



UTAH STATE LEGISLATURE

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**SUBSTITUTE**

Attached is a copy of your **PUBLIC** substitute.

**Representative Kenneth W. Sumsion** proposes the following substitute bill:

**UTAH STATE SENATE BOUNDARIES AND ELECTION**

**DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kenneth W. Sumsion

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**LONG TITLE**

**Redistricting Boundary Information:**

The Utah State Senate district boundary information may be found at <http://le.utah.gov>.

Block assignment file security code: c22268059ef9de91875db11f3fc897ae

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State Senate district boundaries and makes other technical corrections.

**Highlighted Provisions:**

This bill:

- ▶ repeals current Utah State Senate district boundaries and establishes new Utah State Senate district boundaries;
- ▶ establishes election dates for each Utah State Senate district to ensure that Senate terms are staggered;
- ▶ establishes the block assignment file, which is part of this bill in electronic form, as the legal boundaries of Utah State Senate districts; and
- ▶ makes technical corrections.

**Money Appropriated in this Bill:**



26 None

27 **Other Special Clauses:**

28 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
29 certain members of the Utah State Senate and on January 1, 2013, for all other  
30 purposes.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 36-1-102, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

34 36-1-103, as last amended by Laws of Utah 2011, Chapter 74

35 36-1-103.2, as enacted by Laws of Utah 2011, Chapter 74

36 36-1-104, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

37 36-1-105, as last amended by Laws of Utah 2005, Chapter 169

38 ENACTS:

39 36-1-101.1, Utah Code Annotated 1953

40 36-1-101.5, Utah Code Annotated 1953

41 REPEALS:

42 36-1-101, as last amended by Laws of Utah 2011, Chapter 74



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

45 Section 1. Section 36-1-101.1 is enacted to read:

46 **36-1-101.1. Definitions.**

47 As used in this section:

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

52 (2) "Senate block assignment file" means the electronic file that assigns each of Utah's  
53 115, 406 census blocks to a particular Utah State Senate district.

54 Section 2. Section 36-1-101.5 is enacted to read:

55 **36-1-101.5. Utah State Senate -- District boundaries.**

56 (1) The Utah State Senate shall consist of 29 members, with one member to be elected

57 from each Utah State Senate district.

58 (2) The Legislature adopts the official census population figures and maps of the  
59 Bureau of the Census of the United States Department of Commerce developed in connection  
60 with the taking of the 2010 national decennial census as the official data for establishing Senate  
61 district boundaries.

62 (3) (a) The Legislature enacts the numbers and boundaries of the Senate districts  
63 designated in the Senate block assignment file that is the electronic component of the bill that  
64 enacts this section.

65 (b) That Senate block assignment file, and the Senate district boundaries generated  
66 from that Senate block assignment file, may be accessed via the Utah Legislature's website.

67 Section 3. Section **36-1-102** is amended to read:

68 **36-1-102. Election of senators -- Staggered terms.**

69 (1) Unless otherwise provided by law, each senator elected from Senate Districts [~~1, 6,~~  
70 ~~8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29~~] 2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22, and 26 at  
71 the [~~2000~~] 2010 General Election shall serve out the term of office for which he or she was  
72 elected and shall represent the realigned district if he or she resides in that district.

73 (2) At the general election to be held in [~~2002~~] 2012, senators elected from Senate  
74 Districts [~~2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, and 28~~] 1, 6, 7, 8, 10, 13, 14, 16, 19, 20,  
75 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.

76 (3) (a) Because the senator from Senate District 28 was appointed to fill a mid-term  
77 vacancy that occurred more than two years before the next regular general election, Subsection  
78 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general  
79 election.

80 (b) Consequently:

81 (i) at the general election to be held in 2012, the senator elected from Senate District 28  
82 shall be elected to serve a term of office of two years; and

83 (ii) at the general election to be held in 2014, the senator elected from Senate District  
84 28 shall be elected to serve a term of office of four years.

85 (4) (a) If one of the incumbent senators from new Senate District 4 files written notice  
86 with the lieutenant governor by close of business on January 3, 2012, that the senator will not  
87 seek election to the Senate from that Senate District 4, that incumbent senator may serve until

88 January 1, 2013, and the other incumbent senator from District 4 shall serve out the term for  
89 which the member was elected, which is until January 1, 2015.

90 (b) (i) If one of the incumbent senators in Senate District 4 does not file the written  
91 notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4  
92 as an office to be filled in the 2012 regular general election in the notice of election required by  
93 Section 20A-5-101.

94 (ii) If the Subsection (4)(b)(i) contingency occurs:

95 (A) the senator elected from Senate District 4 at the 2012 regular general election shall  
96 be elected to serve a term of office of two years; and

97 (B) the senator elected from Senate District 4 at the 2014 regular general election shall  
98 be elected to serve a term of office of four years.

99 Section 4. Section **36-1-103** is amended to read:

100 **36-1-103. Senate districts -- Copies -- Legal boundaries.**

101 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the Senate  
102 block assignment file enacted by the Legislature[~~, and any other relevant data,~~] with the  
103 lieutenant governor's office.

104 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of Senate districts  
105 are contained in the [~~official maps~~] Senate block assignment file on file with the lieutenant  
106 governor's office.

107 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~  
108 ~~County, the boundary separating Senate District 9 and Senate District 11 that followed the old~~  
109 ~~county boundary is changed to follow the new county boundary eastward from the~~  
110 ~~southwestern intersection to the point where the existing boundary of Senate District 9 turns~~  
111 ~~north from the old county boundary.~~]

112 [~~(b) The following census blocks from the 2000 census are removed from Senate~~  
113 ~~District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,~~  
114 ~~3003, and 3004.~~]

115 [~~(3) When questions of interpretation of Senate district boundaries arise, the official~~  
116 ~~maps on file in the lieutenant governor's office shall serve as the indication of the legislative~~  
117 ~~intent in drawing the Senate district boundaries.~~]

118 [~~(4) Maps identifying the boundaries for Senate districts may be viewed on the Internet~~]

119 ~~at the lieutenant governor's website;]~~

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

121 (i) generate maps of each Utah State Senate district from the Senate block assignment  
122 file; and

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

125 (b) If there is any inconsistency between the maps and the Senate block assignment  
126 file, the Senate block assignment file is controlling.

127 Section 5. Section 36-1-103.2 is amended to read:

128 **36-1-103.2. County clerk, Automated Geographic Reference Center, and**  
129 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

130 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the Senate  
131 block assignment file for the clerk's county from the lieutenant governor's office.

132 (2) (a) A county clerk may create one or more county maps that identify the boundaries  
133 of Senate districts as [~~shown on the official maps~~] generated from the Senate block assignment  
134 file.

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

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

141 (i) review the county map and data to evaluate if the county map and data accurately  
142 reflect the boundaries of Senate districts established by the Legislature in the [~~official maps~~]  
143 Senate block assignment file;

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

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

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

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

150 (i) make the corrections necessary to conform the county map and data to the [official  
151 maps] Senate block assignment file; and

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

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

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

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

163 (i) review the voting precinct map to evaluate if the [county] voting precinct map  
164 accurately reflects the boundaries of Senate districts established by the Legislature in the  
165 [official maps] Senate block assignment file;

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

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

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

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

172 (i) make the corrections necessary to conform the voting precinct map to the [official  
173 maps] Senate block assignment file; and

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

176 Section 6. Section **36-1-104** is amended to read:

177 **36-1-104. Omissions from maps -- How resolved.**

178 (1) If any area of the state is omitted from a Utah State Senate district in the [maps]  
179 Senate block assignment file enacted by the Legislature, the county clerk of the affected  
180 county, upon discovery of the omission, shall attach the area to the appropriate Senate district

181 according to the requirements of Subsections (2) and (3).

