

Senator John L. Valentine proposes the following substitute bill:

ELECTION DISTRICT BOUNDARIES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: John Dougall

Cosponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill modifies the boundaries of certain United States House of Representatives districts, State Senate districts, and State House districts and establishes certain review and evaluation requirements for the lieutenant governor, the Automated Geographic Reference Center, and county clerks.

Highlighted Provisions:

This bill:

- ▶ modifies a portion of the common boundary between United States House of Representatives District 2 and District 3;
- ▶ modifies a portion of the common boundary between Senate District 11 and Senate District 14;
- ▶ modifies a portion of the common boundary between House District 27 and House District 57;
- ▶ establishes requirements for county clerks to submit certain maps and data to the lieutenant governor for review and evaluation;
- ▶ requires the Automated Geographic Reference Center to compare certain maps and data submitted by the county clerks with boundaries of Congressional, State School



26 Board, Senate, and House districts as established by the Legislature's official maps; and
27 ▶ makes technical changes.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides an immediate effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **20A-13-101 (Contingently Superseded)**, as repealed and reenacted by Laws of Utah
35 2001, Second Special Session, Chapter 6

36 **20A-13-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
37 Chapter 6

38 **20A-14-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
39 Chapter 2

40 **36-1-101**, as last amended by Laws of Utah 2006, Chapter 12

41 **36-1-103**, as last amended by Laws of Utah 2006, Chapter 12

42 **36-1-201**, as last amended by Laws of Utah 2006, Chapter 12

43 **36-1-202**, as last amended by Laws of Utah 2006, Chapter 12

44 ENACTS:

45 **20A-13-102.2**, Utah Code Annotated 1953

46 **20A-14-102.3**, Utah Code Annotated 1953

47 **36-1-103.2**, Utah Code Annotated 1953

48 **36-1-202.2**, Utah Code Annotated 1953



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

51 Section 1. Section **20A-13-101 (Contingently Superseded)** is amended to read:

52 **20A-13-101 (Contingently Superseded). Representatives to the United States**
53 **Congress -- Three representative districts -- When elected -- District boundaries.**

54 (1) (a) The state of Utah is divided into three districts for the election of representatives
55 to the Congress of the United States, with one member to be elected from each Congressional
56 district.

57 (b) At the general election to be held in 2002, and biennially thereafter, one
58 representative from each Congressional district shall be elected to serve in the Congress of the
59 United States.

60 (2) (a) The Legislature adopts the official census population figures and maps of the
61 Bureau of the Census of the United States Department of Commerce developed in connection
62 with the taking of the 2000 national decennial census as the official data for establishing
63 Congressional district boundaries.

64 (b) ~~[The]~~ Except as provided in Subsection (3), the numbers and boundaries of the
65 Congressional districts are designated and established by the maps attached to the bill that
66 enacts this section.

67 (3) The following census blocks from the 2000 census are removed from
68 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
69 Blocks 1000, 1001, 3001, 3003, and 3004.

70 Section 2. Section **20A-13-102** is amended to read:

71 **20A-13-102. Official maps of Congressional districts.**

72 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
73 and any other relevant materials, with the lieutenant governor's office.

74 (b) ~~[The]~~ Except as provided in Subsection (2), the legal boundaries of Utah's
75 Congressional districts are contained in the official maps on file with the lieutenant governor's
76 office.

77 (2) The following census blocks from the 2000 census are removed from
78 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
79 Blocks 1000, 1001, 3001, 3003, and 3004.

80 ~~[(2)]~~ (3) When questions of interpretation of Congressional district boundaries arise,
81 the official maps on file in the lieutenant governor's office shall serve as the indication of the
82 legislative intent in drawing the Congressional district boundaries.

83 ~~[(3) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
84 ~~from the lieutenant governor's office.]~~

85 ~~[(b) Each county clerk shall establish voting precincts and polling places within each~~
86 ~~Congressional district according to the procedures and requirements of Section 20A-5-303.]~~

87 (4) Maps identifying the boundaries for Congressional districts may be viewed on the

88 Internet at the lieutenant governor's website.

89 Section 3. Section **20A-13-102.2** is enacted to read:

90 **20A-13-102.2. County clerk and lieutenant governor responsibilities -- Maps and**
91 **voting precinct boundaries.**

92 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
93 from the lieutenant governor's office.

