



LEGISLATIVE
RESEARCH &
GENERAL COUNSEL



Overview of 2025 Redistricting

September 22, 2025

What is Redistricting?

Redistricting is the process of redrawing new electoral district boundaries that occurs after each ten-year census.

New districts are drawn for:

- Four Congressional House Districts
- Legislative Districts
 - State Senate
 - State House
- State School Board Districts



Why Redistrict?

Equal representation – one person, one vote

Unequal population growth and shifts over time creates inequity

Article IX, Section 1. [Dividing the state into districts.]

No later than the annual general session next following the Legislature's receipt of the results of an enumeration made by the authority of the United States, the Legislature shall divide the state into congressional, legislative, and other districts accordingly.



Notes About Data

- Districts will still be drawn using 2020 U.S. Census data (stipulated to by all parties involved in the current litigation)
 - Population data reflects a snapshot as of April 1, 2020
 - Geographic data, including municipal lines, is a snapshot of boundaries as of January 1, 2020



Prop 4 requires maps to minimize the division of municipalities and counties.

Four cities have boundaries that extend across county boundaries.

- Bluffdale (Salt Lake and Utah Counties)
- Draper (Salt Lake and Utah Counties)
- Park City (Summit and Wasatch Counties)
- Santaquin (Juab and Utah Counties)



Minimizing the division of municipalities and counties (cont.)

- **Population of Utah: 3,271,616**



Minimizing the division of municipalities and counties (cont.)

- Population of Utah: 3,271,616
- **Population of Ideal District: 817,904**



Minimizing the division of municipalities and counties (cont.)

- Population of Utah: 3,271,616
- Population of Ideal District: 817,904
- **Population of Salt Lake County: 1,185,238**



Minimizing the division of municipalities and counties (cont.)

- Population of Utah: 3,271,616
- Population of Ideal District: 817,904
- Population of Salt Lake County: 1,185,238

Salt Lake County must be divided



PROPOSITION
NUMBER
4

FOR

AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Cut-off Date

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://lc.utah.gov>.

Block equivalency file: HB2004_BEF.txt

Block equivalency file security code: 4cb8a6865206b1c2385efu9812f403

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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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.

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

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LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

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RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

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Judge Dianna M. Gibson

2018

2021

Oct. 2022

Aug. 2025

2020

Mar. 2022

July 2024

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

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COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

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LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,

Appellants & Cross-Appellees.

No. 20220991

Heard July 11, 2023

Supplemental Briefing Received August 1, 2023

Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,

David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,





2018

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2	2020 GENERAL SESSION
3	STATE OF UTAH
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9	This bill addresses provisions relating to the Utah Independent Redistricting
10	Commission and redistricting.
11	Highlighted Provisions:
12	This bill:
13	• defines terms;
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16	• establishes the commission's membership and term;
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19	ing services, by the commission;
20	• describes the duties of the commission;
21	• provides for presentation of commission maps to the Legislature's redistricting
22	committee;
23	• requires the Government Operations Interim Committee to conduct a review
24	of the commission; and
25	• repeals existing independent redistricting commission provisions.
26	Money Appropriated in this Bill:
27	This bill appropriates in fiscal year 2021:
28	• to the Department of Administrative Services - Finance - Mandated - Redi-
29	stricting Commission, as a one-time appropriation:

PROPOSITION NUMBER

4

☐ FOR
☐ AGAINST

Shall a law be enacted to:

- create a seven-member commission to recommend redistricting plans to the Legislature that divide the state into Congressional, legislative, and state school board districts;
- provide for appointments to that commission: one by the Governor, three by legislative majority party leaders, and three by legislative minority party leaders;
- provide qualifications for commission members, including limitations on their political activity;
- require the Legislature to enact or reject a commission-recommended plan; and
- establish requirements for redistricting plans and authorize lawsuits to block implementation of a redistricting plan enacted by the Legislature that fails to conform to those requirements?

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redefines the boundaries of those districts to ensure roughly equal populations within the districts. This redefining of district boundaries is commonly referred to as "redistricting."

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1. Redistricting Commission

Current Law

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Effect of Proposition 4

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed by each of the following:

- the governor;
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Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four or, in some cases, five years before appointment. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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NOT DENYING IN
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IN THE THIRD JUDICIAL DISTRICT COURT
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REPRESENTATIVE BRAD WILSON, in his
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Defendants.

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Judge Dianna M. Gibson

Aug. 2025

July 2024

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://lc.utah.gov>.

Block equivalency file: HB2004_BEF.txt

Block equivalency file security code: 4cb8a6865206b1c2385cfu9812f403

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This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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.

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Plaintiffs,

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UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

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to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

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COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

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☐ AGAINST

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Background

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Composition:

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to the Department of Administrative Services – Finance - Mandated – Redistricting Commission, as a one-time appropriation:

DENYING IN
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Gibson

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July 2024

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE
SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,
Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,
Appellants & Cross-Appellees.

No. 20220991
Heard July 11, 2023
Supplemental Briefing Received August 1, 2023
Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County
The Honorable Dianna M. Gibson
No. 220901712

Attorneys':

Troy L. Booher, J. Frederic Voros, Jr., Caroline A. Olsen,
David C. Reymann, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION NUMBER 4 FOR AGAINST IMPARTIAL ANALYSIS Background The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type. Every 10 years, the federal government conducts a census to count the population of each state. During the 10 year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting". Proposition 4 Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply. 1. Redistricting Commission COMMISSION The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process. Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following: • the governor; • the president of the Utah Senate; • the speaker of the Utah House of Representatives; • the leader of the largest minority political party in the Utah Senate; • the leader of the largest minority political party in the Utah House of Representatives; • Utah Senate and House leadership of the political party that is the majority party in the Utah Senate, and • Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate. Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards. Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

Enrolled Copy H.B. 2004 CONGRESSIONAL BOUNDARIES DESIGNATION 2021 SECOND SPECIAL SESSION STATE OF UTAH Chief Sponsor: Paul Ray Senate Sponsor: Scott D. Sandall LONG TITLE Redistricting Boundary Information: The Congressional district boundary information may be found at https://lc.utah.gov. Block equivalency file: HB2004_BEf.txt Block equivalency file security code: 4cb8a6865206b1c2385cfu9812f403 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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah. Highlighted Provisions: This bill: • repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah; • establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah; • provides a hash code to verify the authenticity of the block equivalency 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.