182 (2) If the omitted area is surrounded by a single Senate district, the county clerk shall  
183 attach the area [~~shall be attached~~] to that district.

184 (3) If the omitted area is contiguous to two or more Senate districts, the county clerk  
185 shall attach the area [~~shall be attached~~] to the district that has the least population, as  
186 determined by the official census population figures and maps [~~of the Bureau of the Census of~~  
187 ~~the United States Department of Commerce developed in connection with the taking of the~~  
188 ~~2000-2010 national decennial census~~] described in Subsection 36-1-101.5(2).

189 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the  
190 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~  
191 ~~filed with the lieutenant governor~~] this section.

192 Section 7. Section 36-1-105 is amended to read:

193 **36-1-105. Uncertain boundaries -- How resolved.**

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

195 (a) a senator whose Utah State Senate district boundary is uncertain because the  
196 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate  
197 district boundary has been removed, modified, or is unable to be identified or who is uncertain  
198 about whether or not [~~he~~] the senator or another person resides in a particular Senate district;

199 (b) a candidate for senator whose Senate district boundary is uncertain because the  
200 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate  
201 district boundary has been removed, modified, or is unable to be identified or who is uncertain  
202 about whether or not [~~he~~] the candidate or another person resides in a particular Senate district;

203 or

204 (c) a person who is uncertain about which Senate district contains the person's  
205 residence because the [~~identifying feature~~] boundary in the Senate block assignment file used to  
206 establish the Senate district boundary has been removed, modified, or is unable to be identified.

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

209 (i) the precise location of the Senate district boundary;

210 (ii) the number of the Senate district in which a person resides; or

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

212 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
213 governor shall review the [~~official maps~~] Senate block assignment file and obtain and review  
214 other relevant data such as [~~census block and tract descriptions;~~] aerial photographs, aerial  
215 maps, or other data about the area.

216 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
217 [~~maps~~] Senate block assignment file, obtain and review any relevant data, and make a  
218 determination.

219 (d) When the lieutenant governor determines the location of the Senate district  
220 boundary, the lieutenant governor shall:

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

223 (ii) send a copy of the certification to:

224 (A) the affected party;

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

226 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

227 (e) If the lieutenant governor determines the number of the Senate district in which a  
228 particular person resides, the lieutenant governor shall send a letter identifying that district by  
229 number to:

230 (i) the person;

231 (ii) the affected party who filed the petition, if different than the person whose Senate  
232 district number was identified; and

233 (iii) the county clerk of the affected county.

234 **Section 8. Repealer.**

235 This bill repeals:

236 **Section 36-1-101, Utah State Senate -- District boundaries.**

237 **Section 9. Effective date.**

238 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
239 certain members of the Utah State Senate and on January 1, 2013, for all other purposes.



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**SUBSTITUTE**

**Attached is a copy of your PUBLIC substitute.**

**Representative Kenneth W. Sumsion** proposes the following substitute bill:

**CONGRESSIONAL BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kenneth W. Sumsion

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**LONG TITLE**

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

Block assignment file security code: 7282568640e5db624338540ad0ec503d

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new United States Congressional district boundaries for Utah and makes other technical corrections.

**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 assignment file that is part of this bill in electronic form as the legal boundaries of United States Congressional district boundaries for Utah; and
- ▶ makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2012, for purposes of nominating and electing Utah



26 representatives to the United States House of Representatives and on January 1, 2013, for all  
27 other purposes.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **20A-13-102**, as last amended by Laws of Utah 2011, Chapter 74

31 **20A-13-102.2**, as enacted by Laws of Utah 2011, Chapter 74

32 **20A-13-103**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,  
33 Chapter 6

34 **20A-13-104**, as last amended by Laws of Utah 2005, Chapter 169

35 ENACTS:

36 **20A-13-101.1**, Utah Code Annotated 1953

37 **20A-13-101.5**, Utah Code Annotated 1953

38 REPEALS:

39 **20A-13-101 (Contingently Superseded)**, as last amended by Laws of Utah 2011,  
40 Chapter 74

41 **20A-13-101 (Contingently Effective)**, as last amended by Laws of Utah 2007, Chapter  
42 97



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

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

46 **20A-13-101.1. Definitions.**

47 As used in this part:

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

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

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

55 **20A-13-101.5. Representatives to the United States Congress -- Four**

56 **representative districts -- When elected -- District boundaries.**

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

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

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

67 (3) (a) The Legislature enacts the numbers and boundaries of the Congressional  
68 districts designated in the Congressional block assignment file that is the electronic component  
69 of the bill that enacts this section.

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

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

74 **20A-13-102. Congressional districts.**

75 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the  
76 Congressional block assignment file enacted by the Legislature[~~; and any other relevant~~  
77 ~~materials;~~] with the lieutenant governor's office.

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

81 [~~(2) The following census blocks from the 2000 census are removed from~~  
82 ~~Congressional District 2 and placed into Congressional District 3: Census Tract 010205;~~  
83 ~~Blocks 1000, 1001, 3001, 3003, and 3004.]~~

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

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

88 ~~Internet at the lieutenant governor's website;]~~

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

90 (i) generate maps of each Congressional district from the Congressional block  
91 assignment file; and

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

94 (b) If there is any inconsistency between the maps and the Congressional block  
95 assignment file, the Congressional block assignment file is controlling.

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

97 **20A-13-102.2. County clerk, Automated Geographic Reference Center, and**  
98 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

99 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the  
100 Congressional block assignment file for the clerk's county from the lieutenant governor's office.

101 (2) (a) A county clerk may create one or more county maps that identify the boundaries  
102 of Utah's Congressional districts as [~~shown on~~] generated from the [~~official maps~~]  
103 Congressional block assignment file.

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

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

110 (i) review the county map and data to evaluate if the county map and data accurately  
111 reflect the boundaries of Utah's Congressional districts established by the Legislature in the  
112 [~~official maps~~] Congressional block assignment file;

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

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

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

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

119 (i) make the corrections necessary to conform the county map and data to the [~~official~~  
120 ~~maps~~] Congressional block assignment file; and

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

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

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

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

132 (i) review the voting precinct map to evaluate if the [~~county~~] voting precinct map  
133 accurately reflects the boundaries of Utah's Congressional districts established by the  
134 Legislature in the [~~official maps~~] Congressional block assignment file;

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

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

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

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

141 (i) make the corrections necessary to conform the voting precinct map to the [~~official~~  
142 ~~maps~~] Congressional block assignment file; and

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

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

146 **20A-13-103. Omissions from maps -- How resolved.**

147 (1) If any area of the state is omitted from a Congressional district in the [~~maps~~]  
148 Congressional block assignment file enacted by the Legislature, the county clerk of the affected  
149 county, upon discovery of the omission, shall attach the area to the appropriate Congressional

150 district according to the requirements of Subsections (2) and (3).

151 (2) If the omitted area is surrounded by a single Congressional district, the county clerk  
152 shall attach the area [~~shall be attached~~] to that district.

153 (3) If the omitted area is contiguous to two or more Congressional districts, the county  
154 clerk shall attach the area [~~shall be attached~~] to the district that has the least population, as  
155 determined by the official census population figures and maps [~~of the Bureau of Census of the~~  
156 ~~United States Department of Commerce developed in connection with the taking of the 2000~~  
157 ~~national decennial census~~] described in Subsection 20A-13-101.5(2).

158 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the  
159 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~  
160 ~~filed with the lieutenant governor~~] this section.

