

~~**Effective 8/25/2025**~~

~~**20A-19-101. Title.**~~

~~—This chapter is known as the "Utah Independent Redistricting Commission and Standards Act."~~

~~**Effective 8/25/2025**~~

~~**20A-19-102. Permitted Times and Circumstances for Redistricting.**~~

~~—Division of the state into congressional, legislative, and other districts, and modification of existing divisions, is permitted only at the following times or under the following circumstances:~~

- ~~(1) no later than the first annual general legislative session after the Legislature's receipt of the results of a national decennial enumeration made by the authority of the United States;~~
- ~~(2) no later than the first annual general legislative session after a change in the number of congressional, legislative, or other districts resulting from an event other than a national decennial enumeration made by the authority of the United States;~~
- ~~(3) upon the issuance of a permanent injunction by a court of competent jurisdiction under Section [20A-19-301\(2\)](#) and as provided in Section [20A-19-301\(8\)](#);~~
- ~~(4) to conform with a final decision of a court of competent jurisdiction; or~~
- ~~(5) to make minor adjustments or technical corrections to district boundaries.~~

~~**Effective 8/25/2025**~~

~~**20A-19-103. Redistricting Standards and Requirements.**~~

- ~~(1) This Section establishes redistricting standards and requirements applicable to the Legislature and to the Utah Independent Redistricting Commission.~~
- ~~(2) The Legislature and the Commission shall abide by the following redistricting standards to the greatest extent practicable and in the following order of priority:~~
 - ~~(a) adhering to the Constitution of the United States and federal laws, such as the Voting Rights Act, 52 U.S.C. Secs. 10101 through 10702, including, to the extent required, achieving equal population among districts using the most recent national decennial enumeration made by the authority of the United States;~~
 - ~~(b) minimizing the division of municipalities and counties across multiple districts, giving first priority to minimizing the division of municipalities and second priority to minimizing the division of counties;~~
 - ~~(c) creating districts that are geographically compact;~~
 - ~~(d) creating districts that are contiguous and that allow for the ease of transportation throughout the district;~~
 - ~~(e) preserving traditional neighborhoods and local communities of interest;~~
 - ~~(f) following natural and geographic features, boundaries, and barriers; and~~
 - ~~(g) maximizing boundary agreement among different types of districts.~~

- (3) ~~The Legislature and the Commission may not divide districts in a manner that purposefully or unduly favors or disfavors any incumbent elected official, candidate or prospective candidate for elective office, or any political party.~~
- (4) ~~The Legislature and the Commission shall use judicial standards and the best available data and scientific and statistical methods, including measures of partisan symmetry, to assess whether a proposed redistricting plan abides by and conforms to the redistricting standards contained in this Section, including the restrictions contained in Subsection [\(3\)](#).~~
- (5) ~~Partisan political data and information, such as partisan election results, voting records, political party affiliation information, and residential addresses of incumbent elected officials and candidates or prospective candidates for elective office, may not be considered by the Legislature or by the Commission, except as permitted under Subsection [\(4\)](#).~~
- (6) ~~The Legislature and the Commission shall make computer software and information and data concerning proposed redistricting plans reasonably available to the public so that the public has a meaningful opportunity to review redistricting plans and to conduct the assessments described in Subsection [\(4\)](#).~~

~~Effective 8/25/2025~~

~~20A-19-104. Severability.~~

- (1) ~~The provisions of this chapter are severable.~~
- (2) ~~If any word, phrase, sentence, or section of this chapter or the application of any word, phrase, sentence, or section of this chapter to any person or circumstance is held invalid by a final decision of a court of competent jurisdiction, the remainder of this chapter must be given effect without the invalid word, phrase, sentence, section, or application.~~

~~Effective 8/25/2025~~

~~20A-19-201. Utah Independent Redistricting Commission -- Selection of Commissioners -- Qualifications -- Term -- Vacancy -- Compensation -- Commission Resources.~~

