

Representative Gage Froerer proposes the following substitute bill:

**CONGRESSIONAL BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kenneth W. Sumsion

Cosponsor: J. Stuart Adams

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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: 9bdf4b9805a3d89e3df19a368fafa469

**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



25 **Other Special Clauses:**

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

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **20A-13-102**, as last amended by Laws of Utah 2011, Chapter 74

32 **20A-13-102.2**, as enacted by Laws of Utah 2011, Chapter 74

33 **20A-13-103**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,  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

35 **20A-13-104**, as last amended by Laws of Utah 2005, Chapter 169

36 ENACTS:

37 **20A-13-101.1**, Utah Code Annotated 1953

38 **20A-13-101.5**, Utah Code Annotated 1953

39 REPEALS:

40 **20A-13-101 (Contingently Superseded)**, as last amended by Laws of Utah 2011,  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

42 **20A-13-101 (Contingently Effective)**, as last amended by Laws of Utah 2007, Chapter  
43 97

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

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

47 **20A-13-101.1. Definitions.**

48 As used in this part:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

87 legislative intent in drawing the Congressional district boundaries.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

147 **20A-13-103. Omissions from maps -- How resolved.**

148 (1) If any area of the state is omitted from a Congressional district in the [~~maps~~]

149 Congressional block assignment file enacted by the Legislature, the county clerk of the affected  
150 county, upon discovery of the omission, shall attach the area to the appropriate Congressional  
151 district according to the requirements of Subsections (2) and (3).

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

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

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

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

163 **20A-13-104. Uncertain boundaries -- How resolved.**

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

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

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

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

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

180 to determine:

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

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

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

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

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

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

196 (A) the affected party;

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

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

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

202 (i) the person;

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

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

206 **Section 7. Repealer.**

207 This bill repeals:

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

210 **Section 20A-13-101 (Contingently Effective), Representatives to the United States**

211 **Congress -- Four representative districts -- When elected -- District boundaries.**

212       Section 8. **Effective date.**

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

# FISCAL NOTE

S.B. 3002 13th Sub. (Ivory)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Froerer, G. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

10/17/2011, 10:41 AM, Lead Analyst: Allred, S./Attorney: JLF

State of Utah, Office of the Legislative Fiscal Analyst



**Representative Fred C. Cox** 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: c5c4d9ac6fcee75189fbd21303b81440

**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.

# FISCAL NOTE

S.B. 3002 11th Sub. (Green)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Cox, F. Sub.)

2011 THIRD SPECIAL SESSION

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

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2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kenneth W. Sumsion

Cosponsor: Benjamin M. McAdams

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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: 0b11f83f6c9bdc7fc50fcf89bb4d5707

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- ▶ 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



25 **Other Special Clauses:**

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27 representatives to the United States House of Representatives and on January 1, 2013,  
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29 **Utah Code Sections Affected:**

30 **AMENDS:**

- 31 20A-13-102, as last amended by Laws of Utah 2011, Chapter 74
- 32 20A-13-102.2, as enacted by Laws of Utah 2011, Chapter 74
- 33 20A-13-103, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
- 34 Chapter 6
- 35 20A-13-104, as last amended by Laws of Utah 2005, Chapter 169

36 **ENACTS:**

- 37 20A-13-101.1, Utah Code Annotated 1953
- 38 20A-13-101.5, Utah Code Annotated 1953

39 **REPEALS:**

- 40 20A-13-101 (Contingently Superseded), as last amended by Laws of Utah 2011,
- 41 Chapter 74
- 42 20A-13-101 (Contingently Effective), as last amended by Laws of Utah 2007, Chapter
- 43 97

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

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

47 **20A-13-101.1. Definitions.**

48 As used in this part:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

87 legislative intent in drawing the Congressional district boundaries.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

147 **20A-13-103. Omissions from maps -- How resolved.**

148 (1) If any area of the state is omitted from a Congressional district in the [~~maps~~]

149 Congressional block assignment file enacted by the Legislature, the county clerk of the affected  
150 county, upon discovery of the omission, shall attach the area to the appropriate Congressional  
151 district according to the requirements of Subsections (2) and (3).

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

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

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

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

163 **20A-13-104. Uncertain boundaries -- How resolved.**

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

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

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

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

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

180 to determine:

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

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

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

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

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

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

196 (A) the affected party;

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

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

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

202 (i) the person;

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

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

206 **Section 7. Repealer.**

207 This bill repeals:

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

210 **Section 20A-13-101 (Contingently Effective), Representatives to the United States**

211 Congress -- Four representative districts -- When elected -- District boundaries.

212 Section 8. Effective date.

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

# FISCAL NOTE

S.B. 3002 14th Sub. (Pumpkin)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Cox, F. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