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

162 **20A-13-104. Uncertain boundaries -- How resolved.**

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

164 (a) a representative whose Congressional district boundary is uncertain because the  
165 [~~identifying feature~~] boundary in the Congressional block assignment file used to establish the  
166 district boundary has been removed, modified, or is unable to be identified or who is uncertain  
167 about whether or not [~~he~~] the representative or another person resides in a particular  
168 Congressional district;

169 (b) a candidate for Congressional representative whose Congressional district boundary  
170 is uncertain because the [~~identifying feature~~] boundary in the Congressional block assignment  
171 file used to establish the district boundary has been removed, modified, or is unable to be  
172 identified or who is uncertain about whether or not [~~he~~] the candidate or another person resides  
173 in a particular Congressional district; or

174 (c) a person who is uncertain about which Congressional district contains the person's  
175 residence because the [~~identifying feature~~] boundary in the Congressional block assignment file  
176 used to establish the district boundary has been removed, modified, or is unable to be  
177 identified.

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

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

181 (ii) the number of the Congressional district in which a person resides; or

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

183 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
184 governor shall review the [~~official maps~~] Congressional block assignment file and obtain and  
185 review other relevant data such as [~~census block and tract descriptions;~~] aerial photographs,  
186 aerial maps, or other data about the area.

187 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
188 [~~maps~~] Congressional block assignment file, obtain and review any relevant data, and make a  
189 determination.

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

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

194 (ii) send a copy of the certification to:

195 (A) the affected party;

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

197 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

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

201 (i) the person;

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

204 (iii) the county clerk of the affected county.

205 **Section 7. Repealer.**

206 This bill repeals:

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

209 **Section 20A-13-101 (Contingently Effective), Representatives to the United States**  
210 **Congress -- Four representative districts -- When elected -- District boundaries.**

211 **Section 8. Effective date.**

212           This bill takes effect on January 1, 2012, for purposes of nominating and electing Utah  
213 representatives to the United States House of Representatives and on January 1, 2013, for all  
214 other purposes.



UTAH STATE LEGISLATURE

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**SUBSTITUTE**

Attached is a copy of your **PUBLIC** substitute.

**Representative Kenneth W. Sumsion** proposes the following substitute bill:

**UTAH STATE SENATE BOUNDARIES AND ELECTION**

**DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kenneth W. Sumsion

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**LONG TITLE**

**Redistricting Boundary Information:**

The Utah State Senate district boundary information may be found at <http://le.utah.gov>.

Block assignment file security code: b65820501630ccd944849f9c96d35b2a

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State Senate district boundaries and makes other technical corrections.

**Highlighted Provisions:**

This bill:

- ▶ repeals current Utah State Senate district boundaries and establishes new Utah State Senate district boundaries;
- ▶ establishes election dates for each Utah State Senate district to ensure that Senate terms are staggered;
- ▶ establishes the block assignment file, which is part of this bill in electronic form, as the legal boundaries of Utah State Senate districts; and
- ▶ makes technical corrections.

**Money Appropriated in this Bill:**



26 None

27 **Other Special Clauses:**

28 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
29 certain members of the Utah State Senate and on January 1, 2013, for all other  
30 purposes.

31 **Utah Code Sections Affected:**

32 **AMENDS:**

33 **36-1-102**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

34 **36-1-103**, as last amended by Laws of Utah 2011, Chapter 74

35 **36-1-103.2**, as enacted by Laws of Utah 2011, Chapter 74

36 **36-1-104**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

37 **36-1-105**, as last amended by Laws of Utah 2005, Chapter 169

38 **ENACTS:**

39 **36-1-101.1**, Utah Code Annotated 1953

40 **36-1-101.5**, Utah Code Annotated 1953

41 **REPEALS:**

42 **36-1-101**, as last amended by Laws of Utah 2011, Chapter 74

43

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

45 Section 1. Section **36-1-101.1** is enacted to read:

46 **36-1-101.1. Definitions.**

47 As used in this section:

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

52 (2) "Senate block assignment file" means the electronic file that assigns each of Utah's  
53 115, 406 census blocks to a particular Utah State Senate district.

54 Section 2. Section **36-1-101.5** is enacted to read:

55 **36-1-101.5. Utah State Senate -- District boundaries.**

56 (1) The Utah State Senate shall consist of 29 members, with one member to be elected

57 from each Utah State Senate district.

58 (2) The Legislature adopts the official census population figures and maps of the  
59 Bureau of the Census of the United States Department of Commerce developed in connection  
60 with the taking of the 2010 national decennial census as the official data for establishing Senate  
61 district boundaries.

62 (3) (a) The Legislature enacts the numbers and boundaries of the Senate districts  
63 designated in the Senate block assignment file that is the electronic component of the bill that  
64 enacts this section.

65 (b) That Senate block assignment file, and the Senate district boundaries generated  
66 from that Senate block assignment file, may be accessed via the Utah Legislature's website.

67 Section 3. Section **36-1-102** is amended to read:

68 **36-1-102. Election of senators -- Staggered terms.**

69 (1) Unless otherwise provided by law, each senator elected from Senate Districts [~~1, 6,~~  
70 ~~8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29~~] 2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22, and 26 at  
71 the [~~2000~~] 2010 General Election shall serve out the term of office for which he or she was  
72 elected and shall represent the realigned district if he or she resides in that district.

73 (2) At the general election to be held in [~~2002~~] 2012, senators elected from Senate  
74 Districts [~~2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, and 28~~] 1, 6, 7, 8, 10, 13, 14, 16, 19, 20,  
75 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.

76 (3) (a) Because the senator from Senate District 28 was appointed to fill a mid-term  
77 vacancy that occurred more than two years before the next regular general election, Subsection  
78 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general  
79 election.

80 (b) Consequently:

81 (i) at the general election to be held in 2012, the senator elected from Senate District 28  
82 shall be elected to serve a term of office of two years; and

83 (ii) at the general election to be held in 2014, the senator elected from Senate District  
84 28 shall be elected to serve a term of office of four years.

85 (4) (a) If one of the incumbent senators from new Senate District 4 files written notice  
86 with the lieutenant governor by close of business on January 3, 2012, that the senator will not  
87 seek election to the Senate from that Senate District 4, that incumbent senator may serve until

88 January 1, 2013, and the other incumbent senator from District 4 shall serve out the term for  
89 which the member was elected, which is until January 1, 2015.

90 (b) (i) If one of the incumbent senators in Senate District 4 does not file the written  
91 notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4  
92 as an office to be filled in the 2012 regular general election in the notice of election required by  
93 Section 20A-5-101.

94 (ii) If the Subsection (4)(b)(i) contingency occurs:

95 (A) the senator elected from Senate District 4 at the 2012 regular general election shall  
96 be elected to serve a term of office of two years; and

97 (B) the senator elected from Senate District 4 at the 2014 regular general election shall  
98 be elected to serve a term of office of four years.

99 Section 4. Section **36-1-103** is amended to read:

100 **36-1-103. Senate districts -- Copies -- Legal boundaries.**

101 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the Senate  
102 block assignment file enacted by the Legislature[~~, and any other relevant data,~~] with the  
103 lieutenant governor's office.

104 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of Senate districts  
105 are contained in the [~~official maps~~] Senate block assignment file on file with the lieutenant  
106 governor's office.