- (1) ~~This Act creates the Utah Independent Redistricting Commission.~~
- (2) ~~The Utah Independent Redistricting Commission comprises seven commissioners appointed as provided in this Section.~~
- (3) ~~Each of the following appointing authorities shall appoint one commissioner:~~
 - (a) ~~the governor, whose appointee shall serve as Commission chair;~~
 - (b) ~~the president of the Senate;~~
 - (c) ~~the speaker of the House of Representatives;~~

- (d) the leader of the largest minority political party in the Senate;
 - (e) the leader of the largest minority political party in the House of Representatives;
 - (f) the leadership of the majority political party in the Senate, including the president of the Senate, jointly with the leadership of the same political party in the House of Representatives and the speaker of the House of Representatives if a member of that political party; and
 - (g) the leadership of the largest minority political party in the Senate jointly with the leadership of the same political party in the House of Representatives and the speaker of the House of Representatives if a member of that political party.
- (4) The appointing authorities described in Subsection ~~(3)~~ shall appoint their commissioners no later than 30 calendar days following:
- (a) the receipt by the Legislature of a national decennial enumeration made by the authority of the United States; or
 - (b) a change in the number of congressional, legislative, or other districts resulting from an event other than a national decennial enumeration made by the authority of the United States.
- (5) Commissioners appointed under Subsection ~~(3)(f)~~ and Subsection ~~(3)(g)~~, in addition to the qualifications and conditions in Subsection ~~(6)~~, may not have at any time during the preceding five years:
- (a) been affiliated with any political party for the purposes of Section 20A-2-107;
 - (b) voted in any political party's regular primary election or any political party's municipal primary election; or
 - (c) been a delegate to a political party convention.
- (6) Each commissioner:
- (a) must have been at all times an active voter, as defined in Section 20A-1-102(1), during the four years preceding appointment to the Commission;
 - (b) must not have been at any time during the four years preceding appointment to the Commission, and may not be during their service as commissioner or for four years thereafter:
 - (i) a lobbyist or principal, as those terms are defined under Section 36-11-102;
 - (ii) a candidate for or holder of any elective office, including any local government office;
 - (iii) a candidate for or holder of any office of a political party, excluding the office of political party delegate, or the recipient of compensation in any amount from a political party, political party committee, personal campaign committee, or any political action committee affiliated with a political party or controlled by an elected official or candidate for elective office, including any local government office;
 - (iv) appointed by the governor or the Legislature to any other public office; or

(v) employed by the Congress of the United States, the Legislature, or the holder of any position that reports directly to an elected official or to any person appointed by the governor or Legislature to any other public office.

~~(7) (a) Each commissioner shall file with the Commission and with the governor a signed statement certifying that the commissioner:~~

- ~~(i) meets and will continue to meet throughout their term as commissioner the applicable qualifications contained in this Section;~~
- ~~(ii) will comply with the standards, procedures, and requirements applicable to redistricting contained in this chapter;~~
- ~~(iii) will faithfully discharge the commissioner's duties in an independent, honest, transparent, and impartial manner; and~~
- ~~(iv) will not engage in any effort to purposefully or unduly favor or disfavor any incumbent elected official, candidate or prospective candidate for elective office, or any political party.~~

~~(b) The Commission and the governor shall make available to the public the statements required under Subsection (7)(a).~~

~~(8) (a) A commissioner's term lasts until a successor is appointed or until that commissioner's death, resignation, or removal.~~

~~(b) A commissioner may resign at any time by providing written notice to the Commission and to the governor.~~

~~(c) A commissioner may be removed only by a majority vote of the speaker of the House of Representatives and the leader of the largest minority political party in the House of Representatives and the president of the Senate and leader of the largest minority political party in the Senate, and may be removed only for failure to meet the qualifications of this Section, incapacity, or for other good cause, such as substantial neglect of duty or gross misconduct in office.~~

