

SENATE REDISTRICTING PLAN

2001 SECOND SPECIAL SESSION

STATE OF UTAH

Sponsor: Michael G. Waddoups

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

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

ENACTS:

36-1-101, Utah Code Annotated 1953

36-1-102, Utah Code Annotated 1953

36-1-103, Utah Code Annotated 1953

36-1-104, Utah Code Annotated 1953

36-1-105, Utah Code Annotated 1953

REPEALS:

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

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

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

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

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

Part 1. Utah State Senate

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

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



28 from each Utah State Senate district.

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

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

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

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

37 (1) Unless otherwise provided by law, each senator elected from Senate Districts 1, 6, 8,
38 10, 13, 14, 16, 18, 19, 23, 24, 25, 27, and 29 at the 2000 General Election shall serve out the term
39 of office for which he or she was elected and shall represent the realigned district if he or she
40 resides in that district.

41 (2) At the general election to be held in 2002, senators elected from Senate Districts 2, 3,
42 4, 5, 7, 9, 11, 12, 15, 17, 20, 21, 22, 26, and 28 shall be elected to serve a term of office of four
43 years.

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

45 **36-1-103. Official maps of Senate Districts.**

46 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature with
47 the lieutenant governor's office.

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

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

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

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

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

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

60 **36-1-104. Omissions from maps -- How resolved.**

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

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

66 (3) If the area is contiguous to two districts, the area shall be attached to the district that
67 has the least population.

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

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

71 **36-1-105. Uncertain boundaries -- How resolved.**

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

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

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

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

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

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

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

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

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

90 governor shall review the official maps and obtain and review other relevant data such as aerial
91 photographs, aerial maps, or other data about the area.

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

94 (d) If the lieutenant governor determines the precise location of the Senate district
95 boundary, the lieutenant governor shall:

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

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

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

103 (i) the person;