107 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~  
108 ~~County, the boundary separating Senate District 9 and Senate District 11 that followed the old~~  
109 ~~county boundary is changed to follow the new county boundary eastward from the~~  
110 ~~southwestern intersection to the point where the existing boundary of Senate District 9 turns~~  
111 ~~north from the old county boundary.~~]

112 [~~(b) The following census blocks from the 2000 census are removed from Senate~~  
113 ~~District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,~~  
114 ~~3003, and 3004.~~]

115 [~~(3) When questions of interpretation of Senate district boundaries arise, the official~~  
116 ~~maps on file in the lieutenant governor's office shall serve as the indication of the legislative~~  
117 ~~intent in drawing the Senate district boundaries.~~]

118 [~~(4) Maps identifying the boundaries for Senate districts may be viewed on the Internet~~]

119 at the lieutenant governor's website;]

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

121 (i) generate maps of each Utah State Senate district from the Senate block assignment  
122 file; and

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

125 (b) If there is any inconsistency between the maps and the Senate block assignment  
126 file, the Senate block assignment file is controlling.

127 Section 5. Section 36-1-103.2 is amended to read:

128 **36-1-103.2. County clerk, Automated Geographic Reference Center, and**  
129 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

130 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the Senate  
131 block assignment file for the clerk's county from the lieutenant governor's office.

132 (2) (a) A county clerk may create one or more county maps that identify the boundaries  
133 of Senate districts as [~~shown on the official maps~~] generated from the Senate block assignment  
134 file.

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

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

141 (i) review the county map and data to evaluate if the county map and data accurately  
142 reflect the boundaries of Senate districts established by the Legislature in the [~~official maps~~]  
143 Senate block assignment file;

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

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

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

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

150 (i) make the corrections necessary to conform the county map and data to the [official  
151 maps] Senate block assignment file; and

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

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

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

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

163 (i) review the voting precinct map to evaluate if the [county] voting precinct map  
164 accurately reflects the boundaries of Senate districts established by the Legislature in the  
165 [official maps] Senate block assignment file;

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

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

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

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

172 (i) make the corrections necessary to conform the voting precinct map to the [official  
173 maps] Senate block assignment file; and

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

176 Section 6. Section **36-1-104** is amended to read:

177 **36-1-104. Omissions from maps -- How resolved.**

178 (1) If any area of the state is omitted from a Utah State Senate district in the [maps]  
179 Senate block assignment file enacted by the Legislature, the county clerk of the affected  
180 county, upon discovery of the omission, shall attach the area to the appropriate Senate district

181 according to the requirements of Subsections (2) and (3).

182 (2) If the omitted area is surrounded by a single Senate district, the county clerk shall  
183 attach the area [~~shall be attached~~] to that district.

184 (3) If the omitted area is contiguous to two or more Senate districts, the county clerk  
185 shall attach the area [~~shall be attached~~] to the district that has the least population, as  
186 determined by the official census population figures and maps [~~of the Bureau of the Census of~~  
187 ~~the United States Department of Commerce developed in connection with the taking of the~~  
188 ~~2000-2010 national decennial census~~] described in Subsection 36-1-101.5(2).

189 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the  
190 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~  
191 ~~filed with the lieutenant governor~~] this section.

192 Section 7. Section **36-1-105** is amended to read:

193 **36-1-105. Uncertain boundaries -- How resolved.**

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

195 (a) a senator whose Utah State Senate district boundary is uncertain because the  
196 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate  
197 district boundary has been removed, modified, or is unable to be identified or who is uncertain  
198 about whether or not [~~he~~] the senator or another person resides in a particular Senate district;

199 (b) a candidate for senator whose Senate district boundary is uncertain because the  
200 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate  
201 district boundary has been removed, modified, or is unable to be identified or who is uncertain  
202 about whether or not [~~he~~] the candidate or another person resides in a particular Senate district;

203 or

204 (c) a person who is uncertain about which Senate district contains the person's  
205 residence because the [~~identifying feature~~] boundary in the Senate block assignment file used to  
206 establish the Senate district boundary has been removed, modified, or is unable to be identified.

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

209 (i) the precise location of the Senate district boundary;

210 (ii) the number of the Senate district in which a person resides; or

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

212 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
213 governor shall review the [~~official maps~~] Senate block assignment file and obtain and review  
214 other relevant data such as [~~census block and tract descriptions;~~] aerial photographs, aerial  
215 maps, or other data about the area.

216 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
217 [~~maps~~] Senate block assignment file, obtain and review any relevant data, and make a  
218 determination.

219 (d) When the lieutenant governor determines the location of the Senate district  
220 boundary, the lieutenant governor shall:

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

223 (ii) send a copy of the certification to:

224 (A) the affected party;

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

226 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

227 (e) If the lieutenant governor determines the number of the Senate district in which a  
228 particular person resides, the lieutenant governor shall send a letter identifying that district by  
229 number to:

230 (i) the person;

231 (ii) the affected party who filed the petition, if different than the person whose Senate  
232 district number was identified; and

233 (iii) the county clerk of the affected county.

234 **Section 8. Repealer.**

235 This bill repeals:

236 Section **36-1-101, Utah State Senate -- District boundaries.**

237 **Section 9. Effective date.**

238 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
239 certain members of the Utah State Senate and on January 1, 2013, for all other purposes.



UTAH STATE LEGISLATURE

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**SUBSTITUTE**

**Attached is a copy of your PUBLIC substitute.**

Representative Kenneth W. Sumsion proposes the following substitute bill:

**STATE BOARD OF EDUCATION BOUNDARIES AND**

**ELECTION DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Kenneth W. Sumsion**

Senate Sponsor: Ralph Okerlund

---

**LONG TITLE**

**Redistricting Boundary Information:**

The State Board of Education district boundary information may be found at

<http://le.utah.gov>.

Block assignment file security code: 35e41680576f16be2de0a2b3d9b237e7

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new State Board of Education district boundaries and makes other technical corrections.

**Highlighted Provisions:**

This bill:

- ▶ repeals current State Board of Education district boundaries and establishes new State Board of Education district boundaries;
- ▶ establishes election dates for State Board of Education districts to ensure that State Board of Education terms are staggered;
- ▶ establishes the block assignment file, which is part of this bill in electronic form, as the legal boundaries of State Board of Education districts; and
- ▶ makes technical corrections.

**Money Appropriated in this Bill:**



*SB 3002 - Congressional*  
*SB 3001 - Senate Maps*

**1st Sub. H.B. 3002**

27 None

28 **Other Special Clauses:**

29 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
30 certain members of the State Board of Education and on January 1, 2013, for all other  
31 purposes.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 20A-14-102, as last amended by Laws of Utah 2011, Chapter 74

35 20A-14-102.1, as enacted by Laws of Utah 2001, Second Special Session, Chapter 2

36 20A-14-102.2, as last amended by Laws of Utah 2005, Chapter 169

37 20A-14-102.3, as enacted by Laws of Utah 2011, Chapter 74

38 20A-14-103, as last amended by Laws of Utah 2011, Chapter 297

39 ENACTS:

40 20A-14-101.1, Utah Code Annotated 1953

41 20A-14-101.5, Utah Code Annotated 1953

42 REPEALS:

43 20A-14-101, as repealed and reenacted by Laws of Utah 2001, Second Special Session,  
44 Chapter 2



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

47 Section 1. Section 20A-14-101.1 is enacted to read:

48 **20A-14-101.1. Definitions.**

49 As used in this section:

50 (1) "Board" means the State Board of Education.

51 (2) "Board block assignment file" means the electronic file that assigns each of Utah's  
52 115, 406 census blocks to a particular State Board of Education district.

53 (3) "Census block" means any one of the 115, 406 individual geographic areas into  
54 which the Bureau of the Census of the United States Department of Commerce has divided the  
55 state of Utah, to each of which the Bureau of the Census has attached a discrete population  
56 tabulation from the 2010 decennial census.

