

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

LONG TITLE

General Description:

This bill establishes review and certification requirements for certain election and district maps and data prepared by the county clerks.

Highlighted Provisions:

This bill:

- ▶ 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:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

20A-13-102, as repealed and reenacted by Laws of Utah 2001, Second Special Session,



26 Chapter 6

27 **20A-14-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,

28 Chapter 2

29 **36-1-103**, as last amended by Laws of Utah 2006, Chapter 12

30 **36-1-202**, as last amended by Laws of Utah 2006, Chapter 12

31 ENACTS:

32 **20A-13-102.2**, Utah Code Annotated 1953

33 **20A-14-102.3**, Utah Code Annotated 1953

34 **36-1-103.2**, Utah Code Annotated 1953

35 **36-1-202.2**, Utah Code Annotated 1953



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

38 Section 1. Section **20A-13-102** is amended to read:

39 **20A-13-102. Official maps of Congressional districts.**

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

42 (b) The legal boundaries of Utah's Congressional districts are contained in the official
43 maps on file with the lieutenant governor's office.

44 (2) When questions of interpretation of Congressional district boundaries arise, the
45 official maps on file in the lieutenant governor's office shall serve as the indication of the
46 legislative intent in drawing the Congressional district boundaries.

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

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

51 [(4)] (3) Maps identifying the boundaries for Congressional districts may be viewed on
52 the Internet at the lieutenant governor's website.

53 Section 2. Section **20A-13-102.2** is enacted to read:

54 **20A-13-102.2. County clerk and lieutenant governor responsibilities -- Maps and
55 voting precinct boundaries.**

56 (1) Each county clerk shall obtain copies of the official maps for the clerk's county

57 from the lieutenant governor's office.

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

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

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

65 (i) review the map and data to ensure that the county map and data accurately reflect
66 the boundaries of Utah's Congressional districts established by the Legislature in the official
67 maps; and

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

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

72 (i) make the corrections necessary to conform the map and data to the official maps;
73 and

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

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

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

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

84 (i) review the voting precinct map to ensure that the county map accurately reflects the
85 boundaries of Utah's Congressional districts established by the Legislature in the official maps;
86 and

87 (ii) either certify the voting precinct map as correct or notify the county clerk that the

88 map is incorrect.

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

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

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

94 Section 3. Section **20A-14-102** is amended to read:

95 **20A-14-102. Official maps of state board districts.**

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

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

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

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

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

107 [~~(4)~~] (3) Maps identifying the boundaries for state board districts may be viewed on the
108 Internet at the lieutenant governor's website.

109 Section 4. Section **20A-14-102.3** is enacted to read:

110 **20A-14-102.3. County clerk and lieutenant governor responsibilities -- Maps and**
111 **voting precinct boundaries.**

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

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

116 (b) Before publishing or distributing any map or data created by the county clerk that
117 identifies the boundaries of state board districts within the county, the clerk shall submit the
118 map and data to the lieutenant governor for review and verification.

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

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

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

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

127 (i) make the corrections necessary to conform the map and data to the official maps;
128 and

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

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

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

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

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

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

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

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

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

148 Section 5. Section **36-1-103** is amended to read:

149 **36-1-103. Official maps of Senate districts.**

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

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

154 (2) Because of the new county boundary separating Salt Lake County and Utah County,
155 the boundary separating Senate District 9 and Senate District 11 that followed the old county
156 boundary is changed to follow the new county boundary eastward from the southwestern
157 intersection to the point where the existing boundary of Senate District 9 turns north from the
158 old county boundary.

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

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

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

166 [~~(5)~~] (4) Maps identifying the boundaries for Senate districts may be viewed on the
167 Internet at the lieutenant governor's website.

168 Section 6. Section **36-1-103.2** is enacted to read:

169 **36-1-103.2. County clerk and lieutenant governor responsibilities -- Maps and**
170 **voting precinct boundaries.**

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

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

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

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

180 (i) review the map and data to ensure that the county map and data accurately reflect

181 the boundaries of Senate districts established by the Legislature in the official maps; and
182 (ii) either certify the map and data as correct or notify the county clerk that the map and
183 data are incorrect.

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

186 (i) make the corrections necessary to conform the map and data to the official maps;
187 and

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

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

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

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

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

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

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

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

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

207 Section 7. Section **36-1-202** is amended to read:

208 **36-1-202. Official maps of House districts.**

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

211 (b) Except as provided in Subsection (2), the legal boundaries of House districts are

212 contained in the official maps on file with the lieutenant governor's office.

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

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

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

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

223 ~~[(5)]~~ (4) Maps identifying the boundaries for House districts may be viewed on the
224 Internet at the lieutenant governor's website.

225 Section 8. Section **36-1-202.2** is enacted to read:

226 **36-1-202.2. County clerk and lieutenant governor responsibilities -- Maps and**
227 **voting precinct boundaries.**

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

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

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

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

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

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

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

243 (i) make the corrections necessary to conform the map and data to the official maps;
244 and

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

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

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

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

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

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

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

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

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

264 **Section 9. Effective date.**

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