94 (2) (a) A county clerk may create one or more county maps that identify the boundaries
95 of Utah's Congressional districts as shown on the official maps.

96 (b) Before publishing or distributing any map or data created by the county clerk that
97 identifies the boundaries of Utah's Congressional districts within the county, the county clerk
98 shall submit the map and data to the lieutenant governor and to the Automated Geographic
99 Reference Center for review.

100 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
101 Geographic Reference Center shall:

102 (i) review the map and data to evaluate if the county map and data accurately reflect the
103 boundaries of Utah's Congressional districts established by the Legislature in the official maps;

104 (ii) determine whether the map and data are correct or incorrect; and

105 (iii) communicate those findings to the lieutenant governor.

106 (d) The lieutenant governor shall either notify the county clerk that the map and data
107 are correct or notify the county clerk that the map and data are incorrect.

108 (e) If the county clerk receives notice from the lieutenant governor that the map and
109 data submitted are incorrect, the county clerk shall:

110 (i) make the corrections necessary to conform the map and data to the official maps;
111 and

112 (ii) resubmit the corrected map and data to the lieutenant governor and to the
113 Automated Geographic Reference Center for a new review under this Subsection (2).

114 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
115 establish voting precincts and polling places within each Utah Congressional district according
116 to the procedures and requirements of Section 20A-5-303.

117 (b) Within five working days after approval of voting precincts and polling places by
118 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

119 voting precinct map identifying the boundaries of each voting precinct within the county to the
 120 lieutenant governor and to the Automated Geographic Reference Center for review.

121 (c) Within 30 days after receipt of a map from a county clerk, the Automated
 122 Geographic Reference Center shall:

123 (i) review the voting precinct map to evaluate if the county map accurately reflects the
 124 boundaries of Utah's Congressional districts established by the Legislature in the official maps;

125 (ii) determine whether the map is correct or incorrect; and

126 (iii) communicate those findings to the lieutenant governor.

127 (d) The lieutenant governor shall either notify the county clerk that the map is correct
 128 or notify the county clerk that the map is incorrect.

129 (e) If the county clerk receives notice from the lieutenant governor that the map is
 130 incorrect, the county clerk shall:

131 (i) make the corrections necessary to conform the voting precinct map to the official
 132 maps; and

133 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
 134 Geographic Reference Center for a new review under this Subsection (3).

135 Section 4. Section **20A-14-102** is amended to read:

136 **20A-14-102. Official maps of state board districts.**

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

139 (b) The legal boundaries of State Board of Education districts are contained in the
 140 official maps on file with the lieutenant governor's office.

141 (2) When questions of interpretation of state board district boundaries arise, the official
 142 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
 143 intent in drawing the state board district boundaries.

144 ~~[(3) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
 145 ~~from the lieutenant governor's office.]~~

146 ~~[(b) Each county clerk shall establish voting precincts and polling places within each~~
 147 ~~state board district according to the procedures and requirements of Section 20A-5-303.]~~

148 ~~[(4)]~~ (3) Maps identifying the boundaries for state board districts may be viewed on the
 149 Internet at the lieutenant governor's website.

150 Section 5. Section **20A-14-102.3** is enacted to read:

151 **20A-14-102.3. County clerk and lieutenant governor responsibilities -- Maps and**
152 **voting precinct boundaries.**

153 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
154 from the lieutenant governor's office.

155 (2) (a) A county clerk may create one or more county maps that identify the boundaries
156 of state board districts as shown on the official maps.

157 (b) Before publishing or distributing any map or data created by the county clerk that
158 identifies the boundaries of state board districts within the county, the clerk shall submit the
159 map and data to the lieutenant governor and to the Automated Geographic Reference Center for
160 review.

161 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
162 Geographic Reference Center shall:

163 (i) review the map and data to evaluate if the county map and data accurately reflect the
164 boundaries of state board districts established by the Legislature in the official maps;

165 (ii) determine whether the map and data are correct or incorrect; and

166 (iii) communicate those findings to the lieutenant governor.