57 Section 2. Section 20A-14-101.5 is enacted to read:

58           **20A-14-101.5. State Board of Education -- Number of members -- State Board of**  
59 **Education district boundaries.**

60           (1) The State Board of Education shall consist of 15 members, with one member to be  
61 elected from each State Board of Education district.

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

66           (3) (a) The Legislature enacts the numbers and boundaries of the State Board of  
67 Education districts designated in the Board block assignment file that is the electronic  
68 component of the bill that enacts this section.

69           (b) That Board block assignment file, and the State Board of Education district  
70 boundaries generated from that Board block assignment file, may be accessed via the Utah  
71 Legislature's website.

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

73           **20A-14-102. State Board of Education districts.**

74           (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the Board block  
75 assignment file enacted by the Legislature with the lieutenant governor's office.

76           (b) The legal boundaries of State Board of Education districts are contained in the  
77 [~~official maps~~] Board block assignment file on file with the lieutenant governor's office.

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

81           ~~[(3) Maps identifying the boundaries for state board districts may be viewed on the~~  
82 ~~Internet at the lieutenant governor's website:]~~

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

84           (i) generate maps of each State Board of Education district from the Board block  
85 assignment file; and

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

88           **(b) If there is any inconsistency between the maps and the Board block assignment file,**

89 the Board block assignment file is controlling.

90 Section 4. Section 20A-14-102.1 is amended to read:

91 **20A-14-102.1. Omissions from maps -- How resolved.**

92 (1) If any area of the state is omitted from a State Board of Education district in the  
93 ~~[maps]~~ Board block assignment file enacted by the Legislature, the county clerk of the affected  
94 county, upon discovery of the omission, shall attach the area to the appropriate ~~[state board]~~  
95 State Board of Education district according to the requirements of Subsections (2) and (3).

96 (2) If the omitted area is surrounded by a ~~[state board]~~ single State Board of Education  
97 district, the county clerk shall attach the area ~~[shall be attached]~~ to that district.

98 (3) If the omitted area is contiguous to two or more State Board of Education districts,  
99 the county clerk shall attach the area ~~[shall be attached]~~ to the district that has the least  
100 population, as determined by the official census population figures and maps described in  
101 Subsection 20A-14-101.5(2).

102 (4) ~~[Any attachment]~~ The county clerk shall certify in writing and file with the  
103 lieutenant governor any attachment made under ~~[Subsection (1) shall be certified in writing and~~  
104 ~~filed with the lieutenant governor]~~ this section.

105 Section 5. Section 20A-14-102.2 is amended to read:

106 **20A-14-102.2. Uncertain boundaries -- How resolved.**

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

108 (a) a state school board member whose ~~[state school board]~~ State Board of Education  
109 district boundary is uncertain because the ~~[identifying feature]~~ boundary in the Board block  
110 assignment file used to establish the district boundary has been removed, modified, or is unable  
111 to be identified or who is uncertain about whether or not ~~[he]~~ the member or another person  
112 resides in a particular ~~[state board]~~ State Board of Education district;

113 (b) a candidate for state school board whose ~~[state board]~~ State Board of Education  
114 district boundary is uncertain because the ~~[identifying feature]~~ boundary in the Board block  
115 assignment file used to establish the district boundary has been removed, modified, or is unable  
116 to be identified or who is uncertain about whether or not ~~[he]~~ the candidate or another person  
117 resides in a particular ~~[state board]~~ State Board of Education district; or

118 (c) a person who is uncertain about which ~~[state board]~~ State Board of Education  
119 district contains the person's residence because the ~~[identifying feature]~~ boundary in the Board

120 block assignment file used to establish the State Board of Education district boundary has been  
121 removed, modified, or is unable to be identified.

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

124 (i) the precise location of the [~~state-board~~] State Board of Education district boundary;

125 (ii) the number of the [~~state-board~~] State Board of Education district in which a person  
126 resides; or

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

128 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
129 governor shall review the [~~official maps~~] Board block assignment file and obtain and review  
130 other relevant data such as aerial photographs, aerial maps, or other data about the area.

131 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
132 [~~maps~~] Board block assignment file, obtain and review any relevant data, and make a  
133 determination.

134 (d) If the lieutenant governor determines the precise location of the [~~state-board~~] State  
135 Board of Education district boundary, the lieutenant governor shall:

136 (i) prepare a certification identifying the appropriate State Board of Education district  
137 boundary and attaching a map, if necessary; and

138 (ii) send a copy of the certification to:

139 (A) the affected party;

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

141 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

142 (e) If the lieutenant governor determines the number of the [~~state-board~~] State Board of  
143 Education district in which a particular person resides, the lieutenant governor shall send a  
144 letter identifying that district by number to:

145 (i) the person;

146 (ii) the affected party who filed the petition, if different than the person whose [~~state~~  
147 ~~board~~] State Board of Education district number was identified; and

148 (iii) the county clerk of the affected county.

149 Section 6. Section 20A-14-102.3 is amended to read:

150 **20A-14-102.3. County clerk, Automated Geographic Reference Center, and**

151 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

152 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the Board  
153 block assignment file for the clerk's county from the lieutenant governor's office.

154 (2) (a) A county clerk may create one or more county maps that identify the boundaries  
155 of [~~state board~~] State Board of Education districts as [~~shown on the official maps~~] generated  
156 from the Board block assignment file.

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

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

163 (i) review the county map and data to evaluate if the county map and data accurately  
164 reflect the boundaries of [~~state board~~] State Board of Education districts established by the  
165 Legislature in the [~~official maps~~] Board block assignment file;

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

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

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

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

172 (i) make the corrections necessary to conform the county map and data to the [~~official~~  
173 maps] Board block assignment file; and

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

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

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

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

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

185 (i) review the voting precinct map to evaluate if the [county] voting precinct map  
186 accurately reflects the boundaries of [state-board] State Board of Education districts established  
187 by the Legislature in the [official-maps] Board block assignment file;

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

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

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

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

194 (i) make the corrections necessary to conform the voting precinct map to the [official  
195 maps] Board block assignment file; and

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

198 Section 7. Section **20A-14-103** is amended to read:

199 **20A-14-103. State Board of Education members -- When elected -- Qualifications**  
200 **-- Avoiding conflicts of interest.**

201 [~~(1) (a) In 2002 and every four years thereafter, one member each shall be elected from~~  
202 ~~new Districts 2, 3, 5, 6, 9, 10, 14, and 15 to serve a four-year term.~~]

203 [~~(b) In 2004 and every four years thereafter, one member each shall be elected from~~  
204 ~~new Districts 4, 7, 8, 11, 12, and 13 to serve a four-year term.~~]

205 [~~(c) (i) Because of the combination of certain former districts, the state school board~~  
206 ~~members elected from old Districts 2 and 4 who will reside in new District 1 may not serve out~~  
207 ~~the term for which they were elected, but shall stand for election in 2002 for a term of office of~~  
208 ~~four years from the realigned district in which each resides.~~]

209 [~~(ii) If one of the incumbent state school board members from new District 1 indicates~~  
210 ~~in writing to the lieutenant governor that the school board member will not seek reelection, that~~  
211 ~~incumbent state school board member may serve until January 1, 2003 and the other incumbent~~  
212 ~~state school board member shall serve out the term for which the member was elected, which is~~

213 until January 1, 2005.]

214 (1) (a) Unless otherwise provided by law, each State Board of Education member  
215 elected from a State Board of Education District at the 2010 general election shall:

216 (i) serve out the term of office for which that member was elected; and

217 (ii) represent the realigned district if the member resides in that district.

218 (b) At the general election to be held in 2012, a State Board of Education member  
219 elected from State Board of Education Districts 4, 7, 8, 10, 11, 12, 13, and 15 shall be elected  
220 to serve a term of office of four years.

