

1 **CONGRESSIONAL BOUNDARY AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Brad L. Dee**

5 Senate Sponsor: Ralph Okerlund

6

7 **LONG TITLE**

8 **Redistricting Boundary Information:**

9 The United States Congressional district boundary information may be found at
10 <http://le.utah.gov>.

11 Electronic file security code: 54af6da8e586a40d3ed4131d29895e3e

12 **General Description:**

13 This bill, which includes this printed text and the electronic data affiliated with it,
14 makes minor adjustments to United States Congressional district boundaries.

15 **Highlighted Provisions:**

16 This bill:

17 ▶ adopts the United States Congressional district boundaries adjusted and approved
18 by the lieutenant governor and used in the November 2012 election, which reconcile
19 United States Census Bureau geographic data with state geographic data for:

- 20 • county boundaries; and
- 21 • municipal boundaries;

22 ▶ adjusts a section of the boundary between United States Congressional districts 2
23 and 4 to align with a county boundary change between Millard and Juab counties;
24 and

25 ▶ establishes the congressional shapefile in the electronic file, which is part of this bill
26 in electronic form, as the legal boundaries of the four United States Congressional
27 districts for Utah.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **20A-13-101.1**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 8

35 **20A-13-101.5**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 8

36 **20A-13-102**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 8

37 **20A-13-102.2**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 8

38 **20A-13-103**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 8

39 **20A-13-104**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 8



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

42 Section 1. Section **20A-13-101.1** is amended to read:

43 **20A-13-101.1. Definitions.**

44 As used in this part:

45 (1) "Census block" means any one of the 115,406 individual geographic areas into
46 which the Bureau of the Census of the United States Department of Commerce has divided the
47 state of Utah, to each of which the Bureau of the Census has attached a discrete population
48 tabulation from the 2010 decennial census.

49 (2) "Congressional block assignment file" means the electronic file that assigns each of
50 Utah's 115,406 census blocks to a particular Congressional district.

51 (3) "Congressional shapefile" means the electronic shapefile that stores the boundary of
52 each of the four United States Congressional district boundaries for Utah.

53 (4) "Shapefile" means the digital vector storage format for storing geometric location
54 and associated attribute information.

55 Section 2. Section **20A-13-101.5** is amended to read:

56 **20A-13-101.5. Representatives to the United States Congress -- Four**
57 **representative districts -- When elected -- District boundaries.**

58 (1) (a) The state of Utah is divided into four districts for the election of representatives

59 to the Congress of the United States, with one member to be elected from each Congressional
60 district.

61 (b) At the general election to be held in 2012, and biennially thereafter, one
62 representative from each Congressional district shall be elected to serve in the Congress of the
63 United States.

64 (2) The Legislature adopts the official census population figures and maps of the
65 Bureau of the Census of the United States Department of Commerce developed in connection
66 with the taking of the 2010 national decennial census as the official data for establishing
67 Congressional district boundaries.

68 (3) (a) ~~The~~ Notwithstanding Subsection (2), the Legislature enacts the district
69 numbers and boundaries of the Congressional districts designated in the Congressional ~~[block~~
70 ~~assignment file]~~ shapefile that is the electronic component of the bill that enacts this section.

71 (b) That Congressional ~~[block assignment file]~~ shapefile, and Congressional
72 boundaries generated from that Congressional ~~[block assignment file]~~ shapefile, may be
73 accessed via the Utah Legislature's website.

74 Section 3. Section **20A-13-102** is amended to read:

75 **20A-13-102. Congressional districts.**

76 (1) (a) The Legislature shall file a copy of the Congressional ~~[block assignment file]~~
77 shapefile enacted by the Legislature with the lieutenant governor's office.

78 (b) The legal boundaries of Utah's Congressional districts are contained in the
79 Congressional ~~[block assignment file]~~ shapefile on file with the lieutenant governor's office.

80 (2) (a) The lieutenant governor shall:

81 (i) generate maps of each Congressional district from the Congressional ~~[block~~
82 ~~assignment file]~~ shapefile; and

83 (ii) ensure that those maps are available for viewing on the lieutenant governor's
84 website.

85 (b) If there is any inconsistency between the maps and the Congressional ~~[block~~
86 ~~assignment file]~~ shapefile, the Congressional ~~[block assignment file]~~ shapefile is controlling.

87 Section 4. Section **20A-13-102.2** is amended to read:

88 **20A-13-102.2. County clerk, Automated Geographic Reference Center, and**
89 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

90 (1) Each county clerk shall obtain a copy of the Congressional [~~block assignment file~~]
91 shapefile for the clerk's county from the lieutenant governor's office.