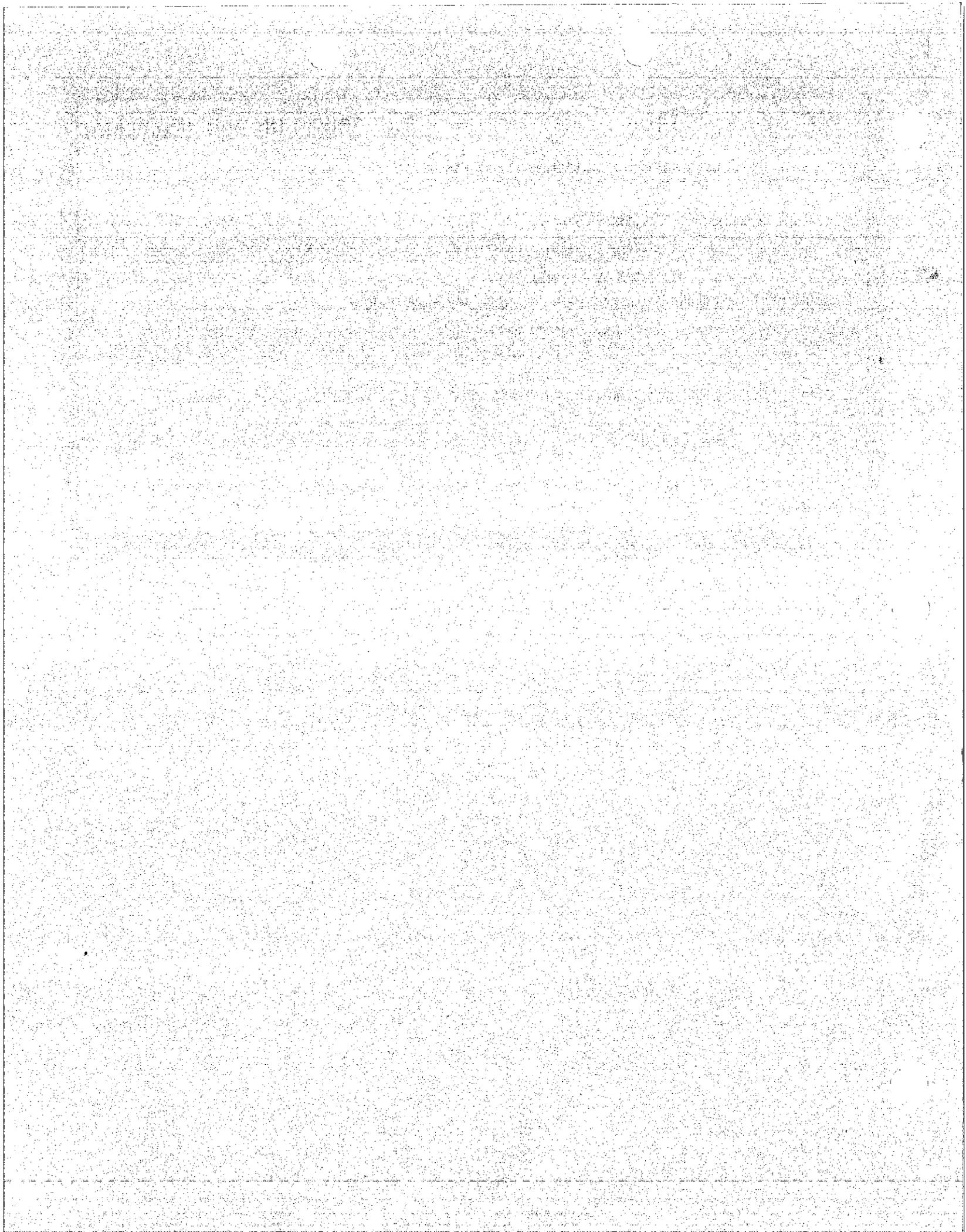
Enactment of this bill likely will not result in direct, measurable costs for local governments.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

10/17/2011, 10:41 AM, Lead Analyst: Alfred, Sr Attorney: JLF

State of Utah, Office of the Legislative Fiscal Analyst



# FISCAL NOTE

S.B. 3002 16th Sub. (Cherry)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Newbold, M. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

( )

( )

**Representative Merlynn T. Newbold** 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: 3d9669d67923e4599ce35320fc68c704

**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  
20 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

82 (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.

# FISCAL NOTE

S.B. 3002 16th Sub. (Cherry)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Newbold, M. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

