HB2004S06 compared with HB2004

{deleted text} shows text that was in HB2004 but was deleted in HB2004S06.

inserted text shows text that was not in HB2004 but was inserted into HB2004S06.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Kathleen A. Riebe proposes the following substitute bill:

CONGRESSIONAL BOUNDARIES DESIGNATION

2021 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Scott D. Sandall

___

LONG TITLE

Redistricting Boundary Information:

> The Congressional district boundary information may be found at https://le.utah.gov.

> Block equivalency file: {HB2004_BEF}HB2004S06_BEF.txt

> Block equivalency file security code:

> {4cb8a686520fdb1c2385c0a9812ff403}861ee0e4711eb86d5b1a4034ed0d4641

General Description:

> This bill, which includes this printed text and the electronic data affiliated with this text that is available on the Legislature's website and also included on the electronic storage device accompanying this bill when presented to the governor, establishes new United States Congressional district boundaries for Utah.

Highlighted Provisions:

> This bill:

‣ repeals current United States Congressional district boundaries for Utah and establishes new United States Congressional district boundaries for Utah;

‣ establishes the block equivalency file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah;

‣ provides a hash code to verify the authenticity of the block equivalency file; and

‣ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides revisor instructions.

Utah Code Sections Affected:

AMENDS:

20A-13-101.1, as last amended by Laws of Utah 2013, Chapter 383

20A-13-101.5, as last amended by Laws of Utah 2013, Chapter 383

20A-13-102, as last amended by Laws of Utah 2013, Chapter 383

20A-13-102.2, as last amended by Laws of Utah 2021, Chapter 162

20A-13-103, as last amended by Laws of Utah 2018, Chapter 330

20A-13-104, as last amended by Laws of Utah 2021, Chapters 162 and 345

Utah Code Sections Affected by Revisor Instructions:

20A-13-101.5, as last amended by Laws of Utah 2013, Chapter 383

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

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

20A-13-101.1. Definitions.

As used in this part:

(1) "Census block" means any one of the [115,406] 71,207 individual geographic areas into which the Bureau of the Census of the United States Department of Commerce has divided the state of Utah, to each of which the Bureau of the Census has attached a discrete population tabulation from the [2010] 2020 decennial census.

(2) "Congressional block [assignment] equivalency file" means the electronic file

designated as {HB2004_BEF}HB2004S06_BEF.txt that assigns each of Utah's [115,406] 71,207 census blocks to a particular Congressional district.

(3) "Congressional shapefile" means the electronic shapefile that:

(a) is the resulting projection of the Congressional block equivalency file; and

(b) stores the boundary of each of the four United States Congressional district boundaries for Utah.

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

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

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

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

(b) At the general election to be held in [2012] 2022, and biennially thereafter, one representative from each Congressional district shall be elected to serve in the Congress of the United States.

(2) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the [2010] 2020 national decennial census as the official data for establishing Congressional district boundaries.

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

(b) [That] The Legislature shall ensure that the Congressional shapefile, and Congressional boundaries generated from [that] the Congressional shapefile, [may be accessed via] are accessible on the Utah Legislature's website.

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

20A-13-102. Congressional districts -- Filing -- Legal boundaries.

(1) (a) The Legislature shall file a copy of the Congressional [shapefile] block

equivalency file enacted by the Legislature and the resulting Congressional shapefile with the lieutenant governor's office.

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

(2) (a) The lieutenant governor shall:

(i) verify the Congressional block equivalency file that the Legislature files under Subsection (1) using block equivalency file security code "{4cb8a686520fdb1c2385e0a9812ff403}861ee0e4711eb86d5b1a4034ed0d4641" and the corresponding Congressional shapefile;

[(i)] (ii) generate maps of each Congressional district from the Congressional shapefile; and

[(ii)] (iii) ensure that [those] the district maps are available for viewing on the lieutenant governor's website.

(b) If there is any inconsistency between the district maps and the Congressional shapefile resulting from the Congressional block equivalency file, the Congressional shapefile is controlling.

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

20A-13-102.2. County clerk, Utah Geospatial Resource Center, and lieutenant governor responsibilities -- Maps and voting precinct boundaries.

(1) As used in this section, "redistricting boundary data" means the Congressional shapefile in the possession of the lieutenant governor's office.