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX, v. UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity, Plaintiffs, v. Defendants. SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS Case No. 220901712 Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX, v. UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity, Plaintiffs, v. Defendants. RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT Case No. 220901712 Judge Dianna M. Gibson

2018

2021

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Aug. 2025

2020

Mar. 2022

July 2024

Enrolled Copy S.B. 200 REDISTRICTING AMENDMENTS 2020 GENERAL SESSION STATE OF UTAH Chief Sponsor: Curtis S. Bramble House Sponsor: Carol Spackman Moss LONG TITLE General Description: This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting. Highlighted Provisions: This bill: • defines terms; • modifies redistricting requirements and related provisions; • modifies the Utah Independent Redistricting Commission; • establishes the commission's membership and term; • addresses commission function, action, meetings, and staffing; • provides for acquisition and use of materials, software, and services, including legal services, by the commission; • describes the duties of the commission; • provides for presentation of commission maps to the Legislature's redistricting committee; • requires the Government Operations Interim Committee to conduct a review of the commission; and • repeals existing independent redistricting commission provisions. Money Appropriated in this Bill: This bill appropriates in fiscal year 2021: • to the Department of Administrative Services – Finance - Mandated - Redistricting Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX, v. UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF (Tier 2) Civil Action No. Judge

This opinion is subject to revision before final publication in the Pacific Reporter 2024 UT 21 IN THE SUPREME COURT OF THE STATE OF UTAH LEAGUE OF WOMEN VOTERS OF UTAH, et al., Appellees & Cross-Appellants, v. UTAH STATE LEGISLATURE, et al., Appellants & Cross-Appellees. No. 20220991 Heard July 11, 2023 Supplemental Briefing Received August 1, 2023 Filed July 11, 2024 On Consolidated Appeal of Interlocutory Order Third Judicial District, Salt Lake County The Honorable Dianna M. Gibson No. 220901712 Attorneys': Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen, David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

☐ FOR
☐ AGAINST

IMPARTIAL ANALYSIS

Shall a law be enacted to

- create a seven-member commission to recommend redistricting plans to the Legislature that divide the state into Congressional, legislative, and state school board districts;
- provide for appointments to that commission: one by the Governor, three by legislative majority party leaders, and three by legislative minority party leaders;
- provide qualifications for commission members, including limitations on their political activity;
- require the Legislature to enact or reject a commission-recommended plan; and
- establish requirements for redistricting plans and authorize lawsuits to block implementation of a redistricting plan enacted by the Legislature that fails to conform to those requirements?

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Committee

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Effect of Proposition 4

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

2018

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REDISTRICTING AMENDMENTS

2

2020 GENERAL SESSION

3

STATE OF UTAH

4

Chief Sponsor: Curtis S. Bramble

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House Sponsor: Carol Spackman Moss

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LONG TITLE

8

General Description:

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This bill addresses provisions relating to the Utah Independent Redistricting

10

Commission and redistricting.

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Highlighted Provisions:

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This bill:

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• defines terms;

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• modifies redistricting requirements and related provisions;

15

• modifies the Utah Independent Redistricting Commission;

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• establishes the commission's membership and term;

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• addresses commission function, action, meetings, and staffing;

18

• provides for acquisition and use of materials, software, and services, including legal

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services, by the commission;

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• describes the duties of the commission;

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• provides for presentation of commission maps to the Legislature's redistricting

22

committee;

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• requires the Government Operations Interim Committee to conduct a review of the

24

commission; and

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• reports existing independent redistricting commission provisions.

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Money Appropriated in this Bill:

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This bill appropriates in fiscal year 2021:

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• to the Department of Administrative Services – Finance – Mandated – Redistricting

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Commission, as a one-time appropriation:

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H.B. 2004

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CONGRESSIONAL BOUNDARIES DESIGNATION

4

2021 SECOND SPECIAL SESSION

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STATE OF UTAH

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Chief Sponsor: Paul Ray

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Senate Sponsor: Scott D. Sandall

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LONG TITLE

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Redistricting Boundary Information:

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

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Block equivalency file: HB2004_BEF.txt

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Block equivalency file security code: 4cb8a686520fdb1c2385e0a9812ff403

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General Description:

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

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that is available on the Legislature's website and also included on the electronic storage

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device accompanying this bill when presented to the governor, establishes new United

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States Congressional district boundaries for Utah.

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Highlighted Provisions:

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This bill:

21

• repeals current United States Congressional district boundaries for Utah and

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establishes new United States Congressional district boundaries for Utah;

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• establishes the block equivalency file that is part of this bill in electronic form as the

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legal boundaries of United States Congressional district boundaries for Utah;

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• provides a hash code to verify the authenticity of the block equivalency file; and

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• makes technical and conforming 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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This bill provides revisor instructions.

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Aug. 2025

July 2024

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE
SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,
Appellees & Cross-Appellants,
v.
UTAH STATE LEGISLATURE, *et al.*,
Appellants & Cross-Appellees.

No. 20220991
Heard July 11, 2023
Supplemental Briefing Received August 1, 2023
Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County
The Honorable Dianna M. Gibson
No. 220901712

Attorneys':
Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,
David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
ENDERSON, in her official capacity.

Defendants.

RULING AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

AND
DENYING LEGISLATIVE
DEFENDANTS' CROSS-MOTION FOR
SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson



PROPOSITION
NUMBER
4

FOR

AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Cut-off Date

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed for each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://lc.utah.gov>.

Block equivalency file: HB2004_BEF.txt

Block equivalency file security code: 4c8fa6865206b1c2385cfu9812f403

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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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.

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,

Appellants & Cross-Appellees.

No. 20220991

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On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,

David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

☐ FOR
☐ AGAINST

Should a law be enacted to:
• create a seven-member commission to recommend redistricting plans to the Legislature that divide the state into Congressional, legislative, and state school board districts;
• provide for appointments to that commission: one by the Governor, three by legislative majority party leaders, and three by legislative minority party leaders;
• provide qualifications for commission members, including limitations on their political activity;
• require the Legislature to enact or reject a commission-recommended plan; and
• establish requirements for redistricting plans and authorize lawsuits to block implementation of a redistricting plan enacted by the Legislature that fails to conform to those requirements?