167 (d) The lieutenant governor shall either notify the county clerk that the map and data
168 are correct or inform the county clerk that the map and data are incorrect.

169 (e) If the county clerk receives notice from the lieutenant governor that the map and
170 data submitted are incorrect, the county clerk shall:

171 (i) make the corrections necessary to conform the map and data to the official maps;
172 and

173 (ii) resubmit the corrected map and data to the lieutenant governor for a new review
174 under this Subsection (2).

175 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
176 establish voting precincts and polling places within each state board district according to the
177 procedures and requirements of Section 20A-5-303.

178 (b) Within five working days after approval of voting precincts and polling places by
179 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
180 voting precinct map identifying the boundaries of each voting precinct within the county to the

181 lieutenant governor and to the Automated Geographic Reference Center for review.

182 (c) Within 30 days after receipt of a map from a county clerk, the Automated
183 Geographic Reference Center shall:

184 (i) review the voting precinct map to evaluate if the county map accurately reflects the
185 boundaries of state board districts established by the Legislature in the official maps;

186 (ii) determine whether the map is correct or incorrect; and

187 (iii) communicate those findings to the lieutenant governor.

188 (d) The lieutenant governor shall either notify the county clerk that the map is correct
189 or notify the county clerk that the map is incorrect.

190 (e) If the county clerk receives notice from the lieutenant governor that the map is
191 incorrect, the county clerk shall:

192 (i) make the corrections necessary to conform the voting precinct map to the official
193 maps; and

194 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
195 Geographic Reference Center for a new review under this Subsection (3).

196 Section 6. Section **36-1-101** is amended to read:

197 **36-1-101. Utah State Senate -- District boundaries.**

198 (1) As used in this chapter:

199 (a) "New county boundary" means the adjusted common boundary between Salt Lake
200 County and Utah County as certified by the lieutenant governor on December 29, 2005.

201 (b) "Old county boundary" means the common boundary between Salt Lake County
202 and Utah County before the boundary change certified by the lieutenant governor on December
203 29, 2005.

204 (c) "Southwestern intersection" means the western-most three way intersection of the
205 old county boundary, the new county boundary, and the boundary separating Senate District 9
206 and Senate District 11.

207 (2) The Utah State Senate shall consist of 29 members, with one member to be elected
208 from each Utah State Senate district.

209 (3) (a) The Legislature adopts the official census population figures and maps of the
210 Bureau of the Census of the United States Department of Commerce developed in connection
211 with the taking of the 2000 national decennial census as the official data for establishing Senate

212 district boundaries.

213 (b) Except as provided in Subsection (4), the numbers and boundaries of the Senate
214 districts are designated and established by the maps attached to the bill that enacts this section.

215 (4) (a) Because of the new county boundary separating Salt Lake County and Utah
216 County, the boundary separating Senate District 9 and Senate District 11 that followed the old
217 county boundary is changed to follow the new county boundary eastward from the
218 southwestern intersection to the point where the existing boundary of Senate District 9 turns
219 north from the old county boundary.

220 (b) The following census blocks from the 2000 census are removed from Senate
221 District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,
222 3003, and 3004.

223 Section 7. Section **36-1-103** is amended to read:

224 **36-1-103. Official maps of Senate districts.**

225 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
226 and any other relevant data, with the lieutenant governor's office.

227 (b) Except as provided in Subsection (2), the legal boundaries of Senate districts are
228 contained in the official maps on file with the lieutenant governor's office.

229 (2) (a) Because of the new county boundary separating Salt Lake County and Utah
230 County, the boundary separating Senate District 9 and Senate District 11 that followed the old
231 county boundary is changed to follow the new county boundary eastward from the
232 southwestern intersection to the point where the existing boundary of Senate District 9 turns
233 north from the old county boundary.

234 (b) The following census blocks from the 2000 census are removed from Senate
235 District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,
236 3003, and 3004.

237 (3) When questions of interpretation of Senate district boundaries arise, the official
238 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
239 intent in drawing the Senate district boundaries.

240 [~~(4) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
241 ~~from the lieutenant governor's office.]~~

242 [~~(b) Each county clerk shall establish voting precincts and polling places within each~~

243 ~~Senate district according to the procedures and requirements of Section 20A-5-303.]~~

244 ~~[(5)]~~ (4) Maps identifying the boundaries for Senate districts may be viewed on the
245 Internet at the lieutenant governor's website.