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

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

107 **Section 6. Repealer.**

108 This act repeals:

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

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

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

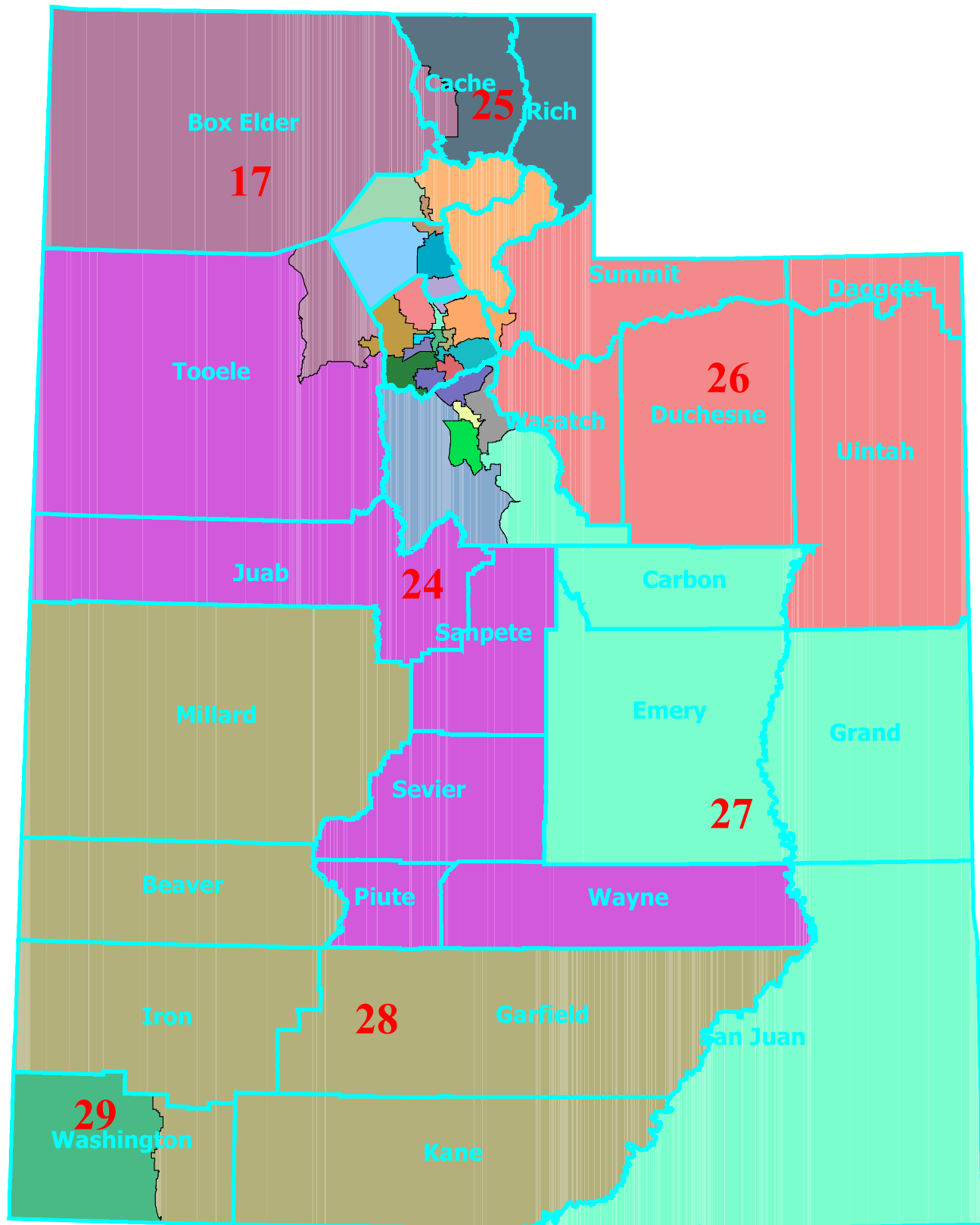
113 **Section 7. Effective date.**

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

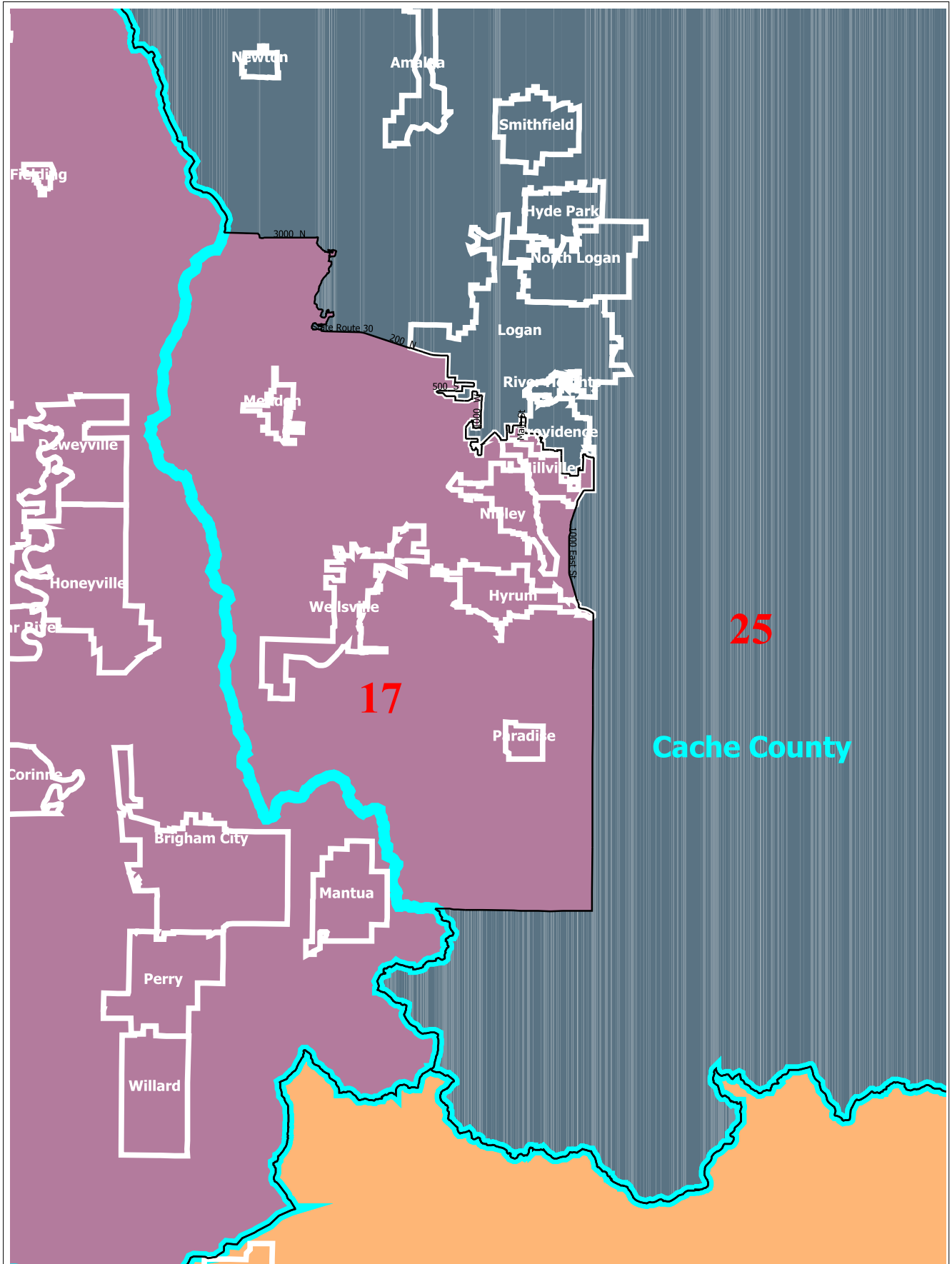
Legislative Review Note
as of 9-24-01 12:48 PM