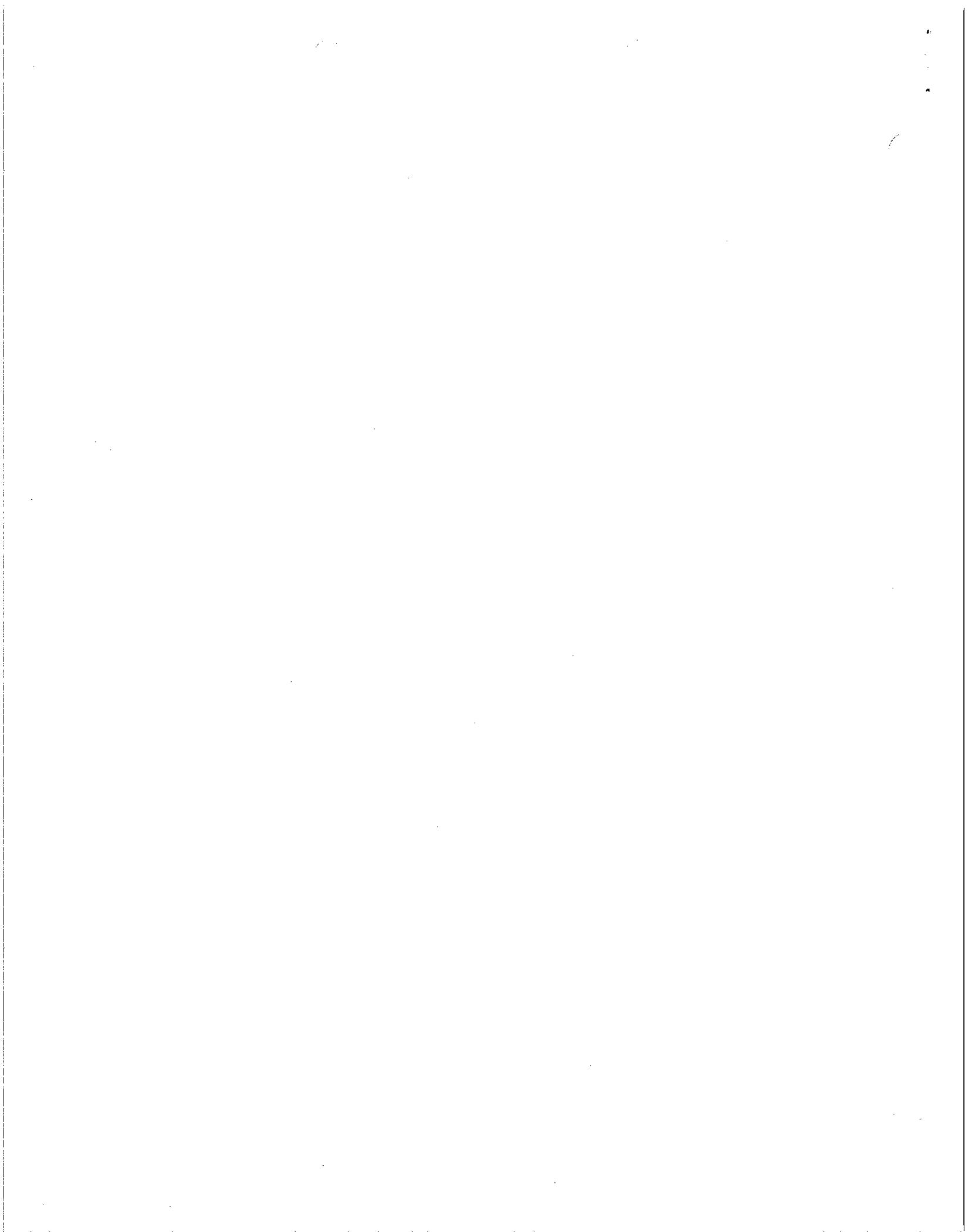
Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

10/17/2011 11:50 AM Lead Analyst: Alfred, S./Attorney: JLF

State of Utah, Office of the Legislative Fiscal Analyst



**Representative Brian S. King** 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: 9c716b13b0d80bbff37808c516385abe

**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

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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.

# FISCAL NOTE

S.B. 3002 15th Sub. (Gray)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (King, B. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.



# FISCAL NOTE

S.B. 3002 17th Sub. (Buff)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Newbold, M. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.





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**SUBSTITUTE**

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



**Representative Merlynn T. Newbold** 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: 5301ecb99adfd5f22e1e03a7ea01d9e3

**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.



Representative Merlynn T. Newbold proposes the following substitute bill:

**CONGRESSIONAL BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

**House Sponsor: Kenneth W. Sumsion**

---

**LONG TITLE**

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

Block assignment file security code: 5301ecb99adfd5f22e1e03a7ea01d9e3

**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.

# FISCAL NOTE

S.B. 3002 17th Sub. (Buff)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Newbold, M. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.



Representative Gregory H. Hughes 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: 4a951826e2b686540561cf615334a99f

**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

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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.

**Representative Don L. Ipson** 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: d7ad4010744b340539a41b596a9b04d0

**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

43 

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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.

# FISCAL NOTE

S.B. 3002 19th Sub. (Lime)

SHORT TITLE: Congressional Boundaries Designation

SPONSOR: Okerlund, R. (Ipson, D. Sub.)

2011 THIRD SPECIAL SESSION

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

Enactment of this bill likely will not materially impact the state budget.

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

10/17/2011, 08:47 PM, Lead Analyst: Allred, S./Attorney: JLF

State of Utah, Office of the Legislative Fiscal Analyst



9/22/11

## **Excerpts from the Redistricting Committee Meeting Minutes**

Vernal (July 26, 2011)

Rep. Sumsion asked the public if they would prefer a pizza slice or doughnut hole approach to congressional redistricting. The public nearly unanimously preferred the pizza slice approach.

Park City (July 26, 2011)

Sen. Reid asked the public to raise their hand if they preferred the pizza slice or doughnut hole approach to creating congressional districts. The majority preferred the doughnut hole approach.

Glendale/Rose Park (July 20, 2011)

Sen. Okerlund asked the public to raise their hand if they would prefer a doughnut hole or pizza slice approach to drawing congressional maps. A large majority preferred the doughnut hole approach.

Ogden (July 13, 2011)

Sen. Reid discussed "Senate - Okerlund Plan B." He asked for a show of hands of who would prefer the pizza slice versus the doughnut hole approach and by a slight majority, people preferred the pizza slice approach to drawing congressional maps.