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Committee

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission's appointment. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

Enrolled Copy	H.B. 2004
1	CONGRESSIONAL BOUNDARIES DESIGNATION
2	2021 SECOND SPECIAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Paul Ray
5	Senate Sponsor: Scott D. Sandall

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH	
LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE	

THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF
UTAH, MORMON WOMEN FOR
ETHICAL GOVERNMENT, STEFANIE
CONDIE, MALCOLM REID, VICTORIA
REID, WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH	
LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,	RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT
Plaintiffs,	
v.	
UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity.	Case No. 220901712 Judge Dianna M. Gibson
Defendants.	

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Aug. 2025

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1	2020 GENERAL S
2	STATE OF U
3	Chief Sponsor: Curt
4	House Sponsor: Carol S
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6	LONG TITLE
7	General Description:
8	This bill addresses provisions relating to the Utah
9	Commission and redistricting.
10	Highlighted Provisions:
11	This bill:
12	• defines terms;
13	• modifies redistricting requirements and relat
14	• modifies the Utah Independent Redistricting
15	• establishes the commission's membership an
16	• addresses commission function, action, meet
17	• provides for acquisition and use of materials
18	services, by the commission;
19	• describes the duties of the commission;
20	• provides for presentation of commission maps to the Legislature's redistricting
21	committee;
22	• requires the Government Operations Interim Committee to conduct a review of the
23	commission; and
24	• repeals existing independent redistricting commission provisions.
25	Money Appropriated in this Bill:
26	This bill appropriates in fiscal year 2021:
27	• to the Department of Administrative Services – Finance - Mandated - Redistricting
28	Commission, as a one-time appropriation:
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In revision before final Pacific Reporter
UT 21
THE THE STATE OF UTAH
OTERS OF UTAH, et al., oss-Appellants, v. LEGISLATURE, et al., 'ross-Appellees.
220991 y 11, 2023 Received August 1, 2023 y 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County
The Honorable Dianna M. Gibson
No. 220901712

Attorneys':

Troy L. Booher, J. Frederic Voros, Jr., Caroline A. Olsen,
David C. Reymann, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

☐ FOR
☐ AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Cut-off Date

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

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

Block equivalency file: HB2004_BEf.txt

Block equivalency file security code: 4cb8a685206b1c2385cfu9812f403

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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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 revision instructions.

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

2018

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,

Appellants & Cross-Appellees.

No. 20220991

Heard July 11, 2023

Supplemental Briefing Received August 1, 2023

Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,

David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

☐ FOR
☐ AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redistricts the boundaries of those districts to ensure roughly equal populations within the districts. This redistricting of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Committee

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Effect of Proposition 4

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: **Curtis S. Bramble**

House Sponsor: **Carol Spackman Moss**

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

- defines terms;
- modifies redistricting requirements and related provisions;
- modifies the Utah Independent Redistricting Commission;
- establishes the commission's membership and term;
- addresses commission function, action, meetings, and staffing;
- provides for acquisition and use of materials, software, and services, including legal services, by the commission;
- describes the duties of the commission;
- provides for presentation of commission maps to the Legislature's redistricting committee;
- requires the Government Operations Interim Committee to conduct a review of the commission; and
- repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

- to the Department of Administrative Services – Finance – Mandated – Redistricting Commission, as a one-time appropriation:

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IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN
PART and GRANTING IN PART
DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE
DEFENDANTS' CROSS-MOTION FOR
SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

Aug. 2025

2024

Object to revision before final
in the Pacific Reporter

24 UT 21

IN THE

OF THE STATE OF UTAH

N VOTERS OF UTAH, et al.,
& Cross-Appellants,
v.
LEGISLATURE, et al.,
& Cross-Appellees.

20220991
July 11, 2023
ng Received August 1, 2023
July 11, 2024

peal of Interlocutory Order

strict, Salt Lake County
le Dianna M. Gibson
220901712

rtorneys':
ie Voros, Jr., Caroline A. Olsen,
Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

FOR
AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Created Law

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is created. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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H.B. 2004

1 CONGRESSIONAL BOUNDARIES DESIGNATION

2 2021 SECOND SPECIAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Paul Ray

5 Senate Sponsor: Scott D. Sandall

6

7 LONG TITLE

8 Redistricting Boundary Information:

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

10 Block equivalency file: HB2004_BEf.txt

11 Block equivalency file security code: 4c8fa6865206b1c2385efu9812f403

12 General Description:

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

14 that is available on the Legislature's website and also included on the electronic storage

15 device accompanying this bill when presented to the governor, establishes new United

16 States Congressional district boundaries for Utah.

17 Highlighted Provisions:

18 This bill:

19

- repeals current United States Congressional district boundaries for Utah and

20 establishes new United States Congressional district boundaries for Utah;

21

- establishes the block equivalency file that is part of this bill in electronic form as the

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

23

- provides a hash code to verify the authenticity of the block equivalency file; and

24

- makes technical and conforming changes.

25 Money Appropriated in this Bill:

26 None

27 Other Special Clauses:

28 This bill provides a special effective date.

29 This bill provides revisor instructions.

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN
PART AND GRANTING IN PART
DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

AND
DENYING LEGISLATIVE
DEFENDANTS' CROSS-MOTION FOR
SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

2018

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Oct. 2022

Aug. 2025

2020

Mar. 2022

July 2024

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1 REDISTRICTING AMENDMENTS

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Curtis S. Bramble

5 House Sponsor: Carol Spackman Moss

6

7 LONG TITLE

8 General Description:

9 This bill addresses provisions relating to the Utah Independent Redistricting

10 Commission and redistricting.

11 Highlighted Provisions:

12 This bill:

13

- defines terms;

14

- modifies redistricting requirements and related provisions;

15

- modifies the Utah Independent Redistricting Commission;

16

- establishes the commission's membership and term;

17

- addresses commission function, action, meetings, and staffing;

18

- provides for acquisition and use of materials, software, and services, including legal

19 services, by the commission;

20

- describes the duties of the commission;

21

- provides for presentation of commission maps to the Legislature's redistricting

22 committee;

23

- requires the Government Operations Interim Committee to conduct a review of the

24 commission; and

25

- repeals existing independent redistricting commission provisions.

