

STATE HOUSE BOUNDARY AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: Ralph Okerlund

LONG TITLE

General Description:

This bill makes minor adjustments to State House district boundaries to reconcile United States Census data with state maps and to resolve certain election administration issues.

Highlighted Provisions:

This bill:

- defines terms;
- makes changes to State House district boundaries to reconcile United States Census data with state maps;
- makes changes to State House district boundaries to resolve certain election administration issues; and
- makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

36-1-201.5, as enacted by Laws of Utah 2011, Third Special Session, Chapter 6

36-1-202, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

36-1-202.2, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

36-1-204, as last amended by Laws of Utah 2011, Third Special Session, Chapter 6

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

Section 1. Section **36-1-201.5** is amended to read:

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

(1) As used in this section:

(a) "County boundary" means the county boundary's location in the database as of January 1, 2010.

(b) "Database" means the State Geographic Information Database created in Section 63F-1-507.

(c) "Local school district boundary" means the local school district boundary's location in the database as of January 1, 2010.

(d) "Municipal boundary" means the municipal boundary's location in the database as of January 1, 2010.

~~[(+)]~~ (2) The Utah House of Representatives shall consist of 75 members, with one member to be elected from each Utah House of Representative district.

~~[(2)-The]~~ (3) Except as modified by Subsection (5), the Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2010 national decennial census as the official data for establishing House district boundaries.

~~[(3)]~~ (4) (a) ~~[The]~~ Except as modified by Subsection (5), the Legislature enacts the numbers and boundaries of the House districts designated by the House block assignment file that is the electronic component of the bill that enacts this section.

(b) That House block assignment file, and the legislative boundaries generated from that block assignment file together with the modifications made by Subsection (5), may be accessed via the Utah Legislature's website.

(5) (a) The following census blocks from the 2010 Census are placed into House District 1 and removed from House District 29: 490039608021025, 490039608021026, and 490039608021027.

(b) The following census blocks from the 2010 Census are placed into House District 1 and removed from House District 3: 490050003001047, 490050003001048, 490050003001049, and 490050003001050.

(c) The following census blocks from the 2010 Census are placed into House District 3 and removed from House District 1: 490050003001046, 490050003001056, 490050003001057, 490050003001058, 490050003001059, 490050003001061, and 490050003001063.

(d) The following census blocks from the 2010 Census are placed into House District 7 and removed from House District 8: 490572103042017 and 490572103042018.

(e) The following census blocks from the 2010 Census are placed into House District 11 and removed from House District 10: 490572105112040, 490572105112042, 490572105112043, 490572105123002, 490572109005003, 490572112011013, 490572112011014, 490572112011015, 490572112011016, 490572112011018, 490572112011023, 490572112011024, and 490572112012011.

(f) The following census blocks from the 2010 Census are placed into House District 11 and removed from House District 12: 490572105121012, 490572105121013, 490572105121014, and 490572107011001.

(g) The following census blocks from the 2010 Census are placed into House District 11 and removed from House District 16: 490111251032073, 490111251032074, 490111251032075, 490111252002084, 490111252002254, 490111252002256, 490111252002258, 490111252002259, 490111252002274, 490111252002275, 490111252002276, 490111252002277, 490111252002278, 490111252002288, 490111252002289, and 490111252002307.

(h) The following census blocks from the 2010 Census are placed into House District 13 and removed from House District 11: 490111252002104, 490111252002105, 490111252002106, 490111252002115, 490111252002116, 490111252002117, 490111252002118, 490111252002119, 490111252002120, 490111252002121, 490111252002186, 490111253011000, 490111253011001, 490111253011002,

490111253012000, 490111253012001, 490111253013000, 490111253013001,
490111253013032, 490111253014000, 490111253014001, 490111253014002, and
490111253014022.

(i) The following census blocks from the 2010 Census are placed into House District
17 and removed from House District 18: 490111251022075, 490111251022076,
490111261051020, 490111262032003, 490111262032013, and 490111262032014.

(j) The following census blocks from the 2010 Census are placed into House District
18 and removed from House District 17: 490111262022001, 490111262022003,
490111262022004, 490111262032011, and 490111262032044.

(k) The following census block from the 2010 Census is placed into House District 18
and removed from House District 19: 490111266002006.

(l) The following census block from the 2010 Census is placed into House District 19
and removed from House District 18: 490111265002014.

(m) The following census blocks from the 2010 Census are placed into House District
19 and removed from House District 20: 490111267001006, 490111267001008,
490111267002007, 490111267002023, 490111269016000, 490111269016001,
490111269016002, 490111269016008, 490111270043000, 490111270043001, and
490111270043010.