221 (c) In order to ensure that the terms of approximately half of the State Board of  
222 Education members expire every two years:

223 (i) at the general election to be held in 2012, the State Board of Education member  
224 elected from State Board of Education District 1 shall be elected to serve a term of office of  
225 two years; and

226 (ii) at the general election to be held in 2014, the State Board of Education member  
227 elected from State Board of Education District 1 shall be elected to serve a term of office of  
228 four years.

229 (2) (a) A person seeking election to the [~~state school board~~] State Board of Education  
230 shall have been a resident of the [~~state school board~~] State Board of Education district in which  
231 the person is seeking election for at least one year as of the date of the election.

232 (b) A person who has resided within the [~~state school board~~] State Board of Education  
233 district, as the boundaries of the district exist on the date of the election, for one year  
234 immediately preceding the date of the election shall be considered to have met the requirements  
235 of this Subsection (2).

236 (3) A State Board of Education member shall:

237 (a) be and remain a registered voter in the [~~state board~~] State Board of Education  
238 district from which the member was elected or appointed; and

239 (b) maintain the member's primary residence within the [~~state board~~] State Board of  
240 Education district from which the member was elected or appointed during the member's term  
241 of office.

242 (4) A [~~member of the~~] State Board of Education member may not, during the member's  
243 term of office, also serve as an employee of:

- 244 (a) the [~~board~~] State Board of Education;
- 245 (b) the Utah State Office of Education; or
- 246 (c) the Utah State Office of Rehabilitation.

247 **Section 8. Repealer.**

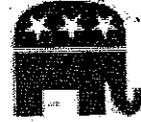
248 This bill repeals:

249 **Section 20A-14-101, State Board of Education -- Number of members -- District**  
250 **boundaries.**

251 **Section 9. Effective date.**

252 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
253 certain members of the State Board of Education and on January 1, 2013, for all other  
254 purposes.

# Republican Caucus Agenda September 21, 2011



## Business:

1. GRAMA – Rep. Dougall
2. Special Session Process
3. House Maps
4. Congressional Maps

\*please email [houseleadership@utah.gov](mailto:houseleadership@utah.gov) for agenda items

## Detailed Itinerary for July 13th Redistricting Meetings (Logan & Ogden)

### Government Transportation

The following legislators have a seat reserved in a State van for the Logan & Ogden redistricting meetings:

Sen. Okerlund  
Sen. McAdams  
Rep. Hendrickson

If your plans have changed and you would like to join/cancel the State van, please contact Kimberly Heiner at 801-671-5232.

### Meal at Maddox Ranch House

Rep. Menlove and Box Elder County have offered to host the Redistricting Committee to a meal at Maddox Ranch House in Perry Utah (Near Brigham City). We will be meeting there after the Logan meeting at approximately 3:00 p.m. Please contact Kimberly Heiner at 801-671-5232 to RSVP and reserve your place.

### Itinerary

Wednesday, July 13<sup>th</sup>

10:00 a.m.	- State van departs from State Capitol at the underground parking near House Bldg.
12:00 p.m.	Logan meeting begins
	- OLRGC transports legislators to Maddox Ranch House after meeting
Approx. 3:00 p.m.	- Lunch/Dinner at Maddox Ranch House Restaurant (1900 South Highway 89, Perry, Utah)
	- OLRGC transports legislators to Ogden meeting
6:00 p.m.	Ogden meeting begins
	- OLRGC transports legislators back to State Capitol after meeting

## Itinerary for July 26th Redistricting Meetings (Vernal & Park City)

### Government Transportation

The following legislators have a seat reserved in the **State Plane** for the Vernal redistricting meeting:

Sen. Davis	Rep. Mel Brown	Rep. Ipson	Rep. Newbold
Sen. Reid	Rep. Froerer	Rep. King	Rep. Webb
Rep. Barrus	Rep. Hendrickson		

The following legislators have a seat reserved in the **State Van** for the Park City redistricting meeting:

Rep. Newbold  
Rep. Hendrickson  
Rep. Webb

If your plans have changed and you would like to join/cancel the State Plane or van, please contact Kimberly Heiner at 801-671-5232.

### Itinerary

**Tuesday, July 26th**

9:00 a.m.	<ul style="list-style-type: none"> <li>- State plane departs from the Utah Division of Aeronautics – 135 N. 2400 W., Salt Lake City, Utah (see map for driving directions to Utah Division of Aeronautics)</li> <li>- Free on-site parking is available</li> </ul>
	- OLRGC transports plane passengers from Vernal Airport to meeting
11:00 a.m.	<b>Vernal meeting begins</b>
	- OLRGC transports plane passengers to Vernal Airport after the meeting
3:30 p.m.*	- State plane departs from Vernal Airport to fly back to Utah Division of Aeronautics (Salt Lake City)
4:30 p.m.*	- OLRGC transports legislators from Utah Division of Aeronautics (Salt Lake City) to Park City meeting
6:00 p.m.	<b>Park City meeting begins</b>
	- OLRGC transports legislators back to Utah Division of Aeronautics (Salt Lake City) after meeting

\* Flight departure/arrival time is based on Vernal meeting lasting 3 hours. If the meeting ends sooner, the flight departure/arrival time will be moved up accordingly.

## Detailed Itinerary for July 9th Redistricting Meetings (Moab & Price)

The following legislators have a place reserved on the state plane for the Moab & Price meetings:

Rep. Sumsion	Rep. Froerer	Rep. Kiser	Sen. Davis
Rep. Barrus	Rep. Hendrickson	Rep. Newbold	Sen. McAdams
Rep. Brown	Rep. King	Rep. Webb	Sen. Reid

### Saturday, July 9th

9:00 a.m.	<ul style="list-style-type: none"> <li>- State plane departs from the Utah Division of Aeronautics – 135 N. 2400 W., Salt Lake City, Utah (see Map for driving directions to Utah Division of Aeronautics)</li> <li>- Free on-site parking is available</li> </ul>
	- OLRGC transports plane passengers from Moab Airport to meeting
<b>11:00 a.m.</b>	- <b>Moab meeting begins</b>
	- OLRGC transports legislators to Moab Airport after the meeting
3:00 p.m.	<ul style="list-style-type: none"> <li>- State plane departs from Moab Airport to fly to Price</li> <li>- OLRGC transports legislators from Price Airport to meeting</li> </ul>
<b>4:00 p.m.</b>	- <b>Price meeting begins</b>
	- OLRGC transports legislators to Price Airport after meeting
7:20 p.m. *	- Flight departs from Price Airport, traveling to Salt Lake City
8:00 p.m. *	- Arrive at the Utah Division of Aeronautics - 135 N. 2400 W, Salt Lake City, Utah

\*Flight departure/arrival time is based on Price meeting lasting 3 hours. If the meeting ends sooner, the flight departure/arrival time will be moved up accordingly.