26 Money Appropriated in this Bill:

27 This bill appropriates in fiscal year 2021:

28

- to the Department of Administrative Services – Finance - Mandated - Redistricting

29 Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF
UTAH, MORMON WOMEN FOR
ETHICAL GOVERNMENT, STEFANIE
CONDIE, MALCOLM REID, VICTORIA
REID, WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final
publication in the Pacific Reporter

2024 UT 21

IN THE
SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,
Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,
Appellants & Cross-Appellees.

No. 20220991
Heard July 11, 2023
Supplemental Briefing Received August 1, 2023
Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County
The Honorable Dianna M. Gibson
No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,
David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION NUMBER 4

FOR
AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Committee

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Effect of Proposition 4

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission's formation. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL

LONG TITLE

Redistricting Boundary Information

The Congressional district

Block equivalency file: HB

Block equivalency file: SB

General Description:

This bill, which includes the

that is available on the Legislature's

device accompanying this bill when

States Congressional district bound

Highlighted Provisions:

This bill:

- repeals current United States

establishes new United States Cong

- establishes the block eq

legal boundaries of United States C

- provides a hash code to
- makes technical and con

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special

This bill provides revision

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,^{*}

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,^{*}

Appellants & Cross-Appellees.

No. 20220991

Heard July 11, 2023

Supplemental Briefing Received August 1, 2023

Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys^{*}:

Troy L. Booher, J. Frederic Voros, Jr., Caroline A. Olsen,
David C. Reymann, Kade N. Olsen, Salt Lake City, Mark P. Gaber,

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity.

Defendants.

RULING AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE
DEFENDANTS' CROSS-MOTION FOR
SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

2018

2020

Aug. 2025

July 2024

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

- defines terms;
- modifies redistricting requirements and related provisions;
- modifies the Utah Independent Redistricting Commission;
- establishes the commission's membership and term;
- addresses commission function, action, meetings, and staffing;
- provides for acquisition and use of materials, software, and services, including legal services, by the commission;
- describes the duties of the commission;
- provides for presentation of commission maps to the Legislature's redistricting committee;
- requires the Government Operations Interim Committee to conduct a review of the commission; and
- repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

- to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:



PROPOSITION
NUMBER
4

FOR

AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Created Law

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://lc.utah.gov>.

Block equivalency file: HB2004_BEF.txt

Block equivalency file security code: 4cb8a6865206b1c2385efu9812f403

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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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.

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

2018

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,

Appellants & Cross-Appellees.

No. 20220991

Heard July 11, 2023

Supplemental Briefing Received August 1, 2023

Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,

David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

☐ FOR
☐ AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Committee

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Effect of Proposition 4

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed for each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
- the leader of the largest minority political party in the Utah House of Representatives;
- Utah Senate and House leadership of the political party that is the majority party in the Utah Senate; and
- Utah Senate and House leadership of the political party that is the largest minority party in the Utah Senate.

Under Proposition 4, a person may not be appointed to the commission if the person has engaged in certain political activity during the four to six years before the commission is formed. The Proposition also places limitations on certain political activity of commission members during their service on the commission and for four years afterwards.

Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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7	LONG TITLE
8	Redistricting Boundaries
9	The Commission
10	Block equivalent
11	Block equivalent
12	General Description:
13	This bill, which
14	that is available on the
15	device accompanying it
16	States Congressional di
17	Highlighted Provision
18	This bill:
19	• repeals cur
20	establishes new Utah
21	• establishes t
22	legal boundaries of Uni
23	• provides a h
24	• makes techn
25	Money Appropriated
26	None
27	Other Special Clauses
28	This bill provide
29	This bill provide

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, JACK MARKMAN, and
DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE BRAD WILSON, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT
AND
DENYING LEGISLATIVE
DEFENDANTS' CROSS-MOTION FOR
SUMMARY JUDGMENT
Case No. 220901712
Judge Dianna M. Gibson

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REDISTRICTING AMENDMENTS
2020 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Curtis S. Bramble
House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:
This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.
Highlighted Provisions:
This bill:
• defines terms;
• modifies redistricting requirements and related provisions;
• modifies the Utah Independent Redistricting Commission;
• establishes the commission's membership and term;
• addresses commission function, action, meetings, and staffing;
• provides for acquisition and use of materials, software, and services, including legal services, by the commission;
• describes the duties of the commission;
• provides for presentation of commission maps to the Legislature's redistricting committee;
• requires the Government Operations Interim Committee to conduct a review of the commission; and
• repeals existing independent redistricting commission provisions.
Money Appropriated in this Bill:
This bill appropriates in fiscal year 2021:
• to the Department of Administrative Services – Finance – Mandated – Redistricting Commission, as a one-time appropriation:

Aug. 2025

2024

on before final
Reporter

STATE OF UTAH
OF UTAH, et al.,
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023
ed August 1, 2023
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terlocutory Order
Lake County
M. Gibson
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r., Caroline A. Olsen,
David C. Reymann, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



PROPOSITION
NUMBER
4

FOR

AGAINST

IMPARTIAL ANALYSIS

Background

The state is divided into different types of districts for electing different officers. There are districts for electing representatives to the U.S. House of Representatives, districts for electing members to the Utah Legislature, and districts for electing representatives to the State Board of Education. Under federal constitutional law requiring one person's voting power to be roughly the same as another person's, each type of district is required to have at least a roughly equal population as each other district of that type.

Every 10 years, the federal government conducts a census to count the population of each state. During the 10-year period from one census to the next, the population of the state shifts, resulting in unequal populations within the various districts. Following each census, the Legislature redraws the boundaries of those districts to ensure roughly equal populations within the districts. This redrawing of district boundaries is commonly referred to as "redistricting."

Proposition 4

Proposition 4 affects redistricting in Utah in three main ways: (1) it creates a seven-member appointed commission to participate in the process of formulating redistricting plans; (2) it imposes requirements on the Legislature's redistricting process; and (3) it establishes standards with which redistricting plans must comply.

1. Redistricting Commission

Cut-off Date

The Utah Constitution states that "the Legislature shall divide the state" into districts. Current Utah law does not provide for the involvement of a commission or any other group in the redistricting process.