~~(9) (a) The appointing authority that appointed a commissioner shall fill a vacancy caused by the death, resignation, or removal of that commissioner within 21 calendar days after the vacancy occurs.~~

~~(b) If the appointing authority at the time of the vacancy is of a different political party than that of the appointing authority when the original appointment was made, then the corresponding appointing authority of the same political party in the Senate, the House, or the leadership, as the case may be, as the appointing authority that made the original appointment must make the appointment to fill the vacancy.~~

~~(10) If an appointing authority fails to appoint a commissioner or to fill a vacancy by the deadlines provided in this Section, then the chief justice of the Supreme Court of the State of Utah shall appoint that commissioner within 14 calendar days after the failure to appoint or fill a vacancy.~~

~~(11) (a) Commissioners may not receive compensation or benefits for their service, but may receive per diem and travel expenses in accordance with:~~

- (i) Section [63A-3-106](#);
 - (ii) Section [63A-3-107](#); and
 - (iii) rules of the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).
- (b) A commissioner may decline to receive per diem and travel expenses.
- (12) (a) The Legislature shall appropriate adequate funds for the Commission to carry out its duties, and shall make available to the Commission such personnel, facilities, equipment, and other resources as the Commission may reasonably request.
- (b) The Office of Legislative Research and General Counsel shall provide the technical staff, legal assistance, computer equipment, computer software, and other equipment and resources to the Commission that the Commission reasonably requests.
- (c) The Commission has procurement and contracting authority, and upon a majority vote, may procure the services of staff, legal counsel, consultants, and experts, and may acquire the computers, data, software, and other equipment and resources that are necessary to carry out its duties effectively.

~~Effective 8/25/2025~~

~~20A-19-202. Commission Code of Conduct -- Quorum -- Action by the Commission -- Assessment of Proposed Redistricting Plans -- Open and Public Meetings -- Public Hearings -- Ex Parte Communications.~~

- (1) The Commission shall conduct its activities in an independent, honest, transparent, and impartial manner, and each commissioner and member of Commission, including staff and consultants employed or retained by the Commission, shall act in a manner that reflects creditably on the Commission.
- (2) The Commission shall meet upon the request of a majority of commissioners.
- (3) Attendance of a majority of commissioners at a meeting constitutes a quorum for the conduct of Commission business and the taking of official Commission actions.
- (4) The Commission takes official actions by majority vote of commissioners at a meeting at which a quorum is present, except as otherwise provided in this chapter.
- (5) (a) The Commission may consider any redistricting plan submitted to the Commission by any person or organization, including commissioners.
- (b) The Commission shall make available to each commissioner and to the public all plans or elements of plans submitted to the Commission or to any commissioner.
- (6) Upon the affirmative vote of at least three commissioners, the Commission shall conduct the assessments described in Section [20A-19-103\(4\)](#) of any redistricting plan being considered by the Commission or by the Legislature, and shall promptly make the assessments available to the public.

