

**REDISTRICTING ADVISORY COMMISSION**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jani Iwamoto**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill creates the Redistricting Advisory Commission.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates the Redistricting Advisory Commission and describes the commission's membership, duties, and other matters relating to the commission's functioning; and
- ▶ provides that redistricting maps submitted by the commission for consideration by the Legislature are public records and are advisory only.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**63C-17-101**, Utah Code Annotated 1953

**63C-17-102**, Utah Code Annotated 1953

**63C-17-201**, Utah Code Annotated 1953

**63C-17-202**, Utah Code Annotated 1953

**63C-17-203**, Utah Code Annotated 1953



28 [63C-17-204](#), Utah Code Annotated 1953  
 29 [63C-17-301](#), Utah Code Annotated 1953  
 30 [63C-17-302](#), Utah Code Annotated 1953



31  
 32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **63C-17-101** is enacted to read:

34 **CHAPTER 17. REDISTRICTING ADVISORY COMMISSION**

35 **Part 1. General Provisions**

36 **63C-17-101. Title.**

37 (1) This chapter is known as "Redistricting Advisory Commission."

38 (2) This part is known as "General Provisions."

39 Section 2. Section **63C-17-102** is enacted to read:

40 **63C-17-102. Definitions.**

41 As used in this chapter:

42 (1) "Commission" means the Redistricting Advisory Commission created in Section  
 43 [63C-17-202.](#)

44 (2) (a) "Leadership position in a political party" means an elected position in party  
 45 leadership.

46 (b) "Leadership position in a political party" does not include a party delegate.

47 Section 3. Section **63C-17-201** is enacted to read:

48 **Part 2. Commission Creation and Duties**

49 **63C-17-201. Title.**

50 This part is known as "Commission Creation and Duties."

51 Section 4. Section **63C-17-202** is enacted to read:

52 **63C-17-202. Redistricting Advisory Commission -- Creation -- Membership --**  
 53 **Term of office.**

54 (1) There is created the Redistricting Advisory Commission.

55 (2) The commission consists of seven members, no more than two of whom may reside  
 56 in the same congressional district, appointed as follows:

57 (a) three members appointed by the political party that cast the highest number of votes  
 58 for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding

59 votes for unopposed candidates, in the most recent general election;

60 (b) three members appointed by the political party that cast the second highest number  
61 of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,  
62 excluding votes for unopposed candidates, in the most recent general election; and

63 (c) one member appointed by a majority of the members described in Subsections  
64 (2)(a) and (b).

65 (3) A member described in Subsection (2):

66 (a) for the three years before the day on which the member is appointed to the  
67 commission:

68 (i) shall have continuously maintained registration as a voter in the state;

69 (ii) may not have been a candidate for, or held, partisan office;

70 (iii) may not have been a candidate for, or held, a leadership position in a political  
71 party;

72 (iv) may not have been a registered lobbyist; and

73 (v) may not have served as a member of a candidate's campaign committee;

74 (b) while serving as a member of the commission:

75 (i) shall continuously maintain registration as a voter in the state;

76 (ii) may not become a candidate for, or hold, partisan office;

77 (iii) may not become a candidate for, or hold, a leadership position in a political party;

78 (iv) may not become a registered lobbyist; and

79 (v) may not serve as a member of a candidate's campaign committee; and

80 (c) before serving as a member of the commission, shall file with the lieutenant  
81 governor a statement certifying that the member will:

82 (i) comply with the constitutional and statutory requirements relating to redistricting in  
83 an honest, independent, and impartial manner; and

84 (ii) act to ensure the public confidence in, and integrity of, the redistricting process.

85 (4) (a) The term of a member of the commission is 10 years, beginning on January 1 of  
86 the year before the year during which the decennial census report is published.

87 (b) If a midterm vacancy occurs on the commission, the vacancy shall be filled for the  
88 remainder of the term by the same entity that appointed the member being replaced.

89 (c) An individual may not be appointed to serve more than two terms as a member of

90 the commission, regardless of whether one of the terms was for less than 10 years.

91 (5) A member of the commission may not receive compensation or benefits for the  
92 member's service, but may receive per diem and travel expenses in accordance with:

93 (a) Section [63A-3-106](#);

94 (b) Section [63A-3-107](#); and

95 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
96 [63A-3-107](#).

97 (6) A majority of the members appointed to the commission constitutes a quorum and a  
98 majority vote of a quorum present constitutes the action of the commission.

99 Section 5. Section **63C-17-203** is enacted to read:

100 **63C-17-203. Commission duties.**

101 (1) On or before July 15 of the year in which the decennial census report is published,  
102 the commission shall submit to the director of the Office of Legislative Research and General  
103 Counsel, for consideration by the Legislature, at least three, but no more than five, proposed  
104 redistricting maps for state Senate districts and state House districts.

105 (2) The commission shall rank each map described in Subsection (1) in order of  
106 preference.

107 (3) If, after redistricting maps are adopted by the Legislature, a court enters an order  
108 that requires the Legislature to alter or adopt a new map for a district described in Subsection  
109 (1), the commission may submit new maps to the director of the Office of Legislative Research  
110 and General Counsel for consideration by the Legislature.

111 Section 6. Section **63C-17-204** is enacted to read:

112 **63C-17-204. Redistricting standards.**

113 (1) In drawing the maps described in Section [63C-17-203](#), the commission shall:

114 (a) comply with all constitutional and legal requirements relating to redistricting,  
115 including requirements relating to disparity, contiguity, and compactness; and

116 (b) to the extent reasonably possible, comply with the following principles, in the  
117 following order of priority:

118 (i) keep boundaries as close to existing configurations as practicable; and

119 (ii) align boundaries with boundaries of counties, cities, and towns.

120 (2) The commission may not, in drawing a map, attempt to give a political advantage

121 to a political party.

122 Section 7. Section **63C-17-301** is enacted to read:

123 **Part 3. Miscellaneous Provisions**

124 **63C-17-301. Title.**

125 This part is known as "Miscellaneous Provisions."

126 Section 8. Section **63C-17-302** is enacted to read:

127 **63C-17-302. Status of commission maps.**

128 A map submitted under this chapter by the commission for the Legislature's

129 consideration:

130 (1) is advisory only and is not required to be considered or adopted by the Legislature;

131 and

132 (2) is a public record under Title 63G, Chapter 2, Government Records Access and

133 Management Act.

---

---

**Legislative Review Note**  
**Office of Legislative Research and General Counsel**