(n) The following census block from the 2010 Census is placed into House District 21
and removed from House District 68: 490451307012018.

(o) The following census block from the 2010 Census is placed into House District 24
and removed from House District 28: 490351148003023.

(p) The following census block from the 2010 Census is placed into House District 26
and removed from House District 31: 490351133051011.

(q) The following census blocks from the 2010 Census are placed into House District
27 and removed from House District 56: 490490002051025, 490490102172032,
490490102172033, and 490490102183020.

(r) The following census blocks from the 2010 Census are placed into House District

114 27 and removed from House District 6: 490351128201063, 490490102122001,
115 490490102122009, 490490102122010, 490490102122011, 490490102122097,
116 490490102122107, 490490102122108, 490490102122115, 490490102122117,
117 490490102122122, 490490102122123, 490490102122124, 490490102171057, and
118 490490102171059.

119 (s) The following census blocks from the 2010 Census are placed into House District
120 29 and removed from House District 1: 490039605002094, 490039605002100,
121 490039605002101, 490039605002102, and 490039605002103.

122 (t) The following census blocks from the 2010 Census are placed into House District
123 29 and removed from House District 8: 490572103024007 and 490572103041048.

124 (u) The following census block from the 2010 Census is placed into House District 33
125 and removed from House District 31: 490351135091002.

126 (v) The following census blocks from the 2010 Census are placed into House District
127 34 and removed from House District 43: 490351142001003 and 490351142001004.

128 (w) The following census blocks from the 2010 Census are placed into House District
129 48 and removed from House District 60: 490490014022000 and 490490014022001.

130 (x) The following census block from the 2010 Census is placed into House District 54
131 and removed from House District 53: 490439643061158.

132 (y) The following census blocks from the 2010 Census are placed into House District
133 56 and removed from House District 27: 490490102172007, 490490102172009,
134 490490102172023, 490490102172024, 490490102172025, 490490102172026,
135 490490102172027, 490490102172028, 490490102172029, 490490102172036,
136 490490102172038, 490490102172039, 490490102172066, and 490490102173014.

137 (z) The following census blocks from the 2010 Census are placed into House District
138 57 and removed from House District 27: 490490005052051, 490490005052052,
139 490490005052055, 490490005052057, 490490005052058, 490490005053017,
140 490490005053018, 490490005053022, 490490005053023, 490490005053024,
141 490490005053025, 490490005053026, 490490005053027, 490490005053028,

142 490490005053029, 490490005053030, 490490005053031, 490490005053032,
143 490490005053033, 490490005053034, 490490005053035, 490490005053036,
144 490490005053037, 490490005053038, 490490005053039, 490490005053040,
145 490490005053041, 490490005053042, 490490005053043, 490490005053044,
146 490490005053045, 490490005053046, 490490005053047, 490490005053048,
147 490490005053049, 490490005053050, 490490005053051, 490490005053052,
148 490490005053053, 490490005053054, 490490005053055, 490490005053056,
149 490490005053057, 490490005053058, 490490005053059, 490490005053060,
150 490490005053061, 490490005053062, 490490005053065, 490490005071018,
151 490490005071019, 490490005071020, 490490005071025, 490490005071026,
152 490490005071031, 490490005071032, 490490005071033, and 490490102101066.

153 (aa) The following census block from the 2010 Census is placed into House District 59
154 and removed from House District 61: 490490022011099.

155 (bb) The following census blocks from the 2010 Census are placed into House District
156 60 and removed from House District 48: 490490013001010, 490490013001012,
157 490490013001013, 490490013001014, 490490013001016, 490490013001017,
158 490490013001018, 490490013001020, 490490013001021, 490490014012012,
159 490490014012013, and 490490014012014.

160 (cc) The following census blocks from the 2010 Census are placed into House District
161 61 and removed from House District 64: 490490022073011, 490490022073012,
162 490490022073016, and 490490022073017.

163 (dd) The following census blocks from the 2010 Census are placed into House District
164 62 and removed from House District 75: 490532712001032 and 490532712001033.

165 (ee) The following census blocks from the 2010 Census are placed into House District
166 66 and removed from House District 64: 490490105032030, 490490105032033,
167 490490105032034, 490490105032035, 490490105032036, 490490105032037, and
168 490490105032062.