[(1)] (2) Each county clerk shall obtain a copy of the [Congressional shapefile] redistricting boundary data for the clerk's county from the lieutenant governor's office.

[(2)] (3) (a) A county clerk may create one or more county maps that identify the boundaries of Utah's Congressional districts as generated from the [Congressional shapefile] redistricting boundary data.

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

(c) Within 30 days after receipt of a county map and data from a county clerk, the Utah

Geospatial Resource Center shall:

(i) review the county map and data to evaluate if the county map and data accurately reflect the boundaries of Utah's Congressional districts established by the Legislature in the [Congressional shapefile] redistricting boundary data;

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

(iii) communicate those findings to the lieutenant governor.

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

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

(i) make the corrections necessary to conform the county map and data to the [Congressional shapefile] redistricting boundary data; and

(ii) resubmit the corrected county map and data to the lieutenant governor and to the Utah Geospatial Resource Center for a new review under this Subsection [(2)] (3).

[(3)] (4) (a) Subject to the requirements of this Subsection [(3)] (4), each county clerk shall establish voting precincts and polling places within each Utah Congressional district according to the procedures and requirements of Section 20A-5-303.

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

(c) Within 30 days after receipt of a map from a county clerk, the Utah Geospatial Resource Center shall:

(i) review the voting precinct map to evaluate if the voting precinct map accurately reflects the boundaries of Utah's Congressional districts established by the Legislature in the [Congressional shapefile] redistricting boundary data;

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

(iii) communicate those findings to the lieutenant governor.

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

(e) If the county clerk receives notice from the lieutenant governor that the voting

precinct map is incorrect, the county clerk shall:

(i) make the corrections necessary to conform the voting precinct map to the [~~Congressional shapefile~~] redistricting boundary data; and

(ii) resubmit the corrected voting precinct map to the lieutenant governor and to the Utah Geospatial Resource Center for a new review under this Subsection [~~(3)~~] (4).

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

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

(1) If any area of the state is omitted from a Congressional district in the Congressional shapefile [~~enacted by the Legislature~~] in the possession of the lieutenant governor's office, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate Congressional district according to the requirements of Subsections (2) and (3).

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

(3) If the omitted area is contiguous to two or more Congressional districts, the county clerk shall attach the area to the district that has the least population, as determined by the Utah Population Committee.

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

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

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

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

(a) a representative whose Congressional district boundary is uncertain because the boundary in the Congressional shapefile used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether the representative or another individual resides in a particular Congressional district;

(b) a candidate for Congressional representative whose Congressional district boundary is uncertain because the boundary in the Congressional shapefile used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether the candidate or another individual resides in a particular Congressional district; or

(c) an individual who is uncertain about which Congressional district contains the individual's residence because the boundary in the Congressional shapefile used to establish the

district boundary has been removed, modified, or is unable to be identified.

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

(i) the precise location of the Congressional district boundary;

(ii) the number of the Congressional district in which an individual resides; or

(iii) both Subsections (2)(a)(i) and (ii).

(b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review:

(i) the Congressional block equivalency file and the resulting Congressional shapefile [and obtain and review]; and

(ii) any other relevant data such as aerial photographs, aerial maps, or other data about the area.

(c) Within five days of receipt of the request, the lieutenant governor shall [review the Congressional shapefile, obtain and review any relevant data,]:

(i) complete the review described in Subsection (2)(b); and

(ii) make a determination.

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

(i) prepare a certification identifying the appropriate boundary and attaching a map, if necessary; and

(ii) send a copy of the certification to:

(A) the affected party;

(B) the county clerk of the affected county; and

(C) the Utah Geospatial Resource Center created under Section 63A-16-505.

(e) If the lieutenant governor determines the number of the Congressional district in which a particular individual resides, the lieutenant governor shall send a letter identifying that district by number to:

(i) the individual;

(ii) the affected party who filed the petition, if different than the individual whose Congressional district number was identified; and

(iii) the county clerk of the affected county.

Section 7. **Effective date.**

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

Section 8. **Revisor instructions.**

The Legislature intends that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, replace the references in Section 20A-13-101.5 from "this bill" to the bill's designated chapter number in the Laws of Utah.