

UTAH STATE HOUSE BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

LONG TITLE**Redistricting Boundary Information:**

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

Block assignment file: ***FILE NAME***

Block assignment file security code: ***HASH CODE***

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 in the accompanying electronic storage device, 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 assignment 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 assignment file; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides revisor instructions.

Utah Code Sections Affected:

AMENDS:

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

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

- 33 **36-1-202**, as last amended by Laws of Utah 2013, Chapter 382
 34 **36-1-202.2**, as last amended by Laws of Utah 2021, Chapter 162
 35 **36-1-203**, as last amended by Laws of Utah 2018, Chapter 330
 36 **36-1-204**, as last amended by Laws of Utah 2021, Chapters 162 and 345

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

- 38 **36-1-201.5**, as last amended by Laws of Utah 2021, Chapter 345

39

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

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

42 **36-1-201.1. Definitions.**

43 As used in this part:

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

48 (2) "House block assignment file" means the electronic file designated as ***FILE
 49 NAME*** that assigns each of Utah's [~~115,406~~] 71,207 census blocks to a particular Utah
 50 State House of Representatives district.

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

52 (a) is the resulting projection of the House block assignment file; and

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

54 (4) "Shapefile" means the digital vector storage format for storing geometric location
 55 and associated attribute information [~~and includes the boundary change in Subsection~~
 56 ~~36-1-201.5(4)(b)].~~

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

58 **36-1-201.5. Utah State House of Representatives -- House district boundaries.**

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

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

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

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

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

68 ~~[(2)] (1)~~ The Utah State House of Representatives shall consist of 75 members, with
69 one member to be elected from each Utah House of Representative district.

70 ~~[(3)] (2)~~ The Legislature adopts the official census population figures and maps of the
71 Bureau of the Census of the United States Department of Commerce developed in connection
72 with the taking of the ~~[2010]~~ 2020 national decennial census as the official data for establishing
73 House district boundaries.

74 ~~[(4)] (3) (a) [Notwithstanding Subsection (3), and except as modified by Subsection~~
75 ~~(4)(b), the]~~ The Legislature enacts the district numbers and boundaries of the House of
76 Representatives districts designated ~~[by the]~~ in the House block assignment file and resulting
77 House shapefile that is the electronic component of [2013 General Session H.B. 366, State
78 House Boundary Amendments.] this bill:

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

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

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

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

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

90 **36-1-202. House districts -- Filing -- Legal boundaries.**

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

94 (b) The legal boundaries of House districts are contained in the House shapefile on file

95 with the lieutenant governor's office.

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

97 (i) verify the House block assignment file that the Legislature files under Subsection
98 (1) using ***HASH CODE*** and the corresponding House shapefile;

99 ~~(ii)~~ (ii) generate maps of each House district from the House shapefile; and

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

102 (b) If there is any inconsistency between the district maps and the House shapefile
103 resulting from the House block assignment file, the House shapefile is controlling.

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

105 **36-1-202.2. County clerk, Utah Geospatial Resource Center, and lieutenant**
106 **governor responsibilities -- Maps and voting precinct boundaries.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

154 **36-1-203. Omissions from maps -- How resolved.**

155 (1) If any area of the state is omitted from a Utah State House of Representatives
156 district in the House shapefile [~~enacted by the Legislature~~] in the possession of the lieutenant

157 governor's office, the county clerk of the affected county, upon discovery of the omission, shall
158 attach the area to the appropriate House district according to the requirements of Subsections
159 (2) and (3).

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

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

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

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

168 **36-1-204. Uncertain boundaries -- How resolved.**

169 (1) As used in this section:

170 (a) "Affected party" means:

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

175 (ii) a candidate for representative whose House district boundary is uncertain because
176 the feature used to establish the district boundary in the House shapefile has been removed,
177 modified, or is unable to be identified or who is uncertain about whether the candidate or
178 another individual resides in a particular House district; or

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

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

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

187 (i) the precise location of the House district boundary;

188 (ii) the number of the House district in which an individual resides; or
189 (iii) both Subsections (2)(a)(i) and (ii).

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

192 (i) the House block assignment file and the resulting House shapefile; and
193 (ii) any other relevant data such as aerial photographs, aerial maps, or other data about
194 the area.

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

196 (i) complete the review [the House shapefile;] described in Subsection (2)(b); and
197 [~~(ii) review any relevant data; and~~
198 [~~(iii)~~ (ii) make a determination.

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

201 (i) prepare a certification identifying the appropriate House district boundary and
202 attaching a map, if necessary; and
203 (ii) send a copy of the certification to:
204 (A) the affected party;
205 (B) the county clerk of the affected county; and
206 (C) the Utah Geospatial Resource Center created under Section 63A-16-505.

207 (e) If the lieutenant governor determines the number of the House district in which a
208 particular individual resides, the lieutenant governor shall send a letter identifying that district
209 by number to:

210 (i) the individual;
211 (ii) the affected party who filed the petition, if different than the individual whose
212 House district number was identified; and
213 (iii) the county clerk of the affected county.

214 **Section 7. Effective date.**

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

219 Section 8. **Revisor instructions.**

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

221 preparing the Utah Code database for publication, replace the references in Section 36-1-201.5

222 from "this bill" to the bill's designated chapter number in the Laws of Utah.