- (7) (a) The Commission shall establish and maintain a website, or other equivalent electronic platform, to disseminate information about the Commission, including records of its meetings and public hearings, proposed redistricting plans, and assessments of and reports on redistricting plans, and to allow the public to view its meetings and public hearings in both live and in archived form.
- (b) The Commission's website, or other equivalent electronic platform, must allow the public to submit redistricting plans and comments on redistricting plans to the Commission for its consideration.
- (8) The Commission is subject to [Title 52, Chapter 4, Open and Public Meetings Act, Secs. 52-4-101 to 52-4-305](#), and to [Title 63G, Chapter 2, Government Records Access and Management Act, Secs. 63G-2-101 to 63G-2-804](#).
- (9) (a) The Commission shall, by majority vote, determine the number, locations, and dates of the public hearings to be held by the Commission, but the Commission shall hold no fewer than seven public hearings throughout the state in connection with each redistricting that is permitted under Section [20A-19-102\(1\)](#) (2) as follows:
- (i) one in the Bear River region—Box Elder, Cache, or Rich County;
 - (ii) one in the Southwest region—Beaver, Garfield, Iron, Kane, or Washington County;
 - (iii) one in the Mountain region—Summit, Utah, or Wasatch County;
 - (iv) one in the Central region—Juab, Millard, Piute, Sanpete, Sevier, or Wayne County;
 - (v) one in the Southeast region—Carbon, Emery, Grand, or San Juan County;
 - (vi) one in the Uintah Basin region—Daggett, Duchesne, or Uintah County; and
 - (vii) one in the Wasatch Front region—Davis, Morgan, Salt Lake, Tooele, or Weber County.
- (b) The Commission shall hold at least two public hearings in a first or second class county but not in the same county.
- (10) Each public hearing must provide those in attendance a reasonable opportunity to submit written and oral comments to the Commission and to propose redistricting plans for the Commission's consideration.
- (11) The Commission must hold the public hearings required under Subsection [\(9\)](#) by:
- (a) the earlier of the 120th calendar day after the Legislature's receipt of the results of a national decennial enumeration made by the authority of the United States or August 31st of that year; or
 - (b) no later than 120 calendar days after a change in the number of congressional, legislative, or other districts that results from an event other than a national decennial enumeration made by the authority of the United States.
- (12) (a) A commissioner may not engage in any private communication with any person other than other commissioners, Commission personnel, including consultants retained by the Commission, and employees of the Office of Legislative Research and General Counsel, that is material to any redistricting plan or element of a plan pending before the Commission or intended to be proposed for Commission consideration, without

making the communication, or a detailed and accurate description of the communication including the names of all parties to the communication and the plan or element of the plan, available to the Commission and to the public.

- (b) A commissioner shall make the disclosure required by Subsection [\(12\)\(a\)](#) before the redistricting plan or element of a plan is considered by the Commission.

~~Effective 8/25/2025~~

~~20A-19-203. Selection of Recommended Redistricting Plan.~~

- (1) The Commission shall prepare and, by the affirmative vote of at least five commissioners, adopt at least one and as many as three redistricting plans that the Commission determines divide the state into congressional, legislative, or other districts in a manner that satisfies the redistricting standards and requirements contained in this chapter as the Commission's recommended redistricting plan or plans no later than 30 calendar days following completion of the public hearings required under Section [20A-19-202\(9\)](#); and
- (2) (a) If the Commission fails to adopt a redistricting plan by the deadline identified in Subsection [\(1\)](#), the Commission shall submit no fewer than two redistricting plans to the chief justice of the Supreme Court of the State of Utah.
- (b) The chief justice of the Supreme Court of the State of Utah shall, as soon as practicable, select from the submitted plans at least one and as many as three redistricting plans that the chief justice determines divide the state into congressional, legislative, and other districts in a manner that satisfies the redistricting standards and requirements contained in this chapter as the Commission's recommended redistricting plan or plans.
- (c) Of the plans submitted by the Commission to the chief justice of the Supreme Court of the State of Utah under Subsection [\(2\)\(a\)](#), at least one plan must be supported by the commissioner appointed under Section [20A-19-201\(3\)\(f\)](#), and at least one plan must be supported by the commissioner appointed under Section [20A-19-201\(3\)\(g\)](#).

~~Effective 8/25/2025~~

~~20A-19-204. Submission of Commission's Recommended Redistricting Plans to the Legislature—Consideration of Redistricting Plans by the Legislature—Report Required if Legislature Enacts Other Plan.~~

- (1) (a) The Commission shall submit to the president of the Senate, the speaker of the House of Representatives, and the director of the Office of Legislative Research and General Counsel, and make available to the public, the redistricting plan or plans recommended under Section [20A-19-203](#) and a detailed written report setting forth each plan's adherence to the redistricting standards and requirements contained in this chapter.
- (b) The Commission shall make the submissions described in Subsection [\(1\)\(a\)](#), to the extent practicable, not less than 10 calendar days before the Senate or the House of

Representatives votes on any redistricting plan permitted under Section ~~20A-19-102(1)-(2)~~.