92 (2) (a) A county clerk may create one or more county maps that identify the boundaries
93 of Utah's Congressional districts as generated from the Congressional [~~block assignment file~~]
94 shapefile.

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

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

101 (i) review the county map and data to evaluate if the county map and data accurately
102 reflect the boundaries of Utah's Congressional districts established by the Legislature in the
103 Congressional [~~block assignment file~~] shapefile;

104 (ii) determine whether the county 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 county map and
107 data are correct or notify the county clerk that the county map and data are incorrect.

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

110 (i) make the corrections necessary to conform the county map and data to the
111 Congressional [~~block assignment file~~] shapefile; and

112 (ii) resubmit the corrected county 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 voting precinct map accurately
124 reflects the boundaries of Utah's Congressional districts established by the Legislature in the
125 Congressional [~~block assignment file~~] shapefile;

126 (ii) determine whether the voting precinct map is correct or incorrect; and

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

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

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

132 (i) make the corrections necessary to conform the voting precinct map to the
133 Congressional [~~block assignment file~~] shapefile; and

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

136 Section 5. Section **20A-13-103** is amended to read:

137 **20A-13-103. Omissions from maps -- How resolved.**

138 (1) If any area of the state is omitted from a Congressional district in the Congressional
139 [~~block assignment file~~] shapefile enacted by the Legislature, the county clerk of the affected
140 county, upon discovery of the omission, shall attach the area to the appropriate Congressional
141 district according to the requirements of Subsections (2) and (3).

142 (2) If the omitted area is surrounded by a single Congressional district, the county clerk
143 shall attach the area to that district.

144 (3) If the omitted area is contiguous to two or more Congressional districts, the county
145 clerk shall attach the area to the district that has the least population, as determined by the
146 [~~official census population figures and maps described in Subsection 20A-13-101.5(2)] Utah
147 Population Estimates Committee.~~

148 (4) The county clerk shall certify in writing and file with the lieutenant governor any
149 attachment made under this section.

150 Section 6. Section **20A-13-104** is amended to read:

151 **20A-13-104. Uncertain boundaries -- How resolved.**

152 (1) As used in this section, "affected party" means:

153 (a) a representative whose Congressional district boundary is uncertain because the
154 boundary in the Congressional [~~block assignment file~~] shapefile used to establish the district
155 boundary has been removed, modified, or is unable to be identified or who is uncertain about
156 whether or not the representative or another person resides in a particular Congressional
157 district;

158 (b) a candidate for Congressional representative whose Congressional district boundary
159 is uncertain because the boundary in the Congressional [~~block assignment file~~] shapefile used
160 to establish the district boundary has been removed, modified, or is unable to be identified or
161 who is uncertain about whether or not the candidate or another person resides in a particular
162 Congressional district; or

163 (c) a person who is uncertain about which Congressional district contains the person's
164 residence because the boundary in the Congressional [~~block assignment file~~] shapefile used to
165 establish the district boundary has been removed, modified, or is unable to be identified.

166 (2) (a) An affected party may file a written request petitioning the lieutenant governor
167 to determine:

- 168 (i) the precise location of the Congressional district boundary;
- 169 (ii) the number of the Congressional district in which a person resides; or
- 170 (iii) both Subsections (2)(a)(i) and (ii).

171 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
172 governor shall review the Congressional [~~block assignment file~~] shapefile and obtain and
173 review other relevant data such as aerial photographs, aerial maps, or other data about the area.

174 (c) Within five days of receipt of the request, the lieutenant governor shall review the
175 Congressional [~~block assignment file~~] shapefile, obtain and review any relevant data, and make
176 a determination.

177 (d) When the lieutenant governor determines the location of the Congressional district
178 boundary, the lieutenant governor shall:

- 179 (i) prepare a certification identifying the appropriate boundary and attaching a map, if
180 necessary; and
- 181 (ii) send a copy of the certification to:
 - 182 (A) the affected party;

- 183 (B) the county clerk of the affected county; and
184 (C) the Automated Geographic Reference Center created under Section 63F-1-506.
185 (e) If the lieutenant governor determines the number of the Congressional district in
186 which a particular person resides, the lieutenant governor shall send a letter identifying that
187 district by number to:
188 (i) the person;
189 (ii) the affected party who filed the petition, if different than the person whose
190 Congressional district number was identified; and
191 (iii) the county clerk of the affected county.

Legislative Review Note
as of 2-22-13 7:00 PM

Office of Legislative Research and General Counsel