Logan (July 13, 2011)

Sen. Reid explained the difference between a "pizza slice" and a "doughnut hole" approach to drawing congressional plans. He asked members of the public to raise their hands if they preferred a pizza slice over the doughnut hole approach, and a slight majority of the audience preferred the pizza slice.

West Jordan (July 12, 2011)

Rep. Sumsion explained the difference between a "pizza slice" and a "doughnut hole" approach to drawing congressional plans. He asked members of the public to raise their hands on who preferred a pizza slice over the doughnut hole approach, and a slight majority of the audience preferred the pizza slice.

Price (July 9, 2011)

Chair Sumsion asked for a raise of hands of those in favor of the "donut" approach and those in favor of the "pizza" approach to the redistricting process. A majority of respondents favored the pizza approach.

Moab (July 9, 2011)

Sen. Okerlund called for a show of hands from the audience regarding how many people preferred three congressional seats along the Wasatch Front and one throughout the rest of the state or would they prefer it be split so that all four congressional seats include more rural areas. Most respondents preferred that each Congressional district include rural areas. He emphasized the necessity and importance of the process.



**CONGRESSIONAL BOUNDARIES DESIGNATION**

2011 THIRD SPECIAL SESSION

STATE OF UTAH

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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: \_\_\_\_\_

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

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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

33 ENACTS:

34 **20A-13-101.1**, Utah Code Annotated 1953

35 **20A-13-101.5**, Utah Code Annotated 1953

36 REPEALS:

37 **20A-13-101 (Contingently Superseded)**, as last amended by Laws of Utah 2011,  
38 Chapter 74

39 **20A-13-101 (Contingently Effective)**, as last amended by Laws of Utah 2007, Chapter  
40 97

41

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

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

44 **20A-13-101.1. Definitions.**

45 As used in this Section:

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

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

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

53 **20A-13-101.5. Representatives to the United States Congress -- Four**  
54 **representative districts -- When elected -- District boundaries.**

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

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

61 (2) The Legislature adopts the official census population figures and maps of the  
62 Bureau of the Census of the United States Department of Commerce developed in connection  
63 with the taking of the 2010 national decennial census as the official data for establishing

64 Congressional district boundaries.

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

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

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

72 **20A-13-102. Congressional districts.**

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

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

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

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

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

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

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

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

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

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

95           **20A-13-102.2. County clerk, Automated Geographic Reference Center, and**  
96 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

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

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

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

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

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

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

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

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

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

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

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

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

124           (b) Within five working days after approval of voting precincts and polling places by  
125 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

126 voting precinct map identifying the boundaries of each voting precinct within the county to the  
127 lieutenant governor and to the Automated Geographic Reference Center for review.

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

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

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

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

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

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

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

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

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

144 **20A-13-103. Omissions from maps -- How resolved.**

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

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

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

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

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

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

160 **20A-13-104. Uncertain boundaries -- How resolved.**

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

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

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

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

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

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

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

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

1 **UTAH STATE HOUSE BOUNDARIES DESIGNATION**

2 2011 THIRD SPECIAL SESSION

3 STATE OF UTAH

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5 **LONG TITLE**

6 **Redistricting Boundary Information:**

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

8 Block assignment file security code: \_\_\_\_\_

9 **General Description:**

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

13 **Highlighted Provisions:**

14 This bill:

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

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

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

25 **Utah Code Sections Affected:**

26 **AMENDS:**

27 **36-1-202**, as last amended by Laws of Utah 2011, Chapter 74

28 **36-1-202.2**, as enacted by Laws of Utah 2011, Chapter 74

29 **36-1-203**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 1

30 **36-1-204**, as last amended by Laws of Utah 2005, Chapter 169

31 **ENACTS:**

32 **36-1-201.1**, Utah Code Annotated 1953

33           **36-1-201.5**, Utah Code Annotated 1953

34 REPEALS:

35           **36-1-201**, as last amended by Laws of Utah 2011, Chapter 74

36

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

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

39           **36-1-201.1. Definitions.**

40           As used in this Section:

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

45           (2) "House block assignment file" means the electronic file that assigns each of Utah's  
46 115,406 census blocks to a particular Utah House district.

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

48           **36-1-201.5. Utah House of Representatives -- House district boundaries.**

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

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

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

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

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

61           **36-1-202. House districts -- Filing -- Legal boundaries.**

62           (1) (a) The Legislature shall file [copies of the official maps] a copy of the House block  
63 assignment file enacted by the Legislature[~~, and any other relevant materials,~~] with the

64 lieutenant governor's office.

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

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

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

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

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

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

80 (i) generate maps of each House district from the House block assignment file; and

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

83 (b) If there is any inconsistency between the maps and the House block assignment file,  
84 the House block assignment file is controlling.

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

86 **36-1-202.2. County clerk, Automated Geographic Reference Center, and**  
87 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

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

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

93 (b) Before publishing or distributing any map or data created by the county clerk that  
94 identifies the boundaries of House districts within the county, the clerk shall submit the county

95 map and data to the lieutenant governor and to the Automated Geographic Reference Center for  
96 review.