## Detailed Itinerary for July 9th Redistricting Meetings (Moab & Price)

The following legislators have a place reserved on the state plane for the Moab & Price meetings:

Rep. Sumsion	Rep. Froerer	Rep. Kiser	Sen. Davis
Rep. Barrus	Rep. Hendrickson	Rep. Newbold	Sen. McAdams
Rep. Brown	Rep. King	Rep. Webb	Sen. Reid

### Saturday, July 9th

9:00 a.m.	<ul style="list-style-type: none"> <li>- State plane departs from the Utah Division of Aeronautics – 135 N. 2400 W., Salt Lake City, Utah (see Map for driving directions to Utah Division of Aeronautics)</li> <li>- Free on-site parking is available</li> </ul>
	- OLRGC transports plane passengers from Moab Airport to meeting
11:00 a.m.	<b>Moab meeting begins</b>
	- OLRGC transports legislators to Moab Airport after the meeting
3:00 p.m.	<ul style="list-style-type: none"> <li>- State plane departs from Moab Airport to fly to Price</li> <li>- OLRGC transports legislators from Price Airport to meeting</li> </ul>
4:00 p.m.	<b>Price meeting begins</b>
	- OLRGC transports legislators to Price Airport after meeting
7:20 p.m. *	- Flight departs from Price Airport, traveling to Salt Lake City
8:00 p.m. *	- Arrive at the Utah Division of Aeronautics - 135 N. 2400 W, Salt Lake City, Utah

\*Flight departure/arrival time is based on Price meeting lasting 3 hours. If the meeting ends sooner, the flight departure/arrival time will be moved up accordingly.





UTAH STATE LEGISLATURE

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(801) 538-1032  
fax (801) 538-1712  
<http://le.utah.gov>

**SUBSTITUTE**

Attached is a copy of your **PUBLIC** substitute.

**Representative Merlynn T. Newbold** proposes the following substitute bill:

**UTAH STATE HOUSE BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Kenneth W. Sumsion**

Senate Sponsor: Ralph Okerlund

---

**LONG TITLE**

**Redistricting Boundary Information:**

The Utah State House district boundary information may be found at <http://le.utah.gov>.

Block assignment file security code: e6d3bae8fc9c311e90f7b5558b5ef7c5

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State House district boundaries and makes other technical corrections.

**Highlighted Provisions:**

This bill:

- ▶ repeals current Utah State House boundaries and establishes new Utah State House boundaries;
- ▶ establishes the block assignment file that is part of this bill in electronic form as the legal boundaries of Utah State House districts; and
- ▶ makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2012, for purposes of nominating and electing



26 members of the Utah State House and on January 1, 2013, for all other purposes.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **36-1-202**, as last amended by Laws of Utah 2011, Chapter 74

30 **36-1-202.2**, as enacted by Laws of Utah 2011, Chapter 74

31 **36-1-203**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 1

32 **36-1-204**, as last amended by Laws of Utah 2005, Chapter 169

33 ENACTS:

34 **36-1-201.1**, Utah Code Annotated 1953

35 **36-1-201.5**, Utah Code Annotated 1953

36 REPEALS:

37 **36-1-201**, as last amended by Laws of Utah 2011, Chapter 74

38

---

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

40 Section 1. Section **36-1-201.1** is enacted to read:

41 **36-1-201.1. Definitions.**

42 As used in this section:

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

47 (2) "House block assignment file" means the electronic file that assigns each of Utah's  
48 115, 406 census blocks to a particular Utah House district.

49 Section 2. Section **36-1-201.5** is enacted to read:

50 **36-1-201.5. Utah House of Representatives -- House district boundaries.**

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

53 (2) The Legislature adopts the official census population figures and maps of the  
54 Bureau of the Census of the United States Department of Commerce developed in connection  
55 with the taking of the 2010 national decennial census as the official data for establishing House  
56 district boundaries.

57 (3) (a) The Legislature enacts the numbers and boundaries of the House districts  
 58 designated by the House block assignment file that is the electronic component of the bill that  
 59 enacts this section.

60 (b) That House block assignment file, and the legislative boundaries generated from  
 61 that block assignment file, may be accessed via the Utah Legislature's website.

62 Section 3. Section 36-1-202 is amended to read:

63 **36-1-202. House districts -- Filing -- Legal boundaries.**

64 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the House block  
 65 assignment file enacted by the Legislature[, and any other relevant materials,] with the  
 66 lieutenant governor's office.

67 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of House districts  
 68 are contained in the [~~official maps~~] House block assignment file on file with the lieutenant  
 69 governor's office.

70 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~  
 71 ~~County, the boundary separating House District 51 and House District 27 that follows the old~~  
 72 ~~county boundary is changed to follow the new county boundary.]~~

73 [~~(b) The following census blocks from the 2000 census are removed from House~~  
 74 ~~District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,~~  
 75 ~~3003, and 3004.]~~

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

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

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

82 (i) generate maps of each House district from the House block assignment file; 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 House block assignment file,  
 86 the House block assignment file is controlling.

87 Section 4. Section 36-1-202.2 is amended to read:

88           **36-1-202.2. County clerk, Automated Geographic Reference Center, and**  
89 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

90           (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the House  
91 block assignment file 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 House districts as [~~shown on the official maps~~] generated from the House block assignment  
94 file.

95           (b) Before publishing or distributing any map or data created by the county clerk that  
96 identifies the boundaries of House districts within the county, the clerk shall submit the county  
97 map and data to the lieutenant governor and to the Automated Geographic Reference Center for  
98 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 House districts established by the Legislature in the [~~official maps~~]  
103 House block assignment file;

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 [~~official~~  
111 ~~maps~~] House block assignment file; 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 House district according to the  
116 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 voting precinct map from a county clerk, the  
122 Automated Geographic Reference Center shall:

123 (i) review the voting precinct map to evaluate if the county map accurately reflects the  
124 boundaries of House districts established by the Legislature in the [~~official maps~~] House block  
125 assignment file;

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 voting precinct 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 [~~official~~  
133 ~~maps~~] House block assignment file; 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 **36-1-203** is amended to read:

137 **36-1-203. Omissions from maps -- How resolved.**

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

142 (2) If the omitted area is surrounded by a single House district, the county clerk shall  
143 attach the area [~~shall be attached~~] to that district.

144 (3) If the omitted area is contiguous to two or more House districts, the county clerk  
145 shall attach the area [~~shall be attached~~] to the district that has the least population, as  
146 determined by the official census population figures and maps [~~of the Bureau of the Census of~~  
147 ~~the United States Department of Commerce developed in connection with the taking of the~~  
148 ~~2000 2010 national decennial census~~] described in Subsection 36-1-201.5(2).

149 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the

150 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~  
151 ~~filed with the lieutenant governor]~~ this section.

152 Section 6. Section ~~36-1-204~~ is amended to read:

153 **36-1-204. Uncertain boundaries -- How resolved.**

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

155 (a) a representative whose Utah House of Representatives district boundary is uncertain  
156 because the [~~identifying feature~~] boundary in the House block assignment file used to establish  
157 the House district boundary has been removed, modified, or is unable to be identified or who is  
158 uncertain about whether or not [~~he~~] the representative or another person resides in a particular  
159 House district;

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

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

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

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

173 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
174 governor shall review the [~~official maps~~] House block assignment file and obtain and review  
175 other relevant data such as [~~census block and tract descriptions,~~] aerial photographs, aerial  
176 maps, or other data about the area.

177 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
178 [~~maps~~] House block assignment file, obtain and review any relevant data, and make a  
179 determination.

180 (d) When the lieutenant governor determines the location of the House district

181 boundary, the lieutenant governor shall:

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

184 (ii) send a copy of the certification to:

185 (A) the affected party;

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

187 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

188 (e) If the lieutenant governor determines the number of the House district in which a  
189 particular person resides, the lieutenant governor shall send a letter identifying that district by  
190 number to:

191 (i) the person;

192 (ii) the affected party who filed the petition, if different than the person whose House  
193 district number was identified; and

194 (iii) the county clerk of the affected county.

195 **Section 7. Repealer.**

196 This bill repeals:

197 **Section 36-1-201, Utah House of Representatives -- District boundaries.**

198 **Section 8. Effective date.**

199 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
200 certain members of the Utah State House and on January 1, 2013, for all other purposes.