A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

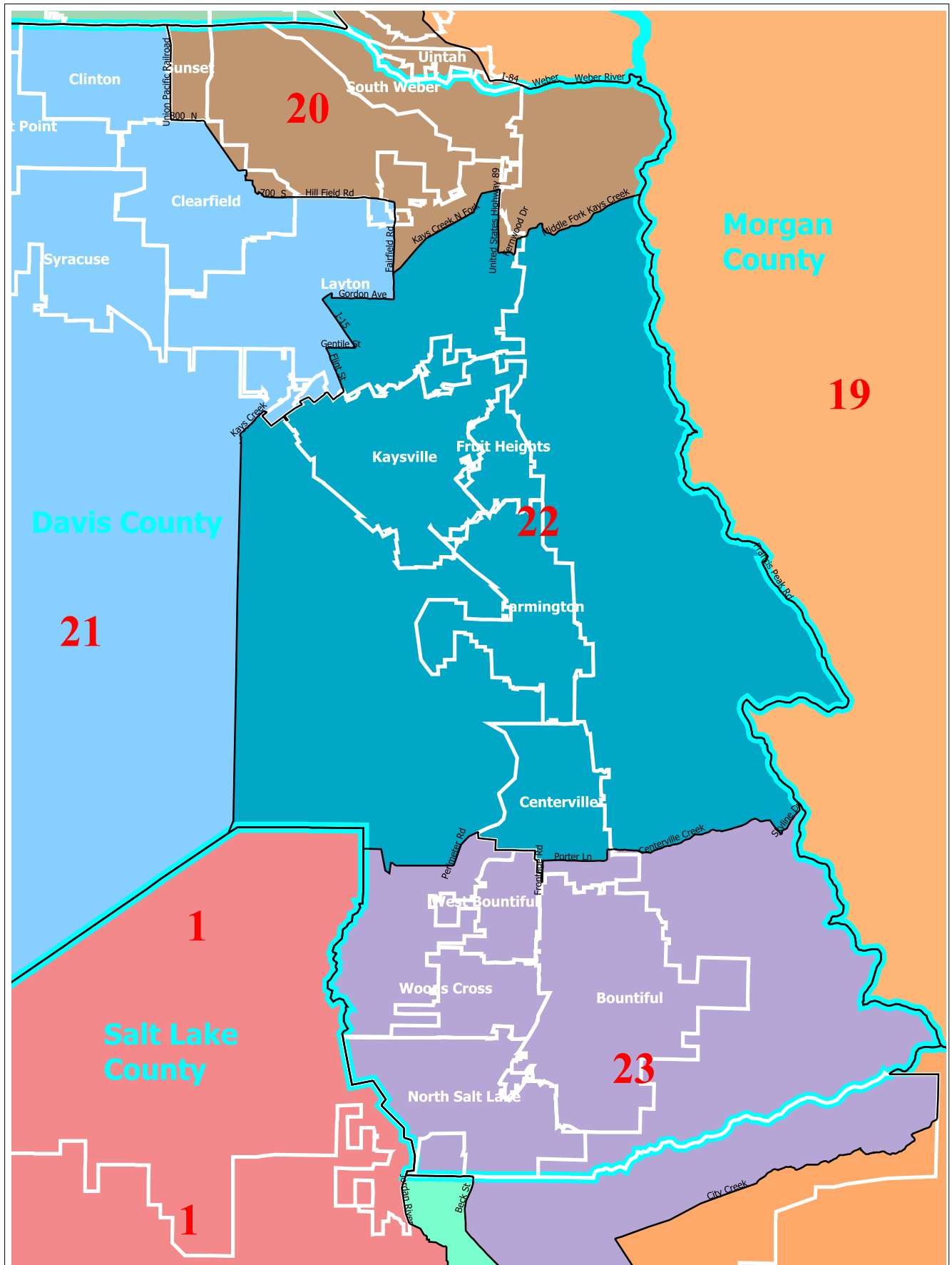
Office of Legislative Research and General Counsel



