1   **CONGRESSIONAL BOUNDARIES DESIGNATION**

2   2021 SECOND SPECIAL SESSION

3   STATE OF UTAH

4   ══

5   **LONG TITLE**

6   **Redistricting Boundary Information:**

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

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

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

10   **General Description:**

11   This bill, which includes this printed text and the electronic data affiliated with this text

12   that is available on the Legislature's website and also included in the accompanying

13   electronic storage device, establishes new United States Congressional district

14   boundaries for Utah.

15   **Highlighted Provisions:**

16   This bill:

17   ‣   repeals current United States Congressional district boundaries for Utah and

18   establishes new United States Congressional district boundaries for Utah;

19   ‣   establishes the block assignment file that is part of this bill in electronic form as the

20   legal boundaries of United States Congressional district boundaries for Utah;

21   ‣   provides a hash code to verify the authenticity of the block assignment file; and

22   ‣   makes technical and conforming changes.

23   **Money Appropriated in this Bill:**

24   None

25   **Other Special Clauses:**

26   This bill provides a special effective date.

27   This bill provides revisor instructions.

28   **Utah Code Sections Affected:**

29   AMENDS:

30   **20A-13-101.1**, as last amended by Laws of Utah 2013, Chapter 383

31   **20A-13-101.5**, as last amended by Laws of Utah 2013, Chapter 383

32   **20A-13-102**, as last amended by Laws of Utah 2013, Chapter 383

33   **20A-13-102.2**, as last amended by Laws of Utah 2021, Chapter 162

34   **20A-13-103**, as last amended by Laws of Utah 2018, Chapter 330

35   **20A-13-104**, as last amended by Laws of Utah 2021, Chapters 162 and 345

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

37   **20A-13-101.5**, as last amended by Laws of Utah 2013, Chapter 383

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

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

41   **20A-13-101.1.   Definitions.**

42   As used in this part:

43   (1) "Census block" means any one of the [115,406] 71,207 individual geographic areas

44   into which the Bureau of the Census of the United States Department of Commerce has divided

45   the state of Utah, to each of which the Bureau of the Census has attached a discrete population

46   tabulation from the [2010] 2020 decennial census.

47   (2) "Congressional block assignment file" means the electronic file designated as ***

48   FILE NAME *** that assigns each of Utah's [115,406] 71,207 census blocks to a particular

49   Congressional district.

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

51   (a) is the resulting projection of the Congressional block assignment file; and

52   (b) stores the boundary of each of the four United States Congressional district

53   boundaries for Utah.

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

55   and associated attribute information.

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

57   **20A-13-101.5.   Representatives to the United States Congress -- Four**

58   **representative districts -- When elected -- District boundaries.**

59   (1) (a) The state of Utah is divided into four districts for the election of representatives

60   to the Congress of the United States, with one member to be elected from each Congressional

61   district.

62   (b) At the general election to be held in [2012] 2022, and biennially thereafter, one

63   representative from each Congressional district shall be elected to serve in the Congress of the

64   United States.

65   (2) The Legislature adopts the official census population figures and maps of the

66   Bureau of the Census of the United States Department of Commerce developed in connection

67   with the taking of the [2010] 2020 national decennial census as the official data for establishing

68   Congressional district boundaries.

69   (3) (a) [Notwithstanding Subsection (2), the] The Legislature enacts the district

70   numbers and boundaries of the Congressional districts designated in the Congressional block

71   assignment file and resulting Congressional shapefile that is the electronic component of [the

72   bill that enacts this section] this bill.

73   (b) [That] The Legislature shall ensure that the Congressional shapefile, and

74   Congressional boundaries generated from [that] the Congressional shapefile, [may be accessed

75   via] are accessible on the Utah Legislature's website.

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

77   **20A-13-102.   Congressional districts -- Filing -- Legal boundaries.**

78   (1) (a) The Legislature shall file a copy of the Congressional [shapefile] block

79   assignment file enacted by the Legislature and the resulting Congressional shapefile with the

80   lieutenant governor's office.

81   (b) The legal boundaries of Utah's Congressional districts are contained in the

82   Congressional shapefile on file with the lieutenant governor's office.

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

84   (i) verify the Congressional block assignment file that the Legislature files under

85   Subsection (1) using *** HASHCODE *** and the corresponding Congressional shapefile;

86   [(i)] (ii) generate maps of each Congressional district from the Congressional shapefile;

87   and

88   [(ii)] (iii) ensure that [those] the district maps are available for viewing on the

89   lieutenant governor's website.

90   (b) If there is any inconsistency between the district maps and the Congressional

91   shapefile resulting from the Congressional block assignment file, the Congressional shapefile is

92   controlling.

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

94   **20A-13-102.2.   County clerk, Utah Geospatial Resource Center, and lieutenant**

95   **governor responsibilities -- Maps and voting precinct boundaries.**

96   (1) As used in this section, "redistricting boundary data" means the Congressional

97   shapefile in the possession of the lieutenant governor's office.

98   [(1)] (2) Each county clerk shall obtain a copy of the [Congressional shapefile]

99   redistricting boundary data for the clerk's county from the lieutenant governor's office.

100   [(2)] (3) (a) A county clerk may create one or more county maps that identify the

101   boundaries of Utah's Congressional districts as generated from the [Congressional shapefile]

102   redistricting boundary data.