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

99 (i) review the county map and data to evaluate if the county map and data accurately  
100 reflect the boundaries of House districts established by the Legislature in the [~~official maps~~]  
101 House block assignment file;

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

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

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

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

108 (i) make the corrections necessary to conform the county map and data to the [~~official~~  
109 ~~maps~~] House block assignment file; and

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

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

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

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

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

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

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

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

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

130 (i) make the corrections necessary to conform the voting precinct map to the [~~official~~  
 131 ~~maps~~] House block assignment file; and

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

134 Section 5. Section **36-1-203** is amended to read:

135 **36-1-203. Omissions from maps -- How resolved.**

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

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

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

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

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

151 **36-1-204. Uncertain boundaries -- How resolved.**

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

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

157 House district;

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

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

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

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

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

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

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

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

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

183 (A) the affected party;

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

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

186 (e) If the lieutenant governor determines the number of the House district in which a  
187 particular person resides, the lieutenant governor shall send a letter identifying that district by

188 number to:

189 (i) the person;

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

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

193 **Section 7. Repealer.**

194 This bill repeals:

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

196 Section 8. **Effective date.**

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



1 **UTAH STATE SENATE BOUNDARIES AND ELECTION**

2 **DESIGNATION**

3 2011 THIRD SPECIAL SESSION

4 STATE OF UTAH

5 

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6 **LONG TITLE**

7 **Redistricting Boundary Information:**

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

9 Block assignment file security code: \_\_\_\_\_

10 **General Description:**

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

14 **Highlighted Provisions:**

15 This bill:

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

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

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

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **36-1-102**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

31 **36-1-103**, as last amended by Laws of Utah 2011, Chapter 74

32           **36-1-103.2**, as enacted by Laws of Utah 2011, Chapter 74

33           **36-1-104**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

34           **36-1-105**, as last amended by Laws of Utah 2005, Chapter 169

35 ENACTS:

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

37           **36-1-101.5**, Utah Code Annotated 1953

38 REPEALS:

39           **36-1-101**, as last amended by Laws of Utah 2011, Chapter 74

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

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

43           **36-1-101.1. Definitions.**

44           As used in this Section:

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

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

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

52           **36-1-101.5. Utah State Senate -- District boundaries.**

53           (1) The Utah State Senate shall consist of 29 members, with one member to be elected  
54 from each Utah State Senate district.

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

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

62           (b) That Senate block assignment file, and the Senate district boundaries generated

63 from that Senate block assignment file, may be accessed via the Utah Legislature's website.

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

65 **36-1-102. Election of senators -- Staggered terms.**

66 (1) Unless otherwise provided by law, each senator elected from Senate Districts [~~1, 6,~~  
67 ~~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  
68 the [~~2000~~] 2010 General Election shall serve out the term of office for which he or she was  
69 elected and shall represent the realigned district if he or she resides in that district.

70 (2) At the general election to be held in [~~2002~~] 2012, senators elected from Senate  
71 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,  
72 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.

73 (3) (a) Because the Senator from Senate District 28 was appointed to fill a mid-term  
74 vacancy that occurred more than two years before the next regular general election, Subsection  
75 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general  
76 election.

77 (b) Consequently:

78 (i) at the general election to be held in 2012, the Senator elected from Senate District  
79 28 shall be elected to serve a term of office of two years; and

80 (ii) at the general election to be held in 2014, the Senator elected from Senate District  
81 28 shall be elected to serve a term of office of four years.

82 (4) (a) If one of the incumbent Senators from new Senate District 4 files written notice  
83 with the lieutenant governor by close of business on January 3, 2012 that the Senator will not  
84 seek election to the Senate from that Senate District 4, that incumbent Senator may serve until  
85 January 1, 2013 and the other incumbent Senator from District 4 shall serve out the term for  
86 which the member was elected, which is until January 1, 2015.

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

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

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

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

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

97 **36-1-103. Senate districts -- Copies -- Legal boundaries.**

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

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

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

109 [~~(b) The following census blocks from the 2000 census are removed from Senate~~  
110 ~~District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,~~  
111 ~~3003, and 3004.~~]

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

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

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

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

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

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

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

125           **36-1-103.2. County clerk, Automated Geographic Reference Center, and**  
126 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

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

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

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

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

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

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

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

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

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

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

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

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

154           (b) Within five working days after approval of voting precincts and polling places by  
155 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

156 voting precinct map identifying the boundaries of each voting precinct within the county to the  
157 lieutenant governor and to the Automated Geographic Reference Center for review.

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

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

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

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

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

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

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

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

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

174 **36-1-104. Omissions from maps -- How resolved.**

175 (1) If any area of the state is omitted from a Utah State Senate district in the [~~maps~~]  
176 Senate block assignment file enacted by the Legislature, the county clerk of the affected  
177 county, upon discovery of the omission, shall attach the area to the appropriate Senate district  
178 according to the requirements of Subsections (2) and (3).

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

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

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

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

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

190 **36-1-105. Uncertain boundaries -- How resolved.**

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

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

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

200 or

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

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

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

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

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

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

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

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

- 218 (i) prepare a certification identifying the appropriate Senate district boundary and  
219 attaching a map, if necessary; and
- 220 (ii) send a copy of the certification to:
- 221 (A) the affected party;
- 222 (B) the county clerk of the affected county; and
- 223 (C) the Automated Geographic Reference Center created under Section 63F-1-506.
- 224 (e) If the lieutenant governor determines the number of the Senate district in which a  
225 particular person resides, the lieutenant governor shall send a letter identifying that district by  
226 number to:
- 227 (i) the person;
- 228 (ii) the affected party who filed the petition, if different than the person whose Senate  
229 district number was identified; and
- 230 (iii) the county clerk of the affected county.