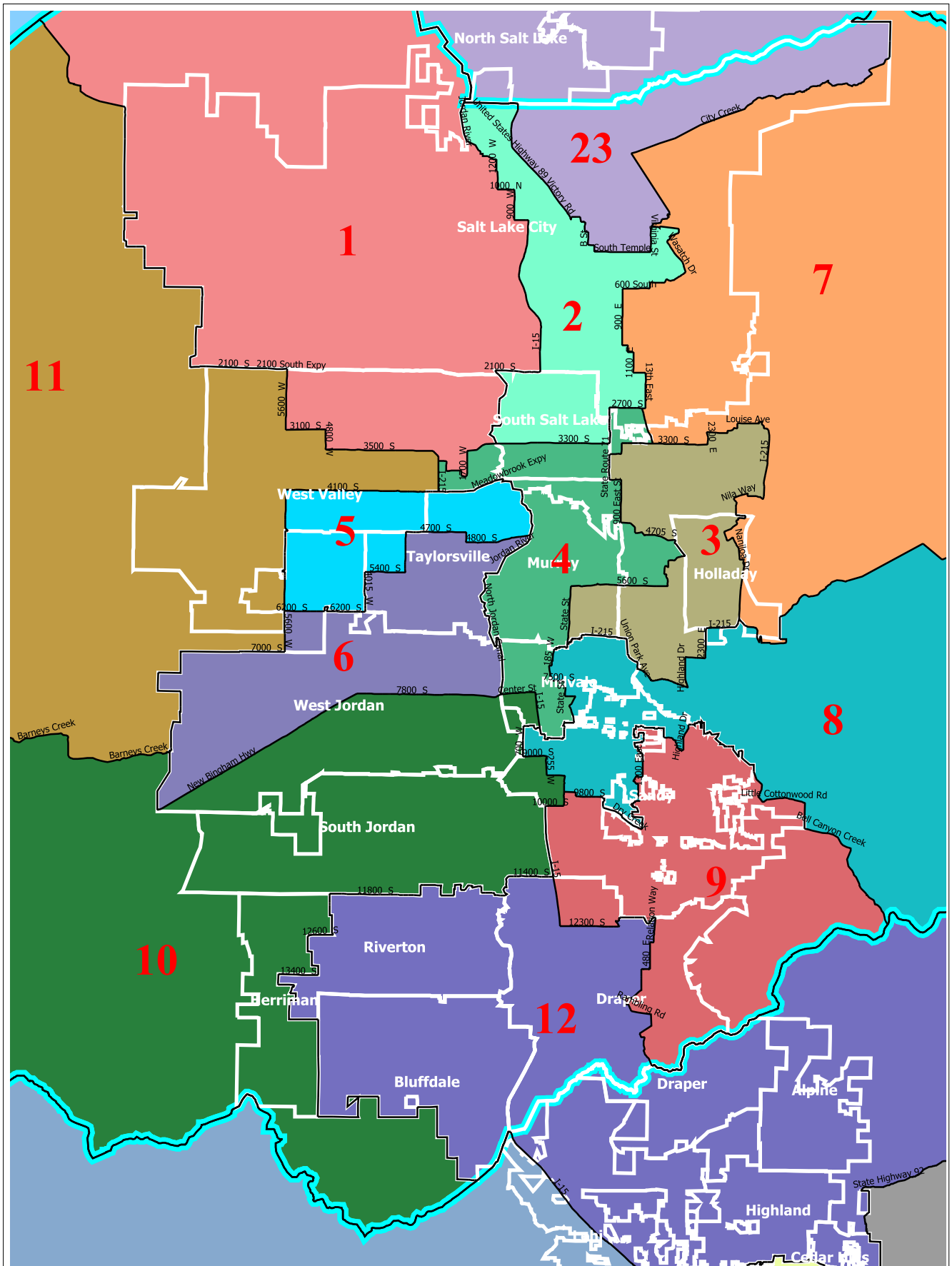
-  Counties
-  Cities
-  Districts



-  Counties
-  Cities
-  Districts

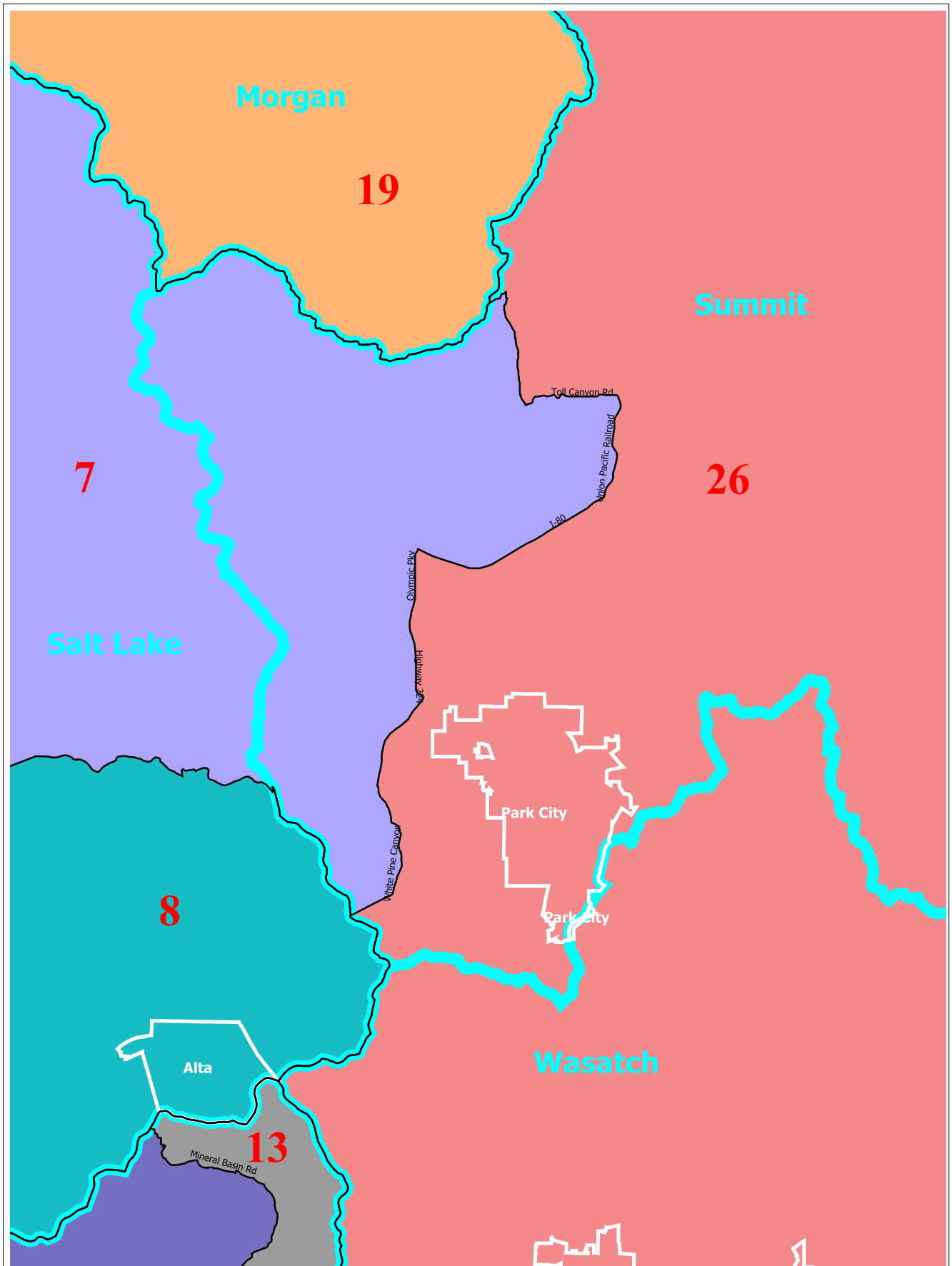


