

REDISTRICTING PROCEDURES

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Richard M. Siddoway

This act creates a new redistricting procedure. This act requires that the Office of Legislative Research and General Counsel prepare redistricting plans and defines the process for presenting those redistricting plans to the Legislature for consideration and voting. This act describes standards to be followed by the Office of Legislative Research and General Counsel, to the extent practicable, in drawing up redistricting plans.

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

ENACTS:

36-1-301, Utah Code Annotated 1953

36-1-302, Utah Code Annotated 1953

36-1-303, Utah Code Annotated 1953

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

Section 1. Section **36-1-301** is enacted to read:

**Part 3. Redistricting Plans Drawn by Office of
Legislative Research and General Counsel**

36-1-301. Definitions.

As used in this part:

(1) "Federal census" means the decennial census required by federal law to be conducted by the Bureau of the Census of the United States Department of Commerce in each year ending in zero.

(2) "Office" means the Office of Legislative Research and General Counsel.

(3) "Redistricting plans" means plans prepared by the office as required by this part that redistrict:

(a) Utah State Senate districts;



28 (b) Utah House of Representatives districts;

29 (c) Utah's United States Congressional districts; and

30 (d) State Board of Education districts.

31 Section 2. Section **36-1-302** is enacted to read:

32 **36-1-302. Redistricting plans -- Joint meeting of Senate and House of Representatives**
33 **-- Special session.**

34 (1) In each year ending in zero and at any other time of court-ordered redistricting, the
35 office shall prepare redistricting plans as required by this part.

36 (2) Before July 1 in each year ending in one, and in each other calendar year immediately
37 following court-ordered redistricting, the office shall present recommended redistricting plans to
38 a joint meeting of the Senate and the House of Representatives.

39 (3) (a) In the 30 calendar days following the joint meeting, any legislator may provide
40 suggested redistricting plan modifications to the office.

41 (b) The office may modify any redistricting plans after receiving suggested modifications.

42 (4) (a) Within 60 days after the office presented its initial recommended redistricting plans
43 under Subsection (2), the office shall prepare and deliver to the Senate and the House of
44 Representatives drafts of legislative bills implementing the office's proposed redistricting plans.

45 (b) In considering the bills at an annual general session or special session, the Legislature
46 may not amend the bills unless the amendments are proposed by the office to make technical
47 corrections.

48 (5) (a) If the Legislature fails to enact any or all of the legislative bills submitted by the
49 office, the president of the Senate or the speaker of the House of Representatives shall deliver a
50 written explanation to the office describing specifically the reasons why each bill that was not
51 enacted was not approved.

52 (b) The office shall modify each redistricting plan that was not enacted, taking into account
53 the reasons cited by the Legislature for its failure to approve the bills.

54 (c) Within 30 days after receipt of the written explanation, the office shall prepare and
55 deliver to the Senate and the House of Representatives drafts of legislative bills embodying the
56 modified redistricting plans prepared by the office.

57 (d) In considering the bills at an annual general session or special session, the Legislature
58 may not amend the bills unless the amendments are proposed by the office to make technical

59 corrections.

60 (6) (a) If the Legislature fails to enact any or all of the second set of legislative bills
61 submitted by the office, the president of the Senate or the speaker of the House of Representatives
62 shall deliver a written explanation to the office describing specifically the reasons why each bill
63 that was not enacted was not approved.

64 (b) The office shall modify each redistricting plan that was not enacted, taking into account
65 the reasons cited by the Legislature for its failure to approve the bills.

66 (c) Within 30 days after receipt of the written explanation, the office shall prepare and
67 deliver to the Senate and the House of Representatives drafts of legislative bills embodying the
68 modified redistricting plans prepared by the office.

69 (d) In considering the bills at an annual general session or special session, the Legislature
70 may amend the bills as provided by legislative rule.

71 (7) In all bills introduced under this section:

72 (a) the president of the Senate shall sponsor the bills redistricting the Senate districts and
73 the Congressional districts; and

74 (b) the speaker of the House of Representatives shall sponsor the bills redistricting the
75 House of Representatives districts and the State Board of Education districts.

76 Section 3. Section **36-1-303** is enacted to read:

77 **36-1-303. Redistricting standards.**

78 In drawing redistricting plans under this part, the office shall, to the extent practicable,
79 apply the following standards, giving precedence to the standards in the order in which they are
80 listed:

81 (1) districts will meet equal population requirements established by law;

82 (2) districts will be single member districts;

83 (3) in drawing districts, the official population enumeration of the United States Bureau
84 of the Census will be used; and

85 (4) districts shall be contiguous and reasonably compact.

Legislative Review Note

as of 1-2-02 2:52 PM

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

Office of Legislative Research and General Counsel