103   (b) Before publishing or distributing any map or data created by the county clerk that

104   identifies the boundaries of Utah's Congressional districts within the county, the county clerk

105   shall submit the county map and data to the lieutenant governor and to the Utah Geospatial

106   Resource Center for review.

107   (c) Within 30 days after receipt of a county map and data from a county clerk, the Utah

108   Geospatial Resource Center shall:

109   (i) review the county map and data to evaluate if the county map and data accurately

110   reflect the boundaries of Utah's Congressional districts established by the Legislature in the

111   [Congressional shapefile] redistricting boundary data;

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

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

114   (d) The lieutenant governor shall either notify the county clerk that the county map and

115   data are correct or notify the county clerk that the county map and data are incorrect.

116   (e) If the county clerk receives notice from the lieutenant governor that the county map

117   and data submitted are incorrect, the county clerk shall:

118   (i) make the corrections necessary to conform the county map and data to the

119   [Congressional shapefile] redistricting boundary data; and

120   (ii) resubmit the corrected county map and data to the lieutenant governor and to the

121   Utah Geospatial Resource Center for a new review under this Subsection [(2)] (3).

122   [(3)] (4) (a) Subject to the requirements of this Subsection [(3)] (4), each county clerk

123   shall establish voting precincts and polling places within each Utah Congressional district

124   according to the procedures and requirements of Section 20A-5-303.

125   (b) Within five working days after approval of voting precincts and polling places by

126   the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

127   voting precinct map identifying the boundaries of each voting precinct within the county to the

128   lieutenant governor and to the Utah Geospatial Resource Center for review.

129   (c) Within 30 days after receipt of a map from a county clerk, the Utah Geospatial

130   Resource Center shall:

131   (i) review the voting precinct map to evaluate if the voting precinct map accurately

132   reflects the boundaries of Utah's Congressional districts established by the Legislature in the

133   [Congressional shapefile] redistricting boundary data;

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

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

136   (d) The lieutenant governor shall either notify the county clerk that the voting precinct

137   map is correct or notify the county clerk that the map is incorrect.

138   (e) If the county clerk receives notice from the lieutenant governor that the voting

139   precinct map is incorrect, the county clerk shall:

140   (i) make the corrections necessary to conform the voting precinct map to the

141   [Congressional shapefile] redistricting boundary data; and

142   (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the

143   Utah Geospatial Resource Center for a new review under this Subsection [(3)] (4).

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

145   **20A-13-103.   Omissions from maps -- How resolved.**

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

147   shapefile [enacted by the Legislature] in the possession of the lieutenant governor's office, the

148   county clerk of the affected county, upon discovery of the omission, shall attach the area to the

149   appropriate Congressional district according to the requirements of Subsections (2) and (3).

150   (2) If the omitted area is surrounded by a single Congressional district, the county clerk

151   shall attach the area to that district.

152   (3) If the omitted area is contiguous to two or more Congressional districts, the county

153   clerk shall attach the area to the district that has the least population, as determined by the Utah

154   Population Committee.

155   (4) The county clerk shall certify in writing and file with the lieutenant governor any

156   attachment made under this section.

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

158   **20A-13-104.   Uncertain boundaries -- How resolved.**

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

160   (a) a representative whose Congressional district boundary is uncertain because the

161 boundary in the Congressional shapefile used to establish the district boundary has been

162 removed, modified, or is unable to be identified or who is uncertain about whether the

163 representative or another individual resides in a particular Congressional district;

164   (b) a candidate for Congressional representative whose Congressional district boundary

165 is uncertain because the boundary in the Congressional shapefile used to establish the district

166 boundary has been removed, modified, or is unable to be identified or who is uncertain about

167 whether the candidate or another individual resides in a particular Congressional district; or

168   (c) an individual who is uncertain about which Congressional district contains the

169 individual's residence because the boundary in the Congressional shapefile used to establish the

170 district boundary has been removed, modified, or is unable to be identified.

171   (2) (a) An affected party may file a written request petitioning the lieutenant governor

172 to determine:

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

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

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

176   (b) In order to make the determination required by Subsection (2)(a), the lieutenant

177 governor shall review:

178   (i) the Congressional block assignment file and the resulting Congressional shapefile

179 [and obtain and review]; and

180   (ii) any other relevant data such as aerial photographs, aerial maps, or other data about

181 the area.

182   (c) Within five days of receipt of the request, the lieutenant governor shall [review the

183 Congressional shapefile, obtain and review any relevant data,]:

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

185   (ii) make a determination.

186   (d) When the lieutenant governor determines the location of the Congressional district

187 boundary, the lieutenant governor shall:

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

189   necessary; and

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

191   (A) the affected party;

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

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

194   (e) If the lieutenant governor determines the number of the Congressional district in

195   which a particular individual resides, the lieutenant governor shall send a letter identifying that

196   district by number to:

197   (i) the individual;

198   (ii) the affected party who filed the petition, if different than the individual whose

199   Congressional district number was identified; and

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

201   Section 7. **Effective date.**

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

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

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

205   the date of veto override.

206   Section 8. **Revisor instructions.**

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

208   preparing the Utah Code database for publication, replace the references in Section

209   20A-13-101.5 from "this bill" to the bill's designated chapter number in the Laws of Utah.