169 (ff) The following census blocks from the 2010 Census are placed into House District

170 67 and removed from House District 66: 490490104112001, 490490104112002,
171 490490104112006, 490490104112007, 490490104112015, 490490104113161,
172 490490104113166, 490490104113267, and 490490104113290.

173 (gg) The following census blocks from the 2010 Census are placed into House District
174 68 and removed from House District 21: 490451307032023, 490451307032030,
175 490451307033696, and 490451307033697.

176 (hh) The following census blocks from the 2010 Census are placed into House District
177 71 and removed from House District 62: 490532708011188, 490532708011193,
178 490532708011194, 490532708011208, 490532717021058, 490532717021059,
179 490532717021060, 490532717021061, 490532717021065, 490532717021066,
180 490532717021067, and 490532717021077.

181 (ii) The following census blocks from the 2010 Census are placed into House District
182 71 and removed from House District 72: 490211102001068, 490211102001069,
183 490211102001104, 490211102003259, 490211102003270, and 490211102003276.

184 (jj) The boundary between House District 7 and House District 8 is changed to follow
185 the Harrisville municipal boundary from the point where the municipal boundaries of Pleasant
186 View, North Ogden, and Harrisville intersect, generally south to the intersection of the
187 Harrisville municipal boundary with 2150 North Street in North Ogden east along 2150 North
188 Street to the existing House boundary.

189 (kk) The boundary between House District 10 and House District 11 is changed to
190 follow the South Ogden municipal boundary from the intersection of the established House
191 district boundary with Combe Road, along the South Ogden municipal boundary generally east,
192 south, west, and north to the intersection of the South Ogden municipal boundary with Wasatch
193 Drive.

194 (ll) The boundary between House District 11 and House District 16 is changed to
195 follow the South Weber municipal boundary from the northernmost intersection of the
196 established House district boundary for House District 16 with State Highway 89, along the
197 South Weber municipal boundary generally east then south and then west to the intersection of

198 the House district boundary with the Layton municipal boundary.

199 (mm) The boundary between House District 18 and House District 19 is changed to
200 follow Interstate 15 from the intersection of Pages Lane in Bountiful with Interstate 15, north to
201 the intersection of Interstate 15 with the Bountiful municipal boundary, then along the
202 Bountiful municipal boundary generally north, then east, then south to the intersection of the
203 Bountiful municipal boundary with Pages Lane.

204 (nn) The boundary between House District 53 and House District 54 is changed to
205 follow the Summit County Service Area Number 3 boundary from the intersection of the
206 House district boundary with Summit County Service Area Number 3, generally east, then
207 north, then east, then projecting the same service area boundary east to intersect with Interstate
208 80.

209 (oo) The boundary between House District 55 and House District 69 is changed to
210 follow the Roosevelt municipal boundary from the northernmost point where Roosevelt City
211 shares a boundary with Duchesne County, then along the Roosevelt municipal boundary
212 generally west, north, and south to the intersection of the Roosevelt municipal boundary with
213 2000 South Street.

214 (pp) The boundary between House District 57 and House District 59 is changed to
215 follow the Pleasant Grove municipal boundary from the southernmost intersection of the House
216 district boundary with State Street, generally east to the intersection of the Pleasant Grove
217 municipal boundary with 1500 East Street in Pleasant Grove.

218 (qq) The boundary between House District 63 and House District 64 is changed to
219 follow Summit Drive from the intersection of Summit Drive and 1420 East Street, generally
220 east, then north to the intersection of Summit Drive and Ridge Drive, then due east to the
221 United States Forest Service boundary, then north to the established House boundary.

222 (rr) The boundary between House District 71 and House District 72 is changed to
223 follow the Parowan municipal boundary so that all of Parowan City is in House District 71.

224 (ss) The boundary between House District 74 and House District 75 is changed to
225 follow Sunset Boulevard west from the westernmost intersection of Sunset Boulevard and the

established House boundary, west to the easternmost intersection of Sunset Boulevard with the St. George municipal boundary, then along the St. George municipal boundary generally south, then west, and then east to the intersection of the St. George municipal boundary with Indian Hills Drive.

(tt) The following census block from the 2010 Census is placed into House District 5 and removed from House District 4: 490050003003118.

(uu) The boundary of House District 3 is changed to follow the Trenton City municipal boundary so that all of Trenton City is within House District 3.

(vv) The boundary between House District 33 and House District 39 is changed to follow the West Valley City municipal boundary from the intersection of the West Valley City municipal boundary with 4000 West, west to the point where 4685 West in West Valley City, projected south, intersects with the West Valley City municipal boundary.

