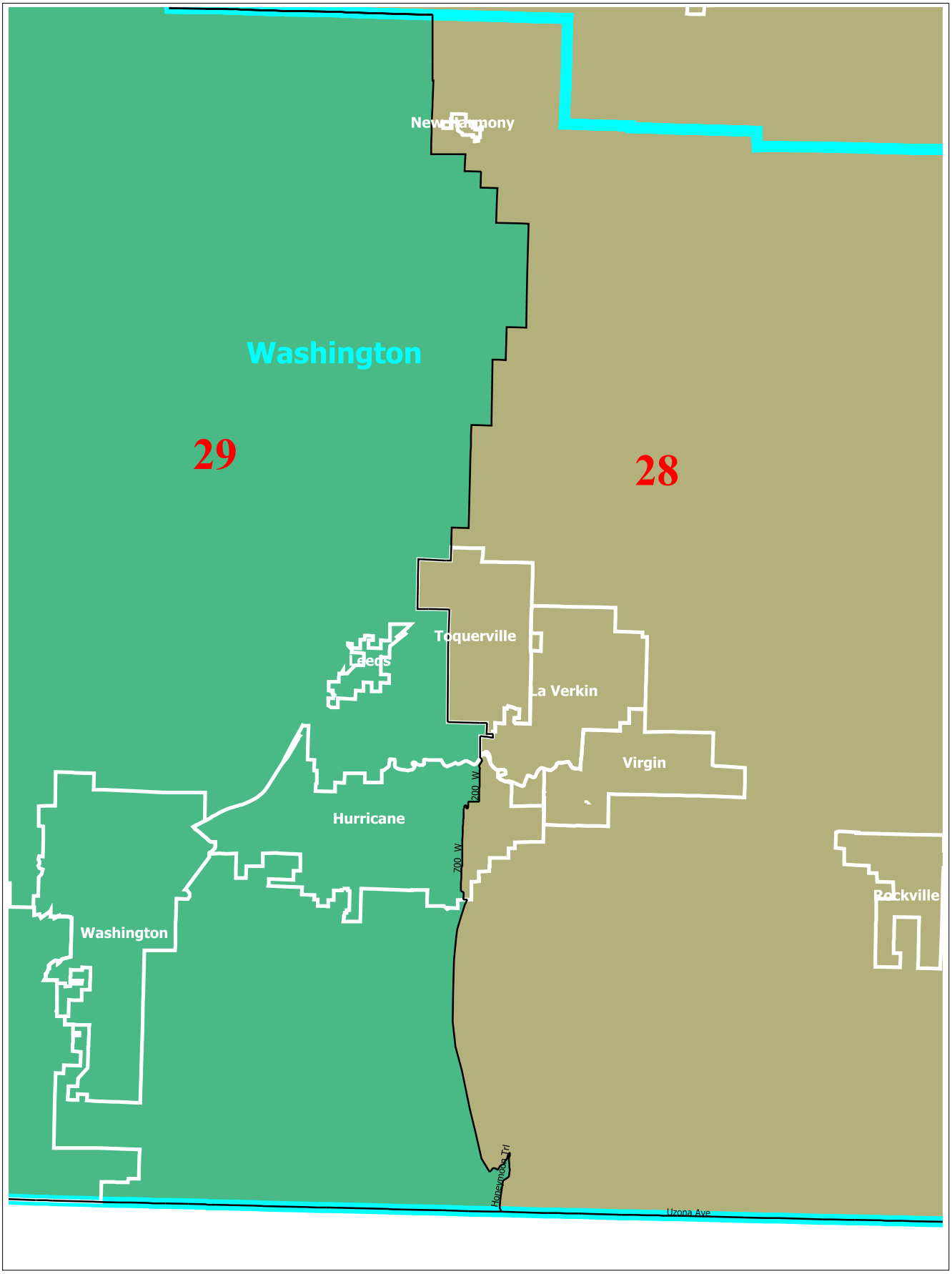
Utah Senate
Utah County



Counties
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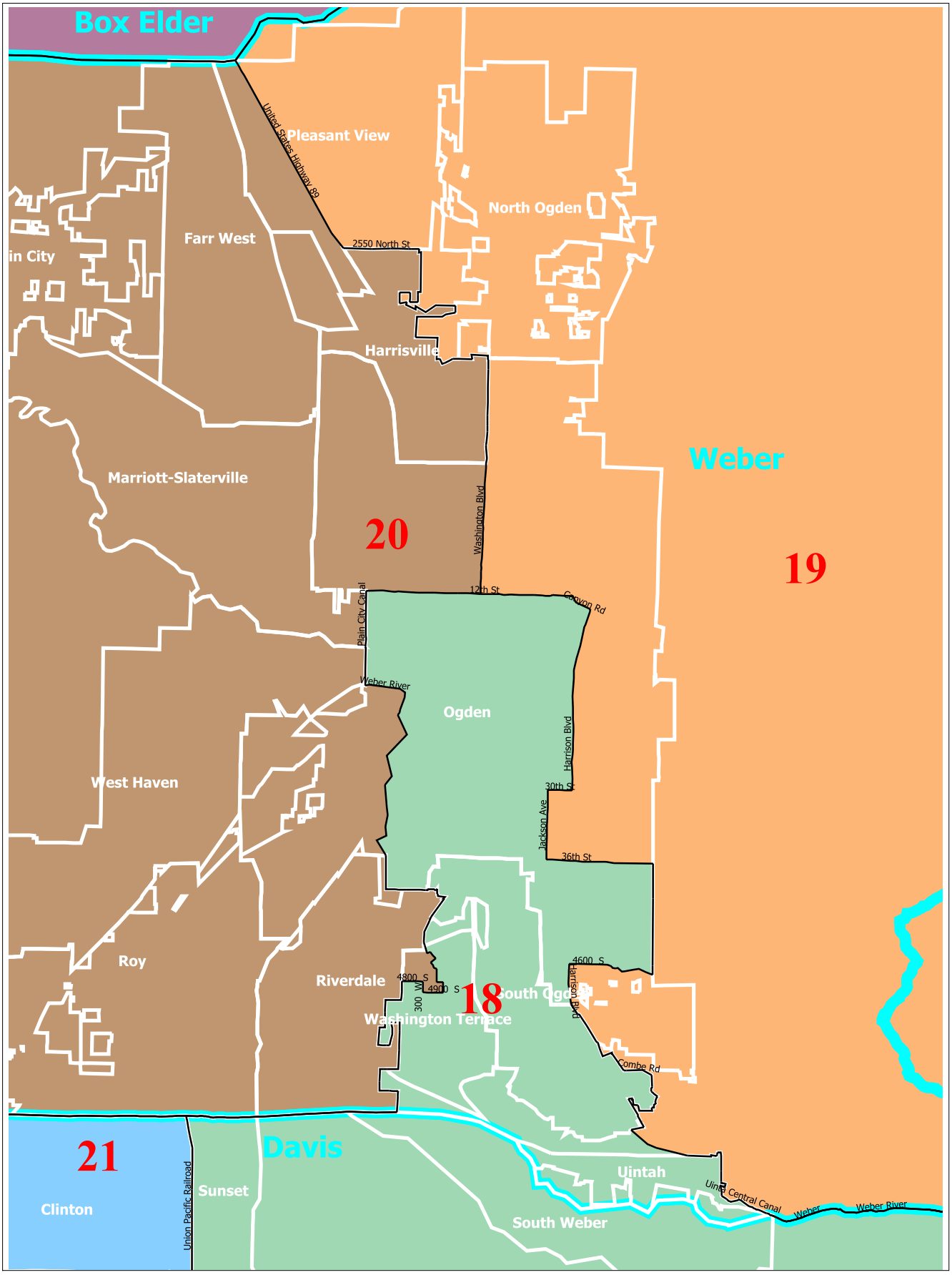
3rd Substitute S.B. 2001
Utah Senate
Washington County



Counties
Cities
Districts

3rd Substitute S.B. 2001
Utah Senate
Weber County