-  Counties
-  Cities
-  Districts

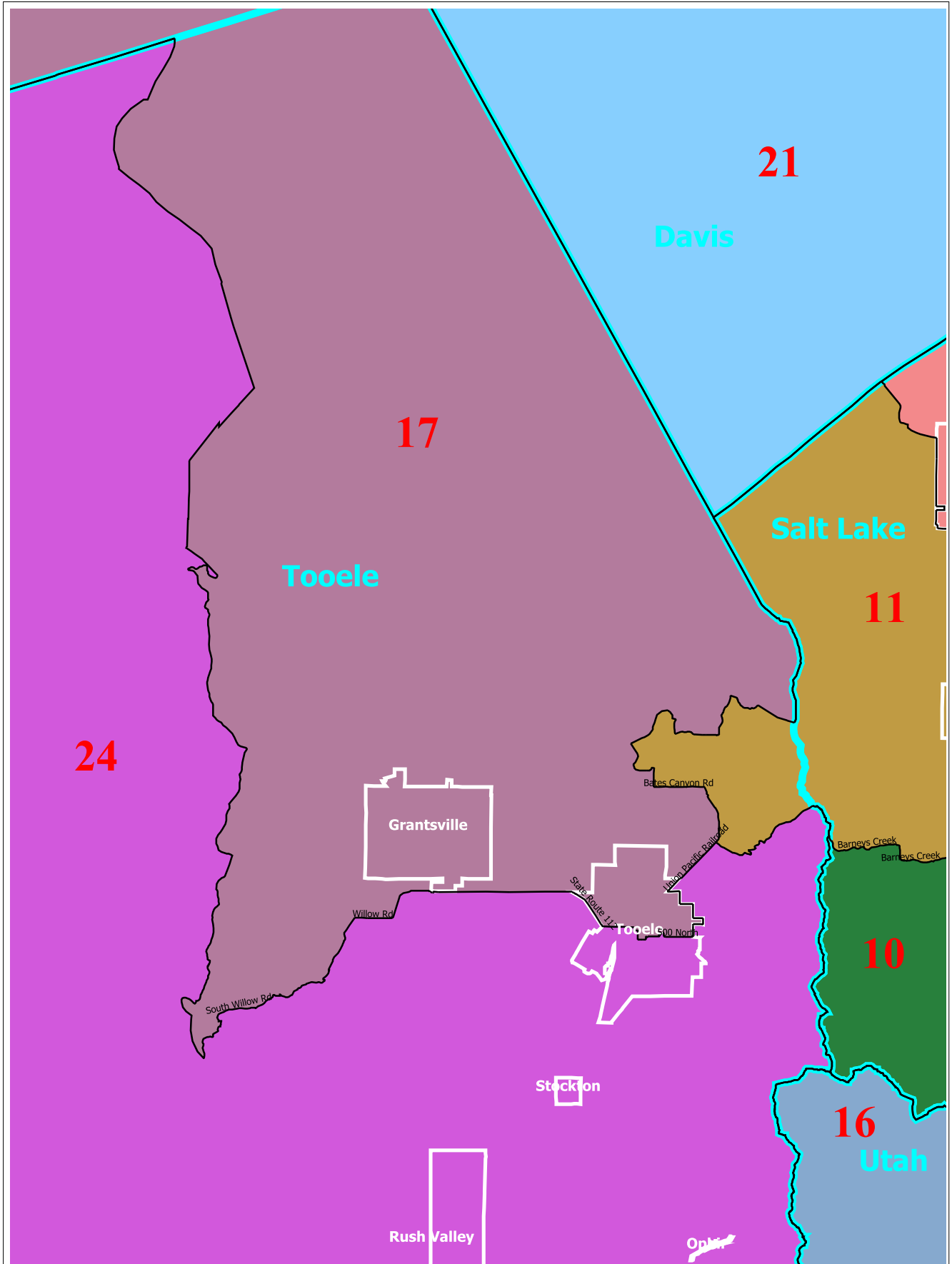





-  Counties
-  Cities
-  Districts