(ww) The boundary between House District 30 and House District 39 is changed to follow the West Valley City municipal boundary from the point where 4685 West in West Valley City, projected south, intersects with the West Valley City municipal boundary, west to the intersection of the municipal boundary with 4725 West.

(xx) The boundary between House District 30 and House District 38 is changed to follow the West Valley City municipal boundary from the intersection of the municipal boundary with 4725 West west to the intersection of the municipal boundary with 4800 West.

Section 2. Section **36-1-202** is amended to read:

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

(1) (a) The Legislature shall file a copy of the House block assignment file enacted by the Legislature with the lieutenant governor's office.

(b) ~~[The]~~ Except as provided in Subsection 36-1-201.5(5) the legal boundaries of House districts are contained in the House block assignment file on file with the lieutenant governor's office.

(2) (a) The lieutenant governor shall:

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

modifications to boundaries made in Subsection 36-1-201.5(5); and

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

(b) If there is any inconsistency between the maps ~~[and]~~, the House block assignment file, and the modifications made to boundaries in Subsection 36-1-201.5(5), the House block assignment file, as adjusted by the modifications to boundaries made in Subsection 36-1-201.5(5), ~~[is]~~ are controlling.

Section 3. Section **36-1-202.2** is amended to read:

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

(1) As used in this section, "redistricting boundary data" means the House block assignment file and any modifications made to the House district boundaries by Subsection 36-1-201.5(5).

~~[(1)]~~ (2) Each county clerk shall obtain a copy of the ~~[House block assignment file]~~ redistricting boundary data for the clerk's county from the lieutenant governor's office.

~~[(2)]~~ (3) (a) A county clerk may create one or more county maps that identify the boundaries of House districts as generated from the ~~[House block assignment file]~~ redistricting boundary data.

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

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

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

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

(iii) communicate those findings to the lieutenant governor.

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

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

(i) make the corrections necessary to conform the county map and data to the [~~House block assignment file~~] redistricting boundary data; and

(ii) resubmit the corrected county map and data to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection [~~(2)~~] (3).

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

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

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

(i) review the voting precinct map to evaluate if the county map accurately reflects the boundaries of House districts established by the Legislature in the [~~House block assignment file~~] redistricting boundary data;

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

(iii) communicate those findings to the lieutenant governor.

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

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

(i) make the corrections necessary to conform the voting precinct map to the [~~House~~

block assignment file] redistricting boundary data; and

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

Section 4. Section **36-1-204** is amended to read:

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

(1) As used in this section~~["affected"]~~:

(a) "Affected party" means:

~~[(a)]~~ (i) a representative whose Utah House of Representatives district boundary is uncertain because the ~~[boundary]~~ feature used to establish the district boundary in the House block assignment file ~~[used to establish the House district boundary]~~ or in any modifications to the boundary made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be identified or who is uncertain about whether or not the representative or another person resides in a particular House district;

~~[(b)]~~ (ii) a candidate for representative whose House district boundary is uncertain because the ~~[boundary]~~ feature used to establish the district boundary in the House block assignment file ~~[used to establish the district boundary]~~ or in any modifications to the boundary made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be identified or who is uncertain about whether or not the candidate or another person resides in a particular House district; or

~~[(c)]~~ (iii) a person who is uncertain about which House district contains the person's residence because the ~~[boundary]~~ feature used to establish the district boundary in the House block assignment file ~~[used to establish the House district boundary]~~ or in any modifications to the boundary made in Subsection 36-1-201.5(5) has been removed, modified, or is unable to be identified.

(b) "Feature" means a geographic or other identifiable tangible or intangible object such as a road or political subdivision boundary that is used to establish a House district boundary.

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

338 to determine:

339 (i) the precise location of the House district boundary;

340 (ii) the number of the House district in which a person resides; or

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

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

344 (i) the House block assignment file;

345 (ii) the modifications to the boundary made in Subsection 36-1-201.5(5); and [~~obtain~~
346 ~~and review~~]

347 (iii) other relevant data such as aerial photographs, aerial maps, or other data about the
348 area.

349 (c) Within five days of receipt of the request, the lieutenant governor shall:

350 (i) review the House block assignment file[~~; obtain and~~];

351 (ii) review the modifications to the boundary made in Subsection 36-1-201.5(5);

352 (iii) review any relevant data[~~;~~]; and

353 (iv) make a determination.

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

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

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

359 (A) the affected party;

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

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

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

365 (i) the person;

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

(iii) the county clerk of the affected county.

Section 5. Effective date.

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