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Redistricting Standards
2025 FIRST SPECIAL SESSION
STATE OF UTAH
Chief Sponsor: Brady Brammer

Sponsor:

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LONG TITLE

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General Description:

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This bill establishes a statistical method to use in evaluating redistricting plans for compliance with a requirement under state law.

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Highlighted Provisions:

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This bill:

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- defines terms;

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- establishes a statistical method to use in evaluating redistricting plans for compliance with

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a requirement under state law; and

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- makes technical changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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This bill provides a special effective date.

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Utah Code Sections Affected:

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AMENDS:

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20A-19-103, as enacted by Statewide Initiative -- Proposition 4, Nov. 6, 2018

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

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Section 1. Section **20A-19-103** is amended to read:

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20A-19-103 . Redistricting Standards and Requirements.

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(1) As used in this section:

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(a) "Measures of partisan symmetry" means, for a congressional map:

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(i) the partisan bias test; and

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(ii) the outcome of the partisan bias test contextualized through a quantile analysis.

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(b) "Partisan bias test" means an evaluation of partisan symmetry in a proposed

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redistricting plan:

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(i) that follows the following sequential steps:

- 31 (A) calculate each party's statewide vote share using the partisan index;
 32 (B) calculate the difference between each party's statewide vote share and 50%;
 33 (C) subtract the difference described in Subsection (1)(b)(i)(B) from each party's
 34 vote share in each district in the proposed redistricting plan based on the
 35 partisan index data for each census block within the district; and
 36 (D) based on the adjusted vote share described in Subsection (1)(b)(i)(C),
 37 calculate the difference between each party's expected seat share and 50% of
 38 the total seats in a hypothetical election, with the difference between the party's
 39 seat share in the hypothetical election and 50% of the total seats representing
 40 the degree of partisan bias; and
- 41 (ii) for which a result described in Subsection (1)(b)(i) other than the following fails
 42 the test:
- 43 (A) for an even number of seats, 0; or
 44 (B) for an odd number of seats, 0.5.
- 45 (c) "Partisan index" means an average of the partisan vote share:
- 46 (i) except as provided in Subsection (1)(c)(ii), in the three immediately preceding
 47 statewide elections for each of the following offices:
- 48 (A) United States president;
 49 (B) governor;
 50 (C) attorney general;
 51 (D) state treasurer; and
 52 (E) state auditor;
- 53 (ii) except as provided in Subsection (1)(c)(iii), that excludes an election for an office
 54 in which the two largest political parties did not field a candidate; and
- 55 (iii) that allocates votes for an independent general election candidate to a political
 56 party if the independent candidate attempted to win the nomination of the political
 57 party at a primary election or party convention for the same general election.
- 58 (d) "Unduly favor or disfavor" in regards to Subsection (4) for purposes of a
 59 congressional map, means the map is asymmetrical under the partisan bias test.
- 60 [~~(1)~~] (2) This Section establishes redistricting standards and requirements applicable to the
 61 Legislature and to the Utah Independent Redistricting Commission.
- 62 [~~(2)~~] (3) The Legislature and the Commission shall abide by the following redistricting
 63 standards to the greatest extent practicable and in the following order of priority:
 64 (a) adhering to the Constitution of the United States and federal laws, such as the Voting

65 Rights Act, 52 U.S.C. Secs. 10101 through 10702, including, to the extent required,
66 achieving equal population among districts using the most recent national decennial
67 enumeration made by the authority of the United States;

68 (b) minimizing the division of municipalities and counties across multiple districts,
69 giving first priority to minimizing the division of municipalities and second priority
70 to minimizing the division of counties;

71 (c) creating districts that are geographically compact;

72 (d) creating districts that are contiguous and that allow for the ease of transportation
73 throughout the district;

74 (e) preserving traditional neighborhoods and local communities of interest;

75 (f) following natural and geographic features, boundaries, and barriers; and

76 (g) maximizing boundary agreement among different types of districts.

77 ~~[(3)]~~ (4)(a) The Legislature and the Commission may not divide districts in a manner that
78 purposefully or unduly favors or disfavors any incumbent elected official, candidate
79 or prospective candidate for elective office, or any political party.

80 (b) A redistricting plan that is symmetrical under the partisan bias test does not unduly
81 favor or disfavor under Subsection (4)(a).

82 ~~[(4)]~~ (5) The Legislature and the Commission shall use judicial standards and the best
83 available data and scientific and statistical methods, including measures of partisan
84 symmetry, to assess whether a proposed redistricting plan abides by and conforms to the
85 redistricting standards contained in this Section, including the restrictions contained in
86 Subsection ~~[(3)]~~ (4).

87 ~~[(5)]~~ (6) Partisan political data and information, such as partisan election results, voting
88 records, political party affiliation information, and residential addresses of incumbent
89 elected officials and candidates or prospective candidates for elective office, may not be
90 considered by the Legislature or by the Commission, except as permitted under
91 Subsection ~~[(4)]~~ (5).

92 ~~[(6)]~~ (7) The Legislature and the Commission shall make computer software and
93 information and data concerning proposed redistricting plans reasonably available to the
94 public so that the public has a meaningful opportunity to review redistricting plans and
95 to conduct the assessments described in Subsection ~~[(4)]~~ (5).

96 (8) Any judicial review of a congressional map to determine whether the Legislature or
97 Commission complies with this section shall use the partisan bias test described in this
98 section to determine whether a map unduly favors or disfavors any incumbent elected

99 official, candidate or prospective candidate for elective office, or any political party, for
100 purposes of a congressional map.

101 **Section 2. Effective Date.**

102 This bill takes effect:

103 (1) except as provided in Subsection (2), December 6, 2025; or

104 (2) if approved by two-thirds of all members elected to each house:

105 (a) upon approval by the governor;

106 (b) without the governor's signature, the day following the constitutional time limit of
107 Utah Constitution, Article VII, Section 8; or

108 (c) in the case of a veto, the date of veto override.