Fair Boundaries

Represent Me Utah - Kelli Lundgren

Utah Citizens' Council

Sen. Davis

Rep. Cox

Bob Cong

Sumsion\_05

Sumsion\_06

Sumsion\_07

Waddoups Military

~~Waddoups modified doughnut~~

Okerlund Plan F

Garber D

Harper\_02

Sanpete Man

Redistricting Committee - September 22, 2011 - Each Committee Member Voted for up to Six Congressional Plans

	Davis	Cox	Bob Cong	Sunmision 6	Waddoups Military	Okerlund F	Garber D	Harper 2	Sanpete Man
Okerlund		X		X	X	X		X	X
Davis	X			X	X	X	X		X
McAdams	X	X				X	X		X
Reid		X	X	X	X	X		X	
Van Tassell	X	X		X	X	X			X
Waddoups									
Sunmision		X		X	X	X		X	
Barrus		X	X		X		X	X	X
Brown		X	X	X		X	X		X
Froerer		X	X	X		X	X		X
Gibson		X		X	X		X	X	
Hendrickson	X	X	X		X			X	X
Ipson		X	X	X		X	X		X
King	X	X	X				X	X	X
Kiser		X	X	X			X	X	X
Lockhart		X		X	X		X	X	
Newbold		X		X		X	X	X	X
Webb		X	X	X		X	X		X
Watkins	X	X	X				X	X	X
TOTALS	6	17	10	13	9	11	13	11	14

**Representative Merlynn T. Newbold** proposes the following substitute bill:

**UTAH STATE HOUSE BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Kenneth W. Sumsion**

Senate Sponsor: Ralph Okerlund

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**LONG TITLE**

**Redistricting Boundary Information:**

The Utah State House district boundary information may be found at <http://le.utah.gov>.

Block assignment file security code: e47558651094529a99af1fe0863b8f5a

**General Description:**

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State House district boundaries and makes other technical corrections.

**Highlighted Provisions:**

This bill:

- repeals current Utah State House boundaries and establishes new Utah State House boundaries;

- establishes the block assignment file that is part of this bill in electronic form as the legal boundaries of Utah State House districts; and

- makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2012, for purposes of nominating and electing members of the Utah State House and on January 1, 2013, for all other purposes.



27 **Utah Code Sections Affected:**

28 AMENDS:

29 **36-1-202**, as last amended by Laws of Utah 2011, Chapter 74

30 **36-1-202.2**, as enacted by Laws of Utah 2011, Chapter 74

31 **36-1-203**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 1

32 **36-1-204**, as last amended by Laws of Utah 2005, Chapter 169

33 ENACTS:

34 **36-1-201.1**, Utah Code Annotated 1953

35 **36-1-201.5**, Utah Code Annotated 1953

36 REPEALS:

37 **36-1-201**, as last amended by Laws of Utah 2011, Chapter 74

38

---

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

40 Section 1. Section **36-1-201.1** is enacted to read:

41 **36-1-201.1. Definitions.**

42 As used in this section:

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

47 (2) "House block assignment file" means the electronic file that assigns each of Utah's  
48 115, 406 census blocks to a particular Utah House district.

49 Section 2. Section **36-1-201.5** is enacted to read:

50 **36-1-201.5. Utah House of Representatives -- House district boundaries.**

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

53 (2) The Legislature adopts the official census population figures and maps of the  
54 Bureau of the Census of the United States Department of Commerce developed in connection  
55 with the taking of the 2010 national decennial census as the official data for establishing House  
56 district boundaries.

57 (3) (a) The Legislature enacts the numbers and boundaries of the House districts

58 designated by the House block assignment file that is the electronic component of the bill that  
59 enacts this section.

60 (b) That House block assignment file, and the legislative boundaries generated from  
61 that block assignment file, may be accessed via the Utah Legislature's website.

62 Section 3. Section 36-1-202 is amended to read:

63 **36-1-202. House districts -- Filing -- Legal boundaries.**

64 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the House block  
65 assignment file enacted by the Legislature[~~, and any other relevant materials;~~] with the  
66 lieutenant governor's office.

67 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of House districts  
68 are contained in the [~~official maps~~] House block assignment file on file with the lieutenant  
69 governor's office.

70 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~  
71 ~~County, the boundary separating House District 51 and House District 27 that follows the old~~  
72 ~~county boundary is changed to follow the new county boundary;~~]

73 [~~(b) The following census blocks from the 2000 census are removed from House~~  
74 ~~District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,~~  
75 ~~3003, and 3004.~~]

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

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

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

82 (i) generate maps of each House district from the House block assignment file; 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 House block assignment file,  
86 the House block assignment file is controlling.

87 Section 4. Section 36-1-202.2 is amended to read:

88 **36-1-202.2. County clerk, Automated Geographic Reference Center, and**

89 lieutenant governor responsibilities -- Maps and voting precinct boundaries.

90 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the House  
91 block assignment file 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 House districts as [~~shown on the official maps~~] generated from the House block assignment  
94 file.

95 (b) Before publishing or distributing any map or data created by the county clerk that  
96 identifies the boundaries of House districts within the county, the clerk shall submit the county  
97 map and data to the lieutenant governor and to the Automated Geographic Reference Center for  
98 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 House districts established by the Legislature in the [~~official maps~~]  
103 House block assignment file;

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 [~~official~~  
111 ~~maps~~] House block assignment file; 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 House district according to the  
116 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 voting precinct map from a county clerk, the  
122 Automated Geographic Reference Center shall:

123 (i) review the voting precinct map to evaluate if the county map accurately reflects the  
124 boundaries of House districts established by the Legislature in the [~~official maps~~] House block  
125 assignment file;

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 voting precinct 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 [~~official~~  
133 ~~maps~~] House block assignment file; 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 **36-1-203** is amended to read:

137 **36-1-203. Omissions from maps -- How resolved.**

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

142 (2) If the omitted area is surrounded by a single House district, the county clerk shall  
143 attach the area [~~shall be attached~~] to that district.

144 (3) If the omitted area is contiguous to two or more House districts, the county clerk  
145 shall attach the area [~~shall be attached~~] to the district that has the least population, as  
146 determined by the official census population figures and maps [~~of the Bureau of the Census of~~  
147 ~~the United States Department of Commerce developed in connection with the taking of the~~  
148 ~~2000-2010 national decennial census~~] described in Subsection 36-1-201.5(2).

149 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the  
150 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~

151 ~~filed with the lieutenant governor]~~ this section.

152 Section 6. Section **36-1-204** is amended to read:

153 **36-1-204. Uncertain boundaries -- How resolved.**

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

155 (a) a representative whose Utah House of Representatives district boundary is uncertain  
156 because the [~~identifying feature~~] boundary in the House block assignment file used to establish  
157 the House district boundary has been removed, modified, or is unable to be identified or who is  
158 uncertain about whether or not [~~he~~] the representative or another person resides in a particular  
159 House district;

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

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

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

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

173 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
174 governor shall review the [~~official maps~~] House block assignment file and obtain and review  
175 other relevant data such as [~~census block and tract descriptions;~~] aerial photographs, aerial  
176 maps, or other data about the area.

177 (c) Within five days of receipt of the request, the lieutenant governor shall review the  
178 [~~maps~~] House block assignment file, obtain and review any relevant data, and make a  
179 determination.

180 (d) When the lieutenant governor determines the location of the House district  
181 boundary, the lieutenant governor shall:

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

195 **Section 7. Repealer.**

196 This bill repeals:

197 Section **36-1-201, Utah House of Representatives -- District boundaries.**

198 Section 8. **Effective date.**

199 This bill takes effect on January 1, 2012, for purposes of nominating and electing  
200 certain members of the Utah State House and on January 1, 2013, for all other purposes.