

Senator Gene Davis proposes the following substitute bill:

ELECTION DISTRICT BOUNDARIES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: John Dougall

LONG TITLE

General Description:

This bill modifies the boundaries of certain United States House of Representatives districts, State Senate districts, and State House districts.

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 verification;
- ▶ requires the lieutenant governor to compare maps and data submitted by the county clerks with boundaries of Congressional, State School Board, Senate, and House districts as established by the legislature's official maps; and
- ▶ makes technical changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 This bill provides an immediate effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **20A-13-101 (Contingently Superseded)**, as repealed and reenacted by Laws of Utah
32 2001, Second Special Session, Chapter 6

33 **20A-13-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
34 Chapter 6

35 **20A-14-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
36 Chapter 2

37 **36-1-101**, as last amended by Laws of Utah 2006, Chapter 12

38 **36-1-103**, as last amended by Laws of Utah 2006, Chapter 12

39 **36-1-201**, as last amended by Laws of Utah 2006, Chapter 12

40 **36-1-202**, as last amended by Laws of Utah 2006, Chapter 12

41 ENACTS:

42 **20A-13-102.2**, Utah Code Annotated 1953

43 **20A-14-102.3**, Utah Code Annotated 1953

44 **36-1-103.2**, Utah Code Annotated 1953

45 **36-1-202.2**, Utah Code Annotated 1953



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

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 Section **20A-13-101 (Contingently Superseded)** is amended to read:

49 **20A-13-101 (Contingently Superseded). Representatives to the United States**
50 **Congress -- Three representative districts -- When elected -- District boundaries.**

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

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

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

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

64 (3) The following census blocks from the 2000 census shall be removed from
65 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
66 Blocks 1000, 1001, 3001, 3003, and 3004.

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

68 **20A-13-102. Official maps of Congressional districts.**

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

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

74 (2) The following census blocks from the 2000 census shall be removed from
75 Congressional District 2 and placed into Congressional District 3: Census Tract 010205,
76 Blocks 1000, 1001, 3001, 3003, and 3004.

77 ~~[(2)]~~ (3) When questions of interpretation of Congressional district boundaries arise,
78 the official maps on file in the lieutenant governor's office shall serve as the indication of the
79 legislative intent in drawing the Congressional district boundaries.

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

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

84 (4) Maps identifying the boundaries for Congressional districts may be viewed on the
85 Internet at the lieutenant governor's website.

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

87 **20A-13-102.2. County clerk and lieutenant governor responsibilities -- Maps and**

88 **voting precinct boundaries.**

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

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

93 (b) Before publishing or distributing any map or data created by the county clerk that
94 identifies the boundaries of Utah's Congressional districts within the county, the clerk shall
95 submit the map and data to the lieutenant governor for review and verification.

96 (c) Within five working days after receipt of a map and data from a county clerk, the
97 lieutenant governor shall:

98 (i) review the map and data to ensure that the county map and data accurately reflect
99 the boundaries of Utah's Congressional districts established by the legislature in the official
100 maps; and

101 (ii) either certify the map and data as correct or notify the county clerk that the map and
102 data are incorrect.

103 (d) If the county clerk receives notice from the lieutenant governor that the map and
104 data submitted are incorrect, the county clerk shall:

105 (i) make the corrections necessary to conform the map and data to the official maps ;
106 and

107 (ii) resubmit the corrected map and data to the lieutenant governor for certification.

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

111 (b) Before submitting recommended voting precincts and polling places to the county
112 legislative body as required by Section 20A-5-303, each county clerk shall submit a voting
113 precinct map identifying the boundaries of each voting precinct within the county to the
114 lieutenant governor for official verification.

115 (c) Within five working days after receipt of a map from a county clerk, the lieutenant
116 governor shall:

117 (i) review the voting precinct map to ensure that the county map accurately reflects the
118 boundaries of Utah's Congressional districts established by the legislature in the official maps;

119 and

120 (ii) either certify the voting precinct map as correct or notify the county clerk that the
121 map is incorrect.