246 Section 8. Section **36-1-103.2** is enacted to read:

247 **36-1-103.2. County clerk and lieutenant governor responsibilities -- Maps and**
248 **voting precinct boundaries.**

249 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
250 from the lieutenant governor's office.

251 (2) (a) A county clerk may create one or more county maps that identify the boundaries
252 of Senate districts as shown on the official maps.

253 (b) Before publishing or distributing any map or data created by the county clerk that
254 identifies the boundaries of Senate districts within the county, the clerk shall submit the map
255 and data to the lieutenant governor and to the Automated Geographic Reference Center for
256 review.

257 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
258 Geographic Reference Center shall:

259 (i) review the map and data to evaluate if the county map and data accurately reflect the
260 boundaries of Senate districts established by the Legislature in the official maps;

261 (ii) determine whether the map and data are correct or incorrect; and

262 (iii) communicate those findings to the lieutenant governor.

263 (d) The lieutenant governor shall either notify the county clerk that the map and data
264 are correct or notify the county clerk that the map and data are incorrect.

265 (e) If the county clerk receives notice from the lieutenant governor that the map and
266 data submitted are incorrect, the county clerk shall:

267 (i) make the corrections necessary to conform the map and data to the official maps;
268 and

269 (ii) resubmit the corrected map and data to the lieutenant governor and to the
270 Automated Geographic Reference Center for ~~H~~→ [review] ←~~H~~ a new review under this
270a Subsection (2).

271 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
272 establish voting precincts and polling places within each Senate district according to the
273 procedures and requirements of Section 20A-5-303.

274 (b) Within five working days after approval of voting precincts and polling places by
275 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
276 voting precinct map identifying the boundaries of each voting precinct within the county to the
277 lieutenant governor and to the Automated Geographic Reference Center for review.

278 (c) Within 30 days after receipt of a map from a county clerk, the Automated
279 Geographic Reference Center shall:

280 (i) review the voting precinct map to evaluate if the county map accurately reflects the
281 boundaries of Senate districts established by the Legislature in the official maps;

282 (ii) determine whether the map is correct or incorrect; and

283 (iii) communicate those findings to the lieutenant governor.

284 (d) The lieutenant governor shall either notify the county clerk that the map is correct
285 or notify the county clerk that the map is incorrect.

286 (e) If the county clerk receives notice from the lieutenant governor that the map is
287 incorrect, the county clerk shall:

288 (i) make the corrections necessary to conform the voting precinct map to the official
289 maps; and

290 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
291 Geographic Reference Center for a new review under this Subsection (3).

292 Section 9. Section **36-1-201** is amended to read:

293 **36-1-201. Utah House of Representatives -- District boundaries.**

294 (1) The Utah House of Representatives shall consist of 75 members, with one member
295 to be elected from each Utah House of Representatives district.

296 (2) (a) The Legislature adopts the official census population figures and maps of the
297 Bureau of the Census of the United States Department of Commerce developed in connection
298 with the taking of the 2000 national decennial census as the official data for establishing House
299 district boundaries.

300 (b) Except as provided in Subsection (3), the numbers and boundaries of the House
301 districts are designated and established by the maps attached to the bill that enacts this section.

302 (3) (a) Because of the new county boundary separating Salt Lake County and Utah
303 County, the boundary separating House District 51 and House District 27 that follows the old
304 county boundary is changed to follow the new county boundary.

305 (b) The following census blocks from the 2000 census are removed from House
306 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
307 3003, and 3004.

308 Section 10. Section **36-1-202** is amended to read:

309 **36-1-202. Official maps of House districts.**

310 (1) (a) The Legislature shall file copies of the official maps enacted by the Legislature,
311 and any other relevant materials, with the lieutenant governor's office.

312 (b) Except as provided in Subsection (2), the legal boundaries of House districts are
313 contained in the official maps on file with the lieutenant governor's office.

314 (2) (a) Because of the new county boundary separating Salt Lake County and Utah
315 County, the boundary separating House District 51 and House District 27 that follows the old
316 county boundary is changed to follow the new county boundary.