231 **Section 8. Repealer.**

232 This bill repeals:

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

234 **Section 9. Effective date.**

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

9/22/11

**JOINT PETITION OF SANPETE AND TOOELE COUNTY  
GOVERNMENTS AND POLITICAL ORGANIZATIONS TO  
AMEND THE PROPOSED DISTRICT 68 AND 73 BOUNDARIES**

**Proposal Sponsors**

A joint proposal for adjusting the boundaries of Districts 68 and 73 sponsored by the Citizens of Sanpete and Tooele Counties who represent 66.7% of the aggregate total populations of the proposed districts 68 and 73, acting through their respective County Commissioners and Republican and Democrat Parties

**Background of the Proposal**

Tooele County's 2010 population of 58,218 comprises sufficient population for just over 1.5 house districts. Sanpete County's 2010 population of 27,822 comprises sufficient population to equal three-quarters of a house district.

Both counties share a dubious history of being severely divided to their disadvantage in previous districting schemes. Both counties have been heavily involved in the 2011 redistricting process, trying to ensure that past inequities are corrected and that each county gets a fair shake out of the 2011 redistricting process.

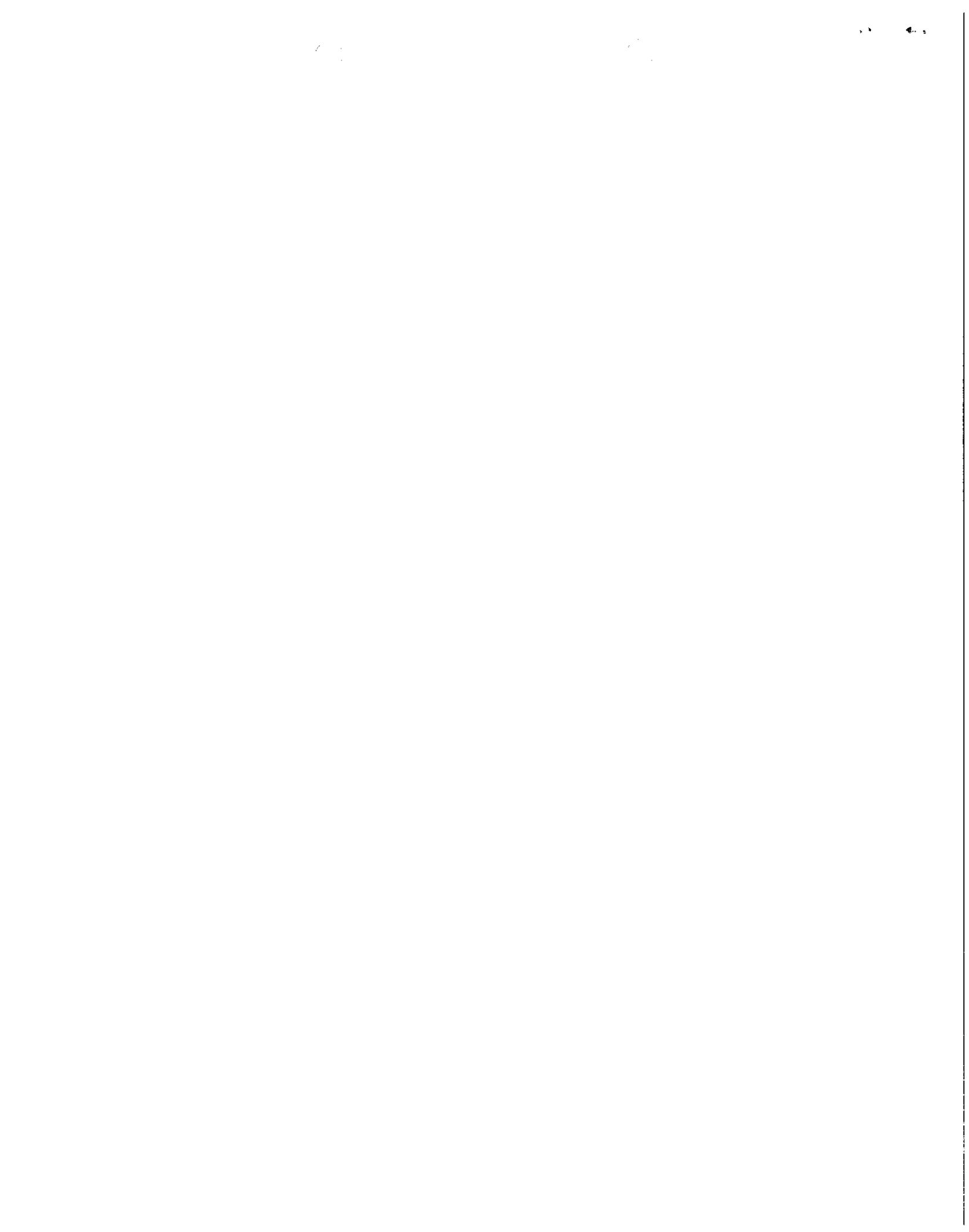
On September 12<sup>th</sup> the RD Committee adopted the 2011 House Baseline Map it proposes to put forward to the Legislature for consideration. While there are significant changes in the House map that advance the ball for each of these counties, there remain substantial but easily resolved problems with the boundaries of districts 68 and 73.