Utah Senate
Salt Lake County

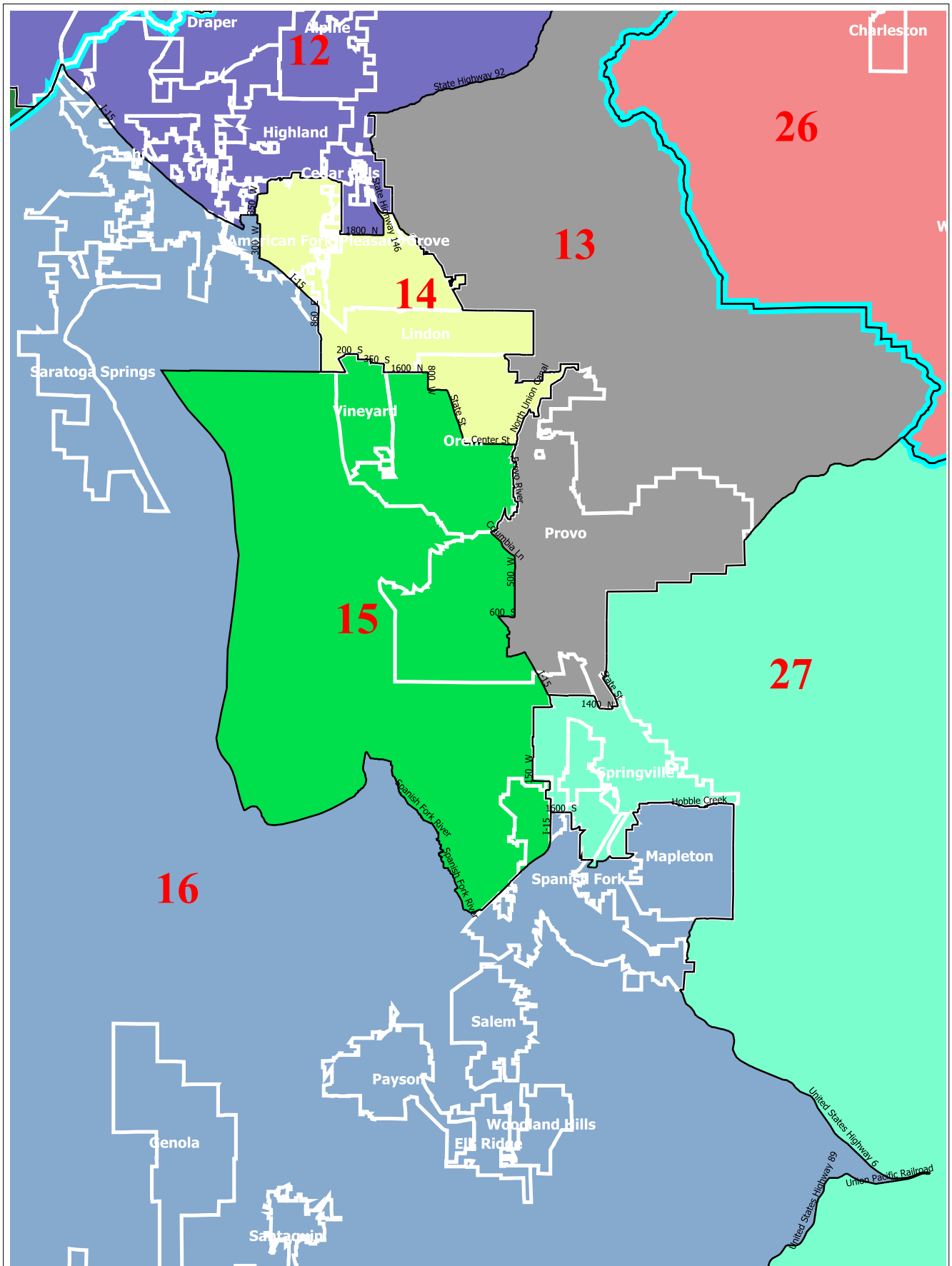


-  Counties
-  Cities
-  Districts



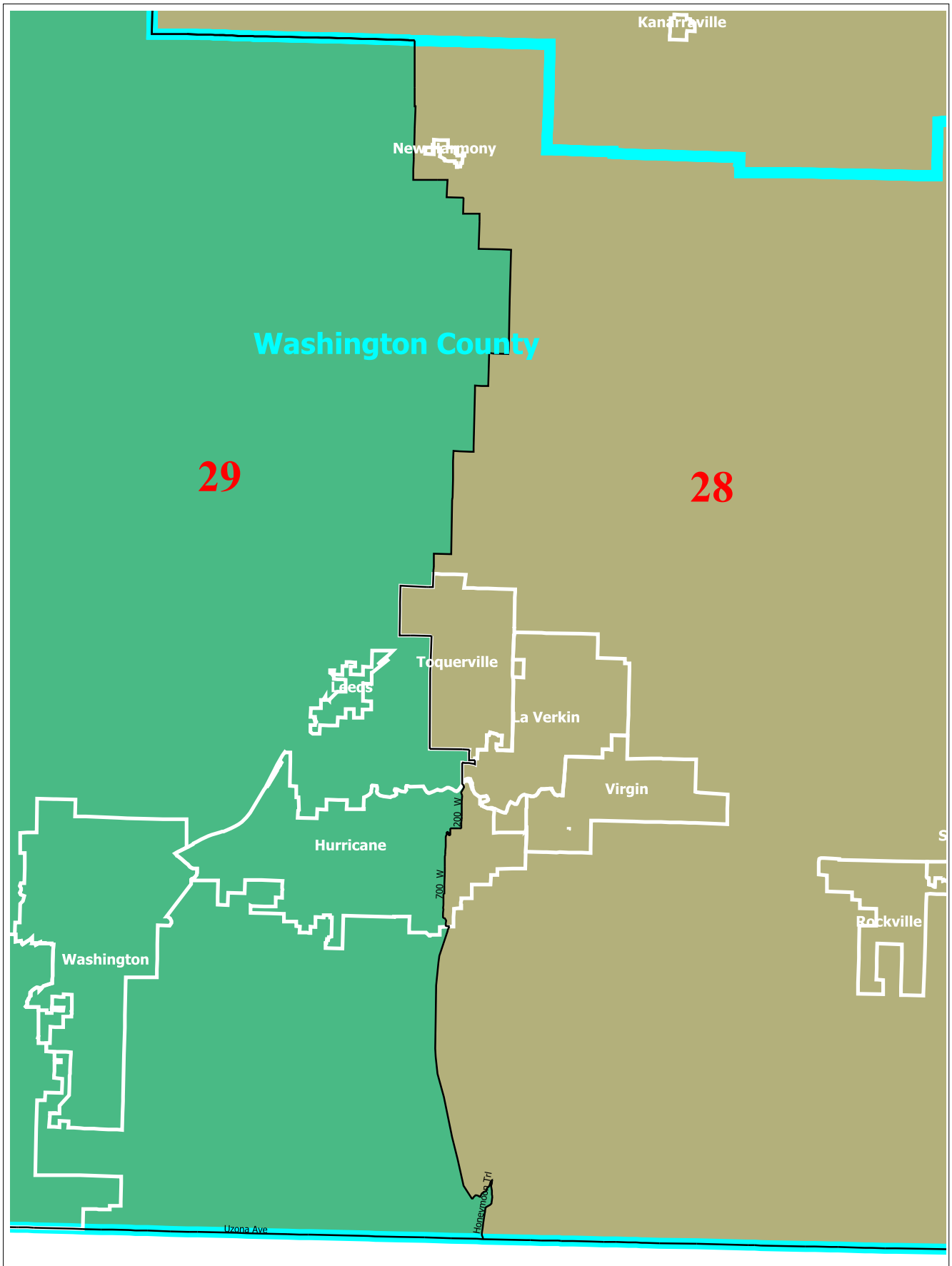