317 (b) The following census blocks from the 2000 census are removed from House
318 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
319 3003, and 3004.

320 (3) When questions of interpretation of House district boundaries arise, the official
321 maps on file in the lieutenant governor's office shall serve as the indication of the legislative
322 intent in drawing the House district boundaries.

323 [~~(4) (a) Each county clerk shall obtain copies of the official maps for the clerk's county~~
324 ~~from the lieutenant governor's office.]~~

325 [~~(b) Each county clerk shall establish voting precincts and polling places within each~~
326 ~~House district according to the procedures and requirements of Section 20A-5-303.]~~

327 [~~(5)~~] (4) Maps identifying the boundaries for House districts may be viewed on the
328 Internet at the lieutenant governor's website.

329 Section 11. Section **36-1-202.2** is enacted to read:

330 **36-1-202.2. County clerk and lieutenant governor responsibilities -- Maps and**
331 **voting precinct boundaries.**

332 (1) Each county clerk shall obtain copies of the official maps for the clerk's county
333 from the lieutenant governor's office.

334 (2) (a) A county clerk may create one or more county maps that identify the boundaries
335 of House districts as shown on the official maps.

336 (b) Before publishing or distributing any map or data created by the county clerk that
337 identifies the boundaries of House districts within the county, the clerk shall submit the map
338 and data to the lieutenant governor and to the Automated Geographic Reference Center for
339 review.

340 (c) Within 30 days after receipt of a map and data from a county clerk, the Automated
341 Geographic Reference Center shall:

342 (i) review the map and data to evaluate if the county map and data accurately reflect the
343 boundaries of House districts established by the Legislature in the official maps;

344 (ii) determine whether the map and data are correct or incorrect; and

345 (iii) communicate those findings to the lieutenant governor.

346 (d) The lieutenant governor shall either notify the county clerk that the map and data
347 are correct or notify the county clerk that the map and data are incorrect.

348 (e) If the county clerk receives notice from the lieutenant governor that the map and
349 data submitted are incorrect, the county clerk shall:

350 (i) make the corrections necessary to conform the map and data to the official maps;
351 and

352 (ii) resubmit the corrected map and data to the lieutenant governor and to the
353 Automated Geographic Reference Center for a new review under this Subsection (2).

354 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
355 establish voting precincts and polling places within each House district according to the
356 procedures and requirements of Section 20A-5-303.

357 (b) Within five working days after approval of voting precincts and polling places by
358 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
359 voting precinct map identifying the boundaries of each voting precinct within the county to the
360 lieutenant governor and to the Automated Geographic Reference Center for review.

361 (c) Within 30 days after receipt of a map from a county clerk, the Automated
362 Geographic Reference Center shall:

363 (i) review the voting precinct map to evaluate if the county map accurately reflects the
364 boundaries of House districts established by the Legislature in the official maps;

365 (ii) determine whether the map is correct or incorrect; and

366 (iii) communicate those findings to the lieutenant governor.

367 (d) The lieutenant governor shall either notify the county clerk that the map is correct
368 or notify the county clerk that the map is incorrect.

369 (e) If the county clerk receives notice from the lieutenant governor that the map is
370 incorrect, the county clerk shall:

371 (i) make the corrections necessary to conform the voting precinct map to the official
372 maps; and

373 (ii) resubmit the corrected map to the lieutenant governor and to the Automated
374 Geographic Reference Center for a new review under this Subsection (3).

375 Section 12. **Effective date.**

376 If approved by two-thirds of all the members elected to each house, this bill takes effect
377 upon approval by the governor, or the day following the constitutional time limit of Utah
378 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
379 the date of veto override.

FISCAL NOTE

S.B. 113 3rd Sub. (Ivory)

SHORT TITLE: Election District Boundaries

SPONSOR: Valentine, J.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enacting this bill will cost the Lt. Governor's Office \$61,200 in one-time General Fund in FY 2012 for software development and testing.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund, One-Time	\$0	\$61,200	\$0
Total Expenditure	\$0	\$61,200	\$0
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$61,200)	\$0
Net Impact, General/Education Funds	\$0	(\$61,200)	\$0

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.