Proposition 4 creates the "Utah Independent Redistricting Commission," with responsibility to recommend redistricting plans to the Legislature. The redistricting commission consists of seven members. One member is appointed to each of the following:

- the governor;
- the president of the Utah Senate;
- the speaker of the Utah House of Representatives;
- the leader of the largest minority political party in the Utah Senate;
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Proposition 4 establishes a process for the commission to follow in recommending redistricting plans. Among other things, the Proposition requires the commission to:

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CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

LONG TITLE

Redistricting Boundary Information:

The Congressional district boundary information may be found at <https://lc.utah.gov>.

Block equivalency file: HB2004_BEF.txt

Block equivalency file security code: 4cb8a6865206b1c2385cfu9812f403

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 on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

This bill:

repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

provides a hash code to verify the authenticity of the block equivalency 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.

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

SUMMARY RULING DENYING IN PART AND GRANTING IN PART DEFENDANTS' MOTION TO DISMISS

Case No. 220901712

Judge Dianna M. Gibson

IN THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity,

Defendants.

RULING AND ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND

DENYING LEGISLATIVE DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Case No. 220901712

Judge Dianna M. Gibson

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REDISTRICTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Carol Spackman Moss

LONG TITLE

General Description:

This bill addresses provisions relating to the Utah Independent Redistricting Commission and redistricting.

Highlighted Provisions:

This bill:

defines terms;

modifies redistricting requirements and related provisions;

modifies the Utah Independent Redistricting Commission;

establishes the commission's membership and term;

addresses commission function, action, meetings, and staffing;

provides for acquisition and use of materials, software, and services, including legal services, by the commission;

describes the duties of the commission;

provides for presentation of commission maps to the Legislature's redistricting committee;

requires the Government Operations Interim Committee to conduct a review of the commission; and

repeals existing independent redistricting commission provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

to the Department of Administrative Services – Finance - Mandated - Redistricting

Commission, as a one-time appropriation:

THE THIRD JUDICIAL DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Tier 2)

Civil Action No.

Judge

This opinion is subject to revision before final publication in the Pacific Reporter

2024 UT 21

IN THE

SUPREME COURT OF THE STATE OF UTAH

LEAGUE OF WOMEN VOTERS OF UTAH, *et al.*,

Appellees & Cross-Appellants,

v.

UTAH STATE LEGISLATURE, *et al.*,

Appellants & Cross-Appellees.

No. 20220991

Heard July 11, 2023

Supplemental Briefing Received August 1, 2023

Filed July 11, 2024

On Consolidated Appeal of Interlocutory Order

Third Judicial District, Salt Lake County

The Honorable Dianna M. Gibson

No. 220901712

Attorneys':

Troy L. Bocher, J. Frederic Voros, Jr., Caroline A. Olsen,

David C. Reyman, Kade N. Olsen, Salt Lake City, Mark P. Gaber,



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
YOU ARE HERE 	22 1 ST Committee Meeting	23	24 2 nd Committee Meeting	25 Deadline to post map for public comment	26 Public Comment	27 Public Comment
28 Public Comment	29 Public Comment	30 Public Comment	1 OCTOBER Public Comment	2 Public Comment	3 Public Comment	4 Public Comment
5 Public Comment	6 Special session; Parties submit maps to court	7	8	9	10	11
12	13	14	15	16	17 Parties submit briefs and expert reports to court, if necessary	18
19	20	21	22	23 Evidentiary hearing, if necessary	24 Evidentiary hearing, if necessary	25
26	27	28 Parties submit proposed findings and conclusions to court, if necessary	29	30	31	1 NOVEMBER
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9	10 LG's deadline to receive new map					



Prop 4 Standards

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

(2) Abide by the following redistricting standards **to the greatest extent practicable** *and* **in the following order of priority**:

- Population deviation
- Minimizing the division of municipalities and counties across multiple districts, giving first priority to municipalities and second to counties
- Compactness
- Contiguity and ease of transportation
- Preserving traditional neighborhoods and local communities of interest
- Following natural and geographic features, boundaries, and barriers
- Maximizing boundary agreement among different types of districts



Prop 4 Partisan Prohibition

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

- (3) The Legislature and the Commission **may not** divide districts in a manner that **purposefully or unduly favors or disfavors any incumbent, elected official, candidate or prospective candidate for elective office, or any political party.**



Legislative Preferences

- Prop 4 standards control
- Legislative preferences:
 - **are not** redistricting criteria;
 - **cannot** violate Prop 4; and
 - **may only be used** to help choose a map that is “to the greatest extent practicable,” compliant with Prop 4.



Partisan Prohibition - Symmetry

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

- (3) The Legislature and the Commission **may not** divide districts in a manner that **purposefully or unduly favors or disfavors any incumbent**, elected official, **candidate** or prospective candidate for elective office, **or any political party**.



Partisan Prohibition - Symmetry

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

- (3) The Legislature and the Commission **may not** divide districts in a manner that **purposefully or unduly favors or disfavors any incumbent**, elected official, **candidate** or prospective candidate for elective office, **or any political party**.
- (4) The Legislature and the Commission shall use judicial standards and the **best available data** and **scientific and statistical methods, including measures of partisan symmetry**, to assess whether a proposed redistricting plan abides by and conforms to the redistricting standards contained in this Section, including the restrictions contained in Subsection (3).



Partisan Prohibition - Symmetry

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

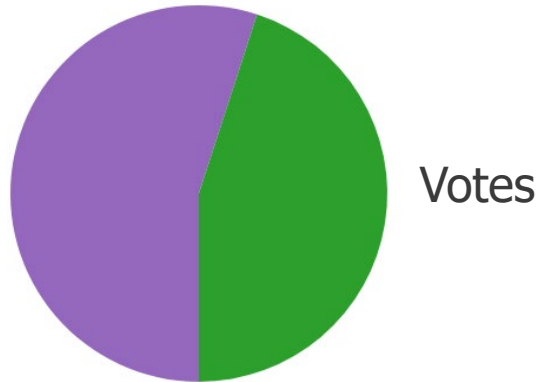
- (3) The Legislature and the Commission **may not** divide districts in a manner that **purposefully or unduly favors or disfavors any incumbent**, elected official, **candidate** or prospective candidate for elective office, **or any political party**.
- (4) The Legislature and the Commission shall use judicial standards and the **best available data** and **scientific and statistical methods, including measures of partisan symmetry**, to assess whether a proposed redistricting plan abides by and conforms to the redistricting standards contained in this Section, including the restrictions contained in Subsection (3).
- (5) **Partisan political data and information**, such as partisan election results, voting records, political party affiliation information, and residential addresses of incumbent elected officials and candidates or prospective candidates for elective office, **may not be considered** by the Legislature or by the Commission, **except as permitted under Subsection (4)**.