122 (d) If the county clerk receives notice from the lieutenant governor that the map is
123 incorrect, the county clerk shall:

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

126 (ii) resubmit the corrected map to the lieutenant governor for certification.

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

128 **20A-14-102. Official maps of state board districts.**

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

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

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

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

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

140 ~~[(4)]~~ (3) Maps identifying the boundaries for state board districts may be viewed on the
141 Internet at the lieutenant governor's website.

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

143 **20A-14-102.3. County clerk and lieutenant governor responsibilities -- Maps and**
144 **voting precinct boundaries.**

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

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

149 (b) Before publishing or distributing any map or data created by the county clerk that

150 identifies the boundaries of state board districts within the county, the clerk shall submit the
151 map and data to the lieutenant governor for review and verification.

152 (c) Within five working days after receipt of a map and data from a county clerk, the
153 lieutenant governor shall:

154 (i) review the map and data to ensure that the county map and data accurately reflect
155 the boundaries of state board districts established by the legislature in the official maps; and

156 (ii) either certify the map and data as correct or inform the county clerk that the map
157 and data are incorrect.

158 (d) If the county clerk receives notice from the lieutenant governor that the map and
159 data submitted are incorrect, the county clerk shall:

160 (i) make the corrections necessary to conform the map and data to the official maps ;
161 and

162 (ii) resubmit the corrected map and data to the lieutenant governor for certification.

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

166 (b) Before submitting recommended voting precincts and polling places to the county
167 legislative body as required by Section 20A-5-303, each county clerk shall submit a voting
168 precinct map identifying the boundaries of each voting precinct within the county to the
169 lieutenant governor for official verification.

170 (c) Within five working days after receipt of a map from a county clerk, the lieutenant
171 governor shall:

172 (i) review the voting precinct map to ensure that the county map accurately reflects the
173 boundaries of state board districts established by the legislature in the official maps; and

174 (ii) either certify the voting precinct map as correct or notify the county clerk that the
175 map is incorrect.

176 (d) If the county clerk receives notice from the lieutenant governor that the map is
177 incorrect, the county clerk shall:

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

180 (ii) resubmit the corrected map to the lieutenant governor for certification.

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

182 **36-1-101. Utah State Senate -- District boundaries.**

183 (1) As used in this chapter:

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

186 (b) "Old county boundary" means the common boundary between Salt Lake County
187 and Utah County before the boundary change certified by the lieutenant governor on December
188 29, 2005.

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

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

194 (3) (a) The Legislature adopts the official census population figures and maps of the
195 Bureau of the Census of the United States Department of Commerce developed in connection
196 with the taking of the 2000 national decennial census as the official data for establishing Senate
197 district boundaries.

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

200 (4) (a) Because of the new county boundary separating Salt Lake County and Utah
201 County, the boundary separating Senate District 9 and Senate District 11 that followed the old
202 county boundary is changed to follow the new county boundary eastward from the
203 southwestern intersection to the point where the existing boundary of Senate District 9 turns
204 north from the old county boundary.

205 (b) The following census blocks from the 2000 census shall be removed from Senate
206 District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,
207 3003, and 3004.

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

209 **36-1-103. Official maps of Senate districts.**

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

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

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

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

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

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

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

229 ~~[(5)]~~ (4) Maps identifying the boundaries for Senate districts may be viewed on the
230 Internet at the lieutenant governor's website.

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

232 **36-1-103.2. County clerk and lieutenant governor responsibilities -- Maps and**
233 **voting precinct boundaries.**

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

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

238 (b) Before publishing or distributing any map or data created by the county clerk that
239 identifies the boundaries of Senate districts within the county, the clerk shall submit the map
240 and data to the lieutenant governor for review and verification.

241 (c) Within five working days after receipt of a map and data from a county clerk, the
242 lieutenant governor shall:

243 (i) review the map and data to ensure that the county map and data accurately reflect
244 the boundaries of Senate districts established by the legislature in the official maps; and

245 (ii) either certify the map and data as correct or notify the county clerk that the map and
246 data are incorrect.