**Proposed Changes to District 68/73 Boundary**

Current Proposed Boundaries (see Exhibit 1): As currently proposed in the baseline map (Exhibit 1), District 68 would consist of the western half of Beaver County, all of Millard County, the western two-thirds of Juab County, the western two-thirds of Tooele County with a component running eastward along SR-138 from the outskirts of Grantsville, through a portion of Stansbury Park and on to include the City of Lakepoint.

As currently proposed, District 73 would consist of the northern half of Sanpete County and the eastern third of Juab County. Then the district thrusts northward in an unusual corridor extending through the valley between the Oquirrh and Stansbury Mountains, around Tooele City proper but including Grantsville, then turns eastward in an odd-shaped narrow fish hook that runs between Districts 68 and 30 to include Erda north of Tooele City, then turns southward to include the Lincoln township area northeast of Tooele City.

Proposed New Boundary (See Exhibit 2): Our proposed changes to the baseline map in regard to the two districts in question are as follows:



The portions of District 73 within Tooele County consisting primarily of rural areas of the county are moved to District 68, thus eliminating District 73 from Tooele County altogether. This reduces the number of Tooele County districts from three to two.

South Sanpete County is moved from District 68 to District 73, thus eliminating the division of Sanpete County into two districts. District 73 would then consist of Sanpete County and the eastern third of Juab County (where over 98% of the Juab population lives).

District 68 would then consist of the western half of Beaver County, all of Millard County, the western two-thirds of Juab County, and rural Tooele County (those portions not included in Tooele County's new District 30.)

The populations of the two districts are very nearly perfectly balanced with 36,913 in District 68 and 36,946 in District 73.

### **Objections to Baseline Map Configuration for Districts 68 and 73**

Sanpete and Tooele Counties, jointly and severally, respectfully object to the current baseline map boundary between Districts 68 and 73 on at least the following grounds:

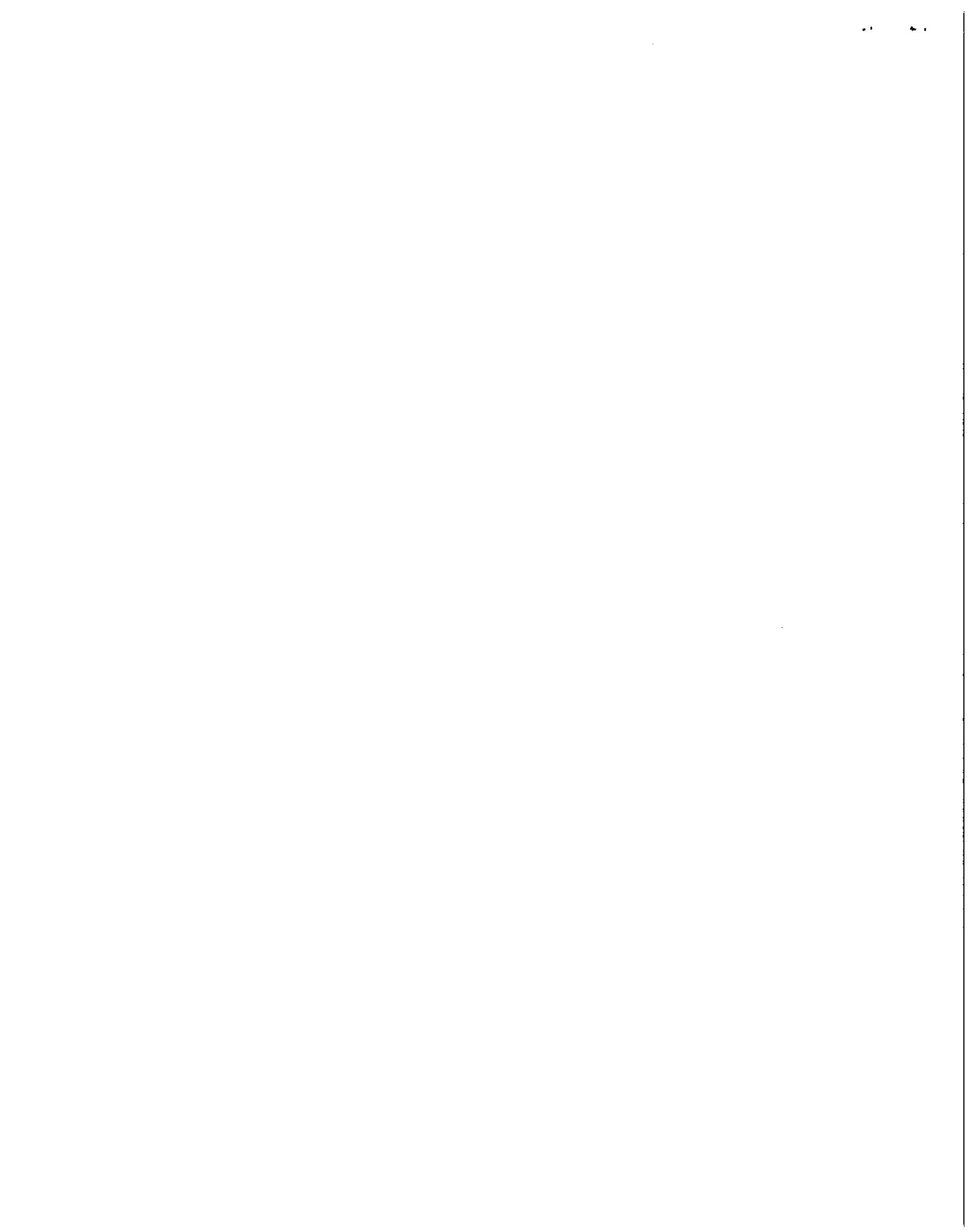
1. As currently drawn, the boundary of Districts 68 and 73 are illogically drawn and do not respect county boundaries or communities of interest. The current baseline map boundary will bring remote Salt Lake City bedroom communities (Stansbury Park, Erda and Grantsville) into a dominant two-county Central Utah rural district who has significant common interests and strong cross-border community ties, thus placing the remote Tooele population component at a perpetual disadvantage in future elections.
2. The three-county baseline configuration proposed for District 73 with Tooele's perpetual disadvantage against the united Central Utah counties will lead to a political alienation of the Tooele County segment from the two Central Utah segments much like the current alienation that exists between Tooele County and Box Elder County, and for much the same reasons.
3. Because of the rapid growth taking place in Tooele County, it is clear that in the not distant future, the population centers of these two districts will shift north to Tooele County leading eventually to Tooele County holding three House seats (30, 68 & 73) and the other four counties none. This shift would deny native representation to a huge area of rural Central and Western Utah.