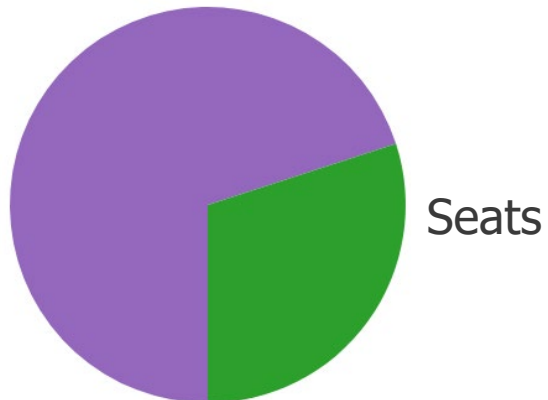
Partisan Symmetry

"The symmetry standard 'requires that the electoral system treat similarly-situated parties equally, so that each receives the same fraction of legislative seats for a particular vote percentage as the other party would receive if it had received the same percentage.' "

League of United Latin Am. Citizens v. Perry, 548 U.S. 399, 466 (2006) (Stevens, J., concurring) (citing Brief for Gary King et al. as *Amici Curiae* 4–5).



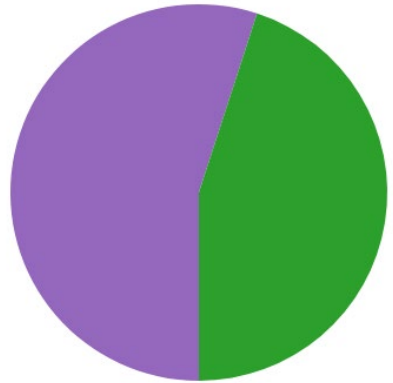
If Party A receives an average of 55% of the vote total across a state's district elections and, because of the way the district lines were drawn, Party A wins 70% of the total seats . . .



Partisan Symmetry

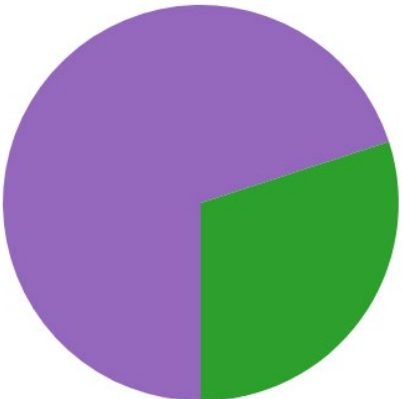
"The symmetry standard 'requires that the electoral system treat similarly-situated parties equally, so that each receives the same fraction of legislative seats for a particular vote percentage as the other party would receive if it had received the same percentage.' "

League of United Latin Am. Citizens v. Perry, 548 U.S. 399, 466 (2006) (Stevens, J., concurring) (citing Brief for Gary King et al. as *Amici Curiae* 4–5).



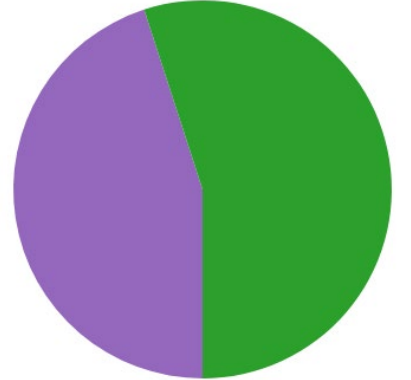
Votes

If Party A receives an average of 55% of the vote total across a state's district elections and, because of the way the district lines were drawn, Party A wins 70% of the total seats . . .

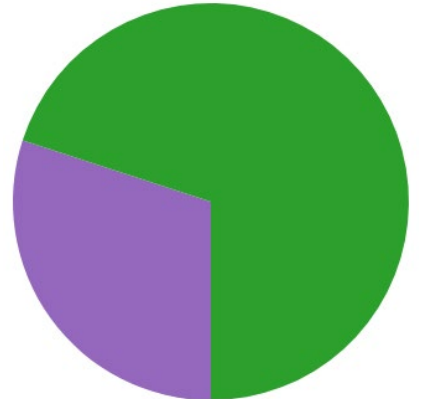


Seats

It would be fair only if, in an election where Party B had received an average of 55% of the vote totals in district elections, Party B would have won 70% of the total seats



Votes



Seats



Partisan Symmetry

“[G]iven the general, non-specific nature of the language, the legislature retains discretion in determining what judicial standards are applicable and they retain discretion to determine the ‘best available data and scientific and statistical methods’ to use in evaluating redistricting plans for compliance with state and federal law and the Proposition 4 redistricting standards. This provision does not impair the legislature’s authority under article IX and does not displace the legislature’s legislative redistricting authority.”

Ruling and Order, Page 29

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH	
LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOLM REID, VICTORIA REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, and DALE COX, Plaintiffs, v. UTAH STATE LEGISLATURE; UTAH LEGISLATIVE REDISTRICTING COMMITTEE; SENATOR SCOTT SANDALL, in his official capacity; REPRESENTATIVE BRAD WILSON, in his official capacity; SENATOR J. STUART ADAMS, in his official capacity; and LIEUTENANT GOVERNOR DEIDRE HENDERSON, in her official capacity, Defendants.	RULING AND ORDER GRANTING PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT AND DENYING LEGISLATIVE DEFENDANTS’ CROSS-MOTION FOR SUMMARY JUDGMENT Case No. 220901712 Judge Dianna M. Gibson

