

VOTING PRECINCT BOUNDARIES

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: Wayne L. Niederhauser

LONG TITLE

General Description:

This bill limits changes to voting precincts during the time period before and after the United States decennial census.

Highlighted Provisions:

This bill:

- ▶ prohibits a county legislative body from changing voting precincts between January 1 of a year immediately preceding a census year and the day on which the Legislature divides the state into districts based on the new census information; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on March 8, 2012.

Utah Code Sections Affected:

AMENDS:

20A-5-303, as last amended by Laws of Utah 2008, Chapter 71

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

Section 1. Section **20A-5-303** is amended to read:

20A-5-303. Establishing, dividing, abolishing, and changing voting precincts -- Common polling places -- Combined voting precincts -- Counties.

(1) (a) After receiving recommendations from the county clerk, the county legislative

30 body may establish, divide, abolish, and change voting precincts.

31 (b) Within 30 days after the establishment, division, abolition, or change of a voting
32 precinct under this section, the county legislative body shall file with the Automated
33 Geographic Reference Center, created under Section 63F-1-506, a notice describing the action
34 taken and specifying the resulting boundaries of each voting precinct affected by the action.

35 (2) (a) The county legislative body shall alter or divide voting precincts so that each
36 voting precinct contains not more than 1,250 active voters.

37 (b) The county legislative body shall:

38 (i) identify those precincts that may reach the limit of active voters in a precinct under
39 Subsection (2)(a) or that becomes too large to facilitate the election process; and

40 (ii) divide those precincts on or before January 1, of a general election year.

41 (3) ~~[The]~~ Notwithstanding Subsection (2)(a), the county legislative body may not:

42 (a) establish or abolish any voting precinct after January 1 of a regular general election
43 year; ~~[or]~~

44 (b) alter or change the boundaries of any voting precinct after January 1 of a regular
45 general election year~~[-];~~ or

46 (c) establish, divide, abolish, alter, or change a voting precinct between January 1 of a
47 year immediately preceding the year in which an enumeration is required by the United States
48 Constitution and the day on which the Legislature divides the state into districts in accordance
49 with Utah Constitution, Article IX, Section 1.

50 (4) (a) For the purpose of voting in an election, the county legislative body may
51 establish a common polling place for two or more whole voting precincts.

52 (b) At least 90 days before the election, the county legislative body shall designate:

53 (i) the voting precincts that will vote at the common polling place; and

54 (ii) the location of the common polling place.

55 (c) A county may use one set of election judges for the common polling place under
56 this Subsection (4).

57 (5) Each county shall have at least two polling places open for voting on the date of

58 the election.

59 (6) Each common polling place shall have at least one voting device that is accessible
60 for individuals with disabilities in accordance with Public Law 107-252, the Help America
61 Vote Act of 2002.

62 Section 2. **Effective date.**

63 This bill takes effect on March 8, 2012.