### **Arguments in Favor of Boundary Change**

1. An aggregate combined total of at least 66.7% of the populations of the two districts support our proposed change of boundaries as represented by their elected government and political officials.



2. Our proposed boundaries are fully contained within the two districts in question without any affect whatsoever on any adjacent district boundary.
3. The boundary changes we propose will result in making District 73 much more compact, less expensive and less complex in which to campaign and serve. Additionally, this boundary will assure that this seat remains in Central Utah rather than migrating to Northern Utah as the burgeoning population of Tooele County eventually overwhelms the Central Utah population component.
4. Our proposed revised boundary entirely eliminates district splits in one county (Sanpete) and reduces the splits in another (Tooele) from three districts to two.
5. The proposed revised boundary is far more logical and fair, both politically and geographically. Additionally, our boundaries eliminate the potential for alienation between Tooele County residents and the populations of the Central Utah counties in District 73.
6. Eliminating/reducing district divisions will result in considerable savings to each county by reducing ballot printing costs and other election complications arising from hosting more districts than are necessary.
7. Elimination of districts from both counties will greatly simplify the Convention nomination process at both the state and county levels. It will reduce the number of county conventions candidates must attend, reduce campaign costs and facilitate easier and more immediate contact between candidates and State Delegates.
8. The Tooele County segment of our proposed District 68 is all rural, so the essential rural character of this district will not change. In fact, the addition of District 73's Tooele County population segment to 68 would give a boost to the fight against Nevada's attempt to divert Snake Valley water by uniting Utah's West Desert communities under a single district.
9. The changes we propose give nearly perfect population balance to the two districts. Under our proposal, District 68 would have 36,913 population with 36,946 in District 73.
10. The change to District 73 would be most helpful in healing a long-standing rift between North and South Sanpete County, particularly in the Gunnison Valley. Gunnison Valley mayors and civic leaders have begged us and the RD Committee to please have their area of the county united with the rest of the county.
11. Our proposed changes do not place Rep. Painter and Rep. Wright in the same district, but rather, respects their incumbency by keeping each within his current district boundary.



### Conclusion

Since these proposed boundary changes can be accomplished without affecting the boundary of any other district(s); since these changes are favored by the governments and political parties of at least the two largest counties within the districts comprising an aggregate of 66.7% of the populations of the two districts, and since our proposal will unite communities and counties and result in future savings to the counties and the candidates who eventually campaign in these districts, we petition the Redistricting Committee and the full House to adopt the boundaries for Districts 68 and 73 as proposed herein.

Respectfully submitted:

### Co-Sponsors

Sanpete County Commission

Commissioners:

Claudia Jarrett

Spencer Cox

Steven Frischknecht

Tooele County Commission

Commissioners:

Colleen S. Johnson

J. Bruce Clegg

Jerry Hurst

Sanpete County Republican Party

Steven Clark, Chair

Kim Pickett, Vice-Chair

Natalie Argyle-Zabriskie, Sec/Treasurer

Tooele County Republican Party

Chris Sloane, Chair

Erik Gumbrecht, Exec. Committee

Sanpete County Democrat Party

Debra Fraser, Chair

Allison Anderson Co-Vice-Chair

Robert Buckner, Co-Vice-Chair

Tooele County Democrat Party

John O'Donnell, Chair

Rick Pollock, Vice-Chair

Patrick Ciervo, Sec.

Rep. Douglas Sagers, (Dist. 21)



Exhibit 1