Partisan Bias Test

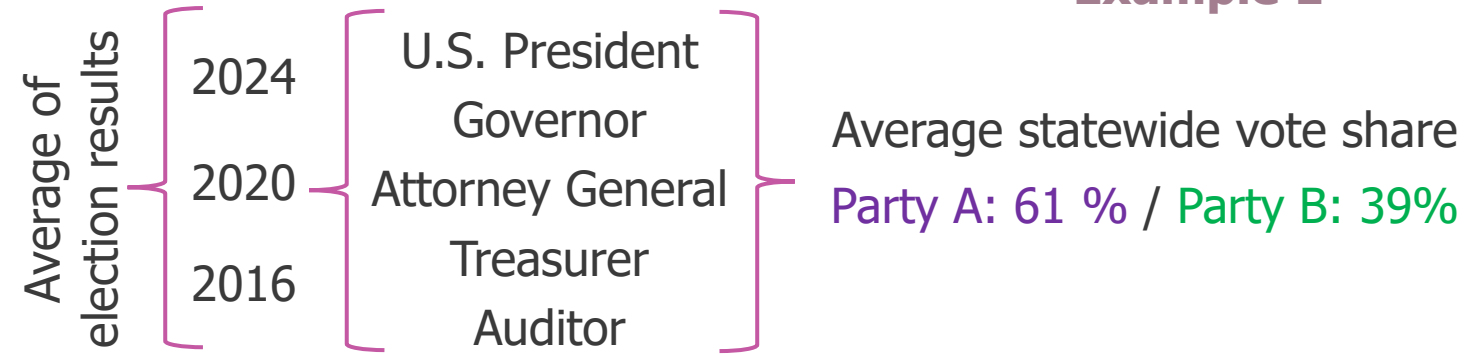
Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50%	Party B: 50%
↓	↓
2 Seats	(Seat Share) 2 Seats



Partisan Bias Test

Example 1



Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)

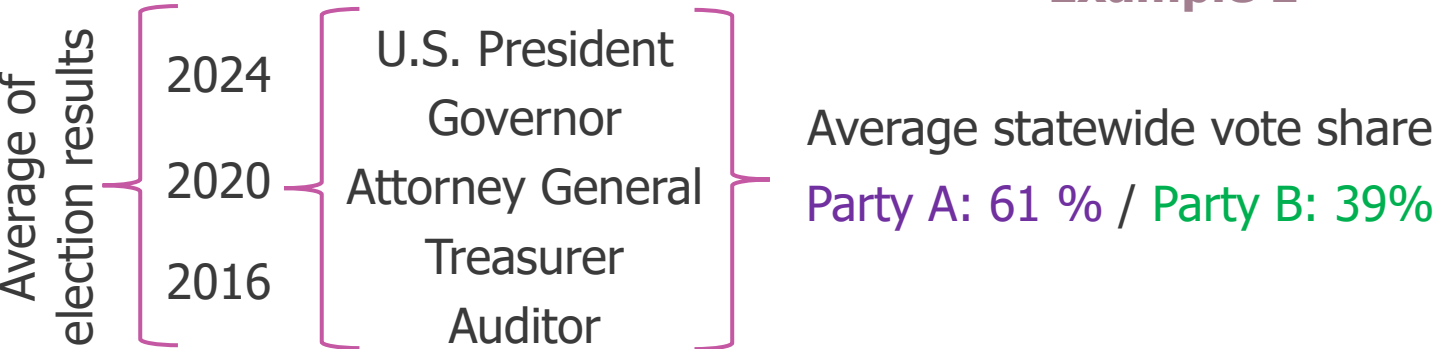


Partisan Bias Test

Example 1

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats



↓
Average election result data from the Census block level is used to compile the average vote share within each prospective district on a proposed map



Hypo District 1 Vote share: 73% / 27%	Hypo District 2 Vote share: 55% / 45%
Hypo District 3 Vote share: 55% / 45%	Hypo District 4 Vote share: 62% / 38%

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)

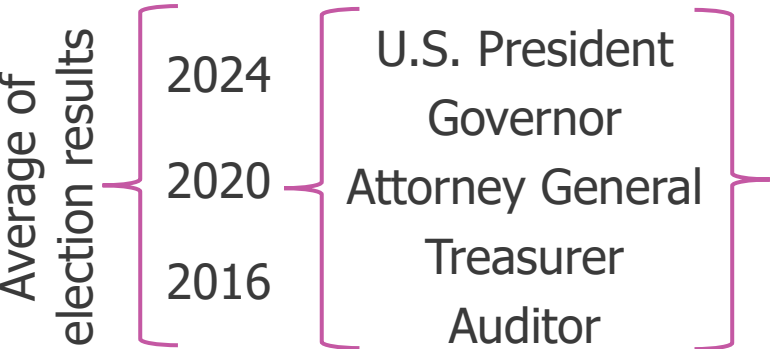


Partisan Bias Test

Example 1

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats



Average statewide vote share
Party A: 61 % / Party B: 39%
11 % / -11%

Difference between the average statewide vote share for each party and 50%

Average election result data from the Census block level is used to compile the average vote share within each prospective district on a proposed map

Hypo District 1 Vote share: 73% / 27% Adjusted: 62% / 38%	Hypo District 2 Vote share: 55% / 45% Adjusted: 44% / 56%
Hypo District 3 Vote share: 55% / 45% Adjusted: 44% / 56%	Hypo District 4 Vote share: 62% / 38% Adjusted: 51% / 49%

Subtract the difference from the vote share in each prospective district on a proposed map

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)

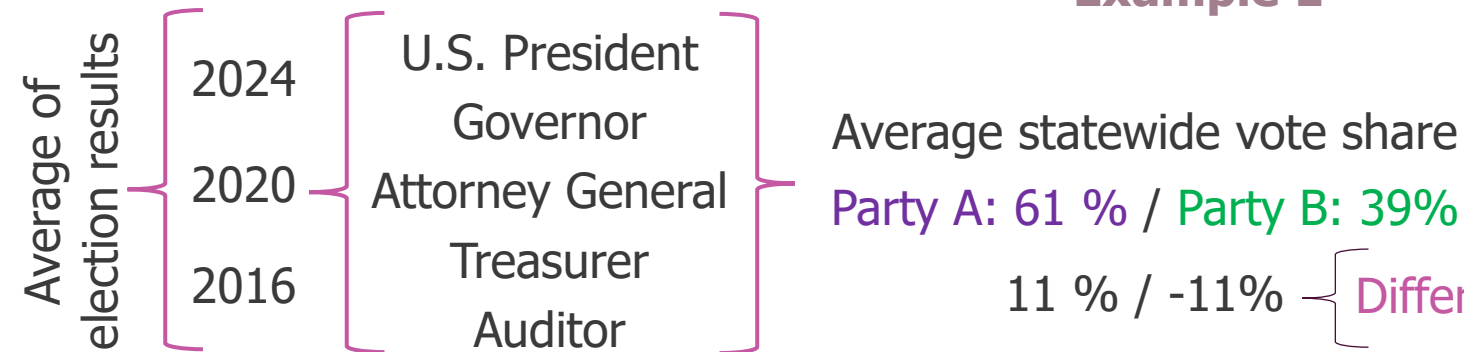


Partisan Bias Test

Example 1

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

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2 Seats (Seat Share) 2 Seats