247 (d) If the county clerk receives notice from the lieutenant governor that the map and
248 data submitted are incorrect, the county clerk shall:

249 (i) make the corrections necessary to conform the map and data to the official maps ;
250 and

251 (ii) resubmit the corrected map and data to the lieutenant governor for certification.

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

255 (b) Before submitting recommended voting precincts and polling places to the county
256 legislative body as required by Section 20A-5-303, each county clerk shall submit a voting
257 precinct map identifying the boundaries of each voting precinct within the county to the
258 lieutenant governor for official verification.

259 (c) Within five working days after receipt of a map from a county clerk, the lieutenant
260 governor shall:

261 (i) review the voting precinct map to ensure that the county map accurately reflects the
262 boundaries of Senate districts established by the legislature in the official maps; and

263 (ii) either certify the voting precinct map as correct or notify the county clerk that the
264 map is incorrect.

265 (d) If the county clerk receives notice from the lieutenant governor that the map is
266 incorrect, the county clerk shall:

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

269 (ii) resubmit the corrected map to the lieutenant governor for certification.

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

271 **36-1-201. Utah House of Representatives -- District boundaries.**

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

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

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

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

283 (b) The following census blocks from the 2000 census shall be removed from House
284 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
285 3003, and 3004.

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

287 **36-1-202. Official maps of House districts.**

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

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

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

295 (b) The following census blocks from the 2000 census shall be removed from House
296 District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,
297 3003, and 3004.

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

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

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

305 ~~[(5)]~~ (4) Maps identifying the boundaries for House districts may be viewed on the
306 Internet at the lieutenant governor's website.

307 Section 11. Section ~~36-1-202.2~~ is enacted to read:

308 **36-1-202.2. County clerk and lieutenant governor responsibilities -- Maps and**
309 **voting precinct boundaries.**

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

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

314 (b) Before publishing or distributing any map or data created by the county clerk that
315 identifies the boundaries of House districts within the county, the clerk shall submit the map
316 and data to the lieutenant governor for review and verification.

317 (c) Within five working days after receipt of a map and data from a county clerk, the
318 lieutenant governor shall:

319 (i) review the map and data to ensure that the county map and data accurately reflect
320 the boundaries of House districts established by the legislature in the official maps; and

321 (ii) either certify the map and data as correct or notify the county clerk that the map and
322 data are incorrect.

323 (d) If the county clerk receives notice from the lieutenant governor that the map and
324 data submitted are incorrect, the county clerk shall:

325 (i) make the corrections necessary to conform the map and data to the official maps ;
326 and

327 (ii) resubmit the corrected map and data to the lieutenant governor for certification.

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

331 (b) Before submitting recommended voting precincts and polling places to the county
332 legislative body as required by Section 20A-5-303, each county clerk shall submit a voting
333 precinct map identifying the boundaries of each voting precinct within the county to the
334 lieutenant governor for official verification.

335 (c) Within five working days after receipt of a map from a county clerk, the lieutenant

336 governor shall:

337 (i) review the voting precinct map to ensure that the county map accurately reflects the
338 boundaries of House districts established by the legislature in the official maps; and

339 (ii) either certify the voting precinct map as correct or notify the county clerk that the
340 map is incorrect.

341 (d) If the county clerk receives notice from the lieutenant governor that the map is
342 incorrect, the county clerk shall:

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

345 (ii) resubmit the corrected map to the lieutenant governor for certification.

346 Section 12. **Effective date.**

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

FISCAL NOTE

S.B. 113 1st Sub. (Green)

SHORT TITLE: Election District Boundaries

SPONSOR: Davis, G.

2011 GENERAL SESSION, STATE OF UTAH

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

Enacting this bill will cost the Lt. Governor's Office \$71,200 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	\$71,200	\$0
Total Expenditure	\$0	\$71,200	\$0
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$71,200)	\$0
Net Impact, General/Education Funds	\$0	(\$71,200)	\$0

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

Enactment of this bill likely will not result in direct, measurable costs and/or benefits 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.