-  Counties
-  Cities
-  Districts

Utah Senate
Tooele County

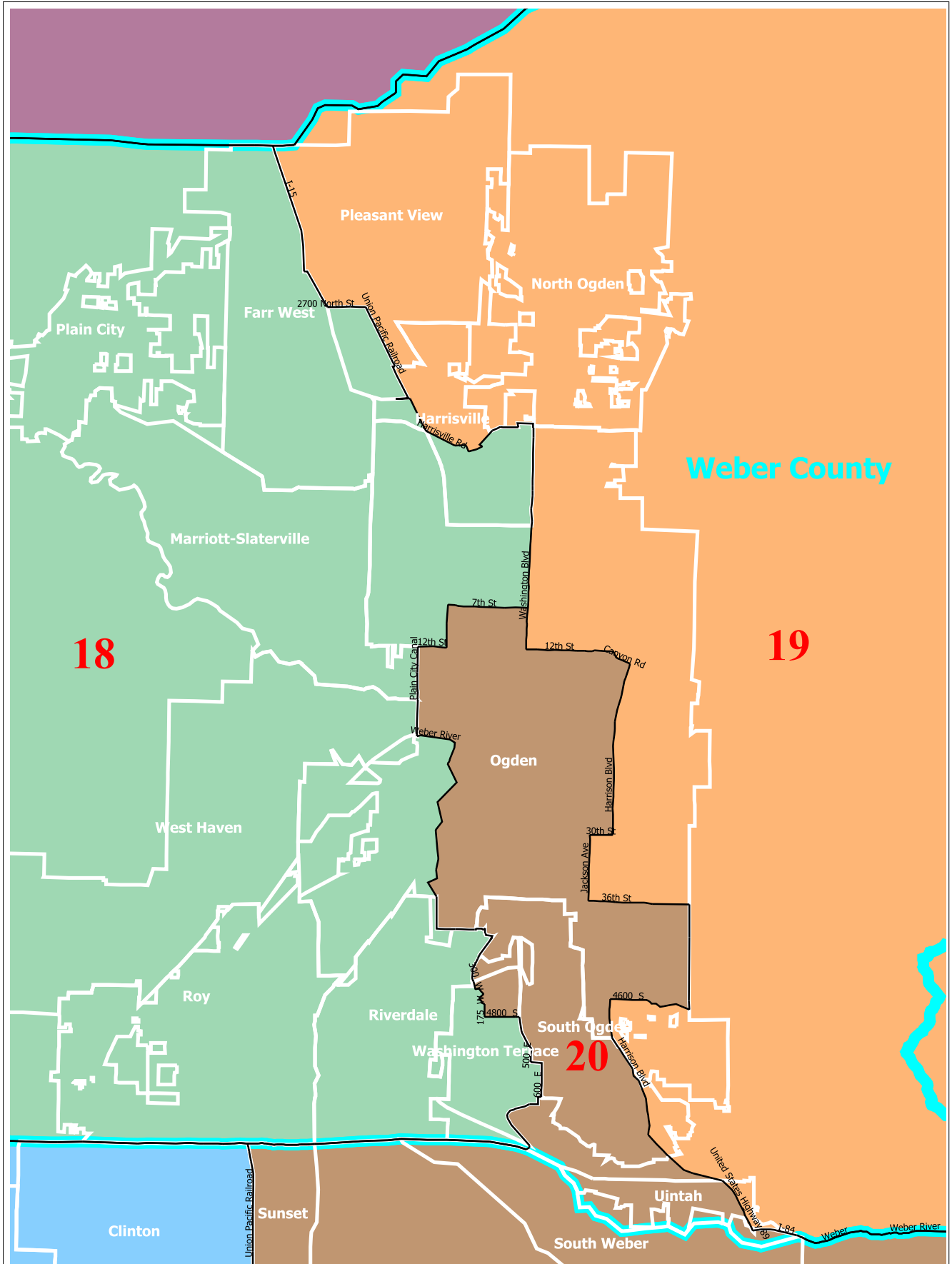


- Counties
- Cities
- Districts

Utah Senate
Utah County



-  Counties
-  Cities
-  Districts



-  Counties
-  Cities
-  Districts

Utah Senate
Weber County