Average election result data from the Census block level is used to compile the average vote share within each prospective district on a proposed map

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Hypo District 3 Vote share: 55% / 45% Adjusted: 44% / 56%	Hypo District 4 Vote share: 62% / 38% Adjusted: 51% / 49%

Subtract the difference from the vote share in each prospective district on a proposed map

Party A: 2 Seats (Adjusted) Expected Seat Share Party B: 2 Seats

The difference between the party's seat share (2 here) and 50% of the total seat share ($4 \times 0.5 = 2$) represents the degree of partisan bias (0)

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)

Partisan Bias Test

Example 2 (New Map)

Average statewide vote share

Party A: 61 % / Party B: 39%

11 % / -11%

Hypo District 1 Vote share: 70% / 30%	Hypo District 2 Vote share: 80% / 20%
Hypo District 3 Vote share: 74% / 26%	Hypo District 4 Vote share: 20% / 80%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 2 (New Map)

Average statewide vote share

Party A: 61 % / Party B: 39%

11 % / -11% — { Difference between the average statewide vote share for each party and 50%

Hypo District 1 Vote share: 70% / 30% Adjusted: 59% / 41%	Hypo District 2 Vote share: 80% / 20% Adjusted: 69% / 31%
Hypo District 3 Vote share: 74% / 26% Adjusted: 63% / 37%	Hypo District 4 Vote share: 20% / 80% Adjusted: 9% / 91%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%

2 Seats (Seat Share) 2 Seats

Subtract the difference from the vote share in each prospective district on a proposed map

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 2 (New Map)

Average statewide vote share

Party A: 61 % / Party B: 39%

11 % / -11% — Difference between the average statewide vote share for each party and 50%

Hypo District 1 Vote share: 70% / 30% Adjusted: 59% / 41%	Hypo District 2 Vote share: 80% / 20% Adjusted: 69% / 31%
Hypo District 3 Vote share: 74% / 26% Adjusted: 63% / 37%	Hypo District 4 Vote share: 20% / 80% Adjusted: 9% / 91%

Party A: 3 Seat (Adjusted) Expected Party B: 1 Seats
Seat Share

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
2 Seats (Seat Share) 2 Seats

Subtract the difference from the vote share in each prospective district on a proposed map

The difference between the party's seat share (3 for A) and 50% of the total seat share ($4 \times 0.5 = 2$) represents the degree of partisan bias (+1A)

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 3 (New Vote Share)

Average statewide vote share

Party A: 85 % / Party B: 15%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

Hypo District 1 Vote share: 80% / 20%	Hypo District 2 Vote share: 90% / 10%
Hypo District 3 Vote share: 84% / 16%	Hypo District 4 Vote share: 86% / 14%

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 3 (New Vote Share)

Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% { Difference between the average statewide vote share
for each party and 50%

Hypo District 1 Vote share: 80% / 20%	Hypo District 2 Vote share: 90% / 10%
Hypo District 3 Vote share: 84% / 16%	Hypo District 4 Vote share: 86% / 14%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 3 (New Vote Share)

Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% — { Difference between the average statewide vote share for each party and 50%

Hypo District 1 Vote share: 80% / 20% Adjusted: 45% / 55%	Hypo District 2 Vote share: 90% / 10% Adjusted: 55% / 45%
Hypo District 3 Vote share: 84% / 16% Adjusted: 49% / 51%	Hypo District 4 Vote share: 86% / 14% Adjusted: 51% / 49%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

↓
Subtract the difference from the vote share in each prospective district on a proposed map

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

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Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% — Difference between the average statewide vote share for each party and 50%

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Hypo District 3 Vote share: 84% / 16% Adjusted: 49% / 51%	Hypo District 4 Vote share: 86% / 14% Adjusted: 51% / 49%

Party A: 2 Seats (Adjusted) Expected Party B: 2 Seats
Seat Share

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
2 Seats (Seat Share) 2 Seats

Subtract the difference from the vote share in each prospective district on a proposed map

The difference between the party's seat share (2 each) and 50% of the total seat share ($4 \times 0.5 = 2$) represents the degree of partisan bias (0)

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 4 (New Map)

Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% { Difference between the average statewide vote share for each party and 50%

Hypo District 1 Vote share: 95% / 5%	Hypo District 2 Vote share: 95% / 5%
Hypo District 3 Vote share: 95% / 5%	Hypo District 4 Vote share: 55% / 45%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 4 (New Map)

Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% — { Difference between the average statewide vote share for each party and 50%

Hypo District 1 Vote share: 95% / 5% Adjusted: 60% / 40%	Hypo District 2 Vote share: 95% / 5% Adjusted: 60% / 40%
Hypo District 3 Vote share: 95% / 5% Adjusted: 60% / 40%	Hypo District 4 Vote share: 55% / 45% Adjusted: 20% / 80%

Premise: in a hypothetical election for 4 seats using a symmetrical map (treating each party evenly), an even statewide vote share produces an even seat share:

Party A: 50% Party B: 50%
↓ ↓
2 Seats (Seat Share) 2 Seats

↓
Subtract the difference from the vote share in each prospective district on a proposed map



(Note: All numbers are hypothetical. Assuming two parties equaling 100% for demonstration purposes.)



Partisan Bias Test

Example 4 (New Map)

Average statewide vote share

Party A: 85 % / Party B: 15%

35 % / -35% } Difference between the average statewide vote share
for each party and 50%

Hypo District 1 Vote share: 95% / 5% Adjusted: 60% / 40%	Hypo District 2 Vote share: 95% / 5% Adjusted: 60% / 40%
Hypo District 3 Vote share: 95% / 5% Adjusted: 60% / 40%	Hypo District 4 Vote share: 55% / 45% Adjusted: 20% / 80%

Party A: 3 Seats (Adjusted) Expected Party B: 1 Seat
Seat Share

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