- (2) (a) The Legislature shall either enact without change or amendment, other than technical corrections such as those authorized under Section ~~36-12-12~~, or reject the Commission's recommended redistricting plans submitted to the Legislature under Subsection ~~(1)~~.
- (b) The president of the Senate and the speaker of the House of Representatives may direct legislative staff to prepare a legislative review note and a legislative fiscal note on the Commission's recommended redistricting plan or plans.
- (3) The Legislature may not enact any redistricting plan permitted under Section ~~20A-19-102(1)~~ (2) until adequate time has been afforded to the Commission and to the chief justice of the Supreme Court of the State of Utah to satisfy their duties under this chapter, including the consideration and assessment of redistricting plans, public hearings, and the selection of one or more recommended redistricting plans.
- (4) The Legislature may not enact a redistricting plan or modification of any redistricting plan unless the plan or modification has been made available to the public by the Legislature, including by making it available on the Legislature's website, or other equivalent electronic platform, for a period of no less than 10 calendar days and in a manner and format that allows the public to assess the plan for adherence to the redistricting standards and requirements contained in this chapter and that allows the public to submit comments on the plan to the Legislature.
- (5) (a) If a redistricting plan other than a plan submitted to the Legislature under Subsection ~~(1)~~ is enacted by the Legislature, then no later than seven calendar days after its enactment the Legislature shall issue to the public a detailed written report setting forth the reasons for rejecting the plan or plans submitted to the Legislature under Subsection ~~(1)~~ and a detailed explanation of why the redistricting plan enacted by the Legislature better satisfies the redistricting standards and requirements contained in this chapter.
- (b) The Commission may, by majority vote, issue public statements, assessments, and reports in response to:
- (i) any report by the Legislature described in Subsection ~~(5)(a)~~;
 - (ii) the Legislature's consideration or enactment of any redistricting plan, including any plan submitted to the Legislature under Subsection ~~(1)~~; or
 - (iii) the Legislature's consideration or enactment of any modification to a redistricting plan.

Effective 8/25/2025

20A-19-301. Right of Action and Injunctive Relief.

- (1) Each person who resides or is domiciled in the state, or whose executive office or principal place of business is located in the state, may bring an action in a court of competent jurisdiction to obtain any of the relief available under Subsection (2).
- (2) If a court of competent jurisdiction determines in any action brought under this Section that a redistricting plan enacted by the Legislature fails to abide by or conform to the redistricting standards, procedures, and requirements set forth in this chapter, the court shall issue a permanent injunction barring enforcement or implementation of the redistricting plan. In addition, the court may issue a temporary restraining order or preliminary injunction that temporarily stays enforcement or implementation of the redistricting plan at issue if the court determines that:
 - (a) the plaintiff is likely to show by a preponderance of the evidence that a permanent injunction under this Subsection should issue, and
 - (b) issuing a temporary restraining order or preliminary injunction is in the public interest.
- (3) A plaintiff bringing an action under this Section is not required to give or post a bond, security, or collateral in connection with obtaining any relief under this Section.
- (4) In any action brought under this Section, the court shall review or evaluate the redistricting plan at issue de novo.
- (5) If a plaintiff bringing an action under this Section is successful in obtaining any relief under Subsection (2), the court shall order the defendant in the action to promptly pay reasonable compensation for actual, necessary services rendered by an attorney, consulting or testifying expert, or other professional, or any corporation, association, or other entity or group of other persons, employed or engaged by the plaintiff, and to promptly reimburse the attorney, consulting or testifying expert, or other professional, or any corporation, association, or other entity or group of other persons, employed or engaged by the plaintiff for actual, necessary expenses. If there is more than one defendant in the action, each of the defendants is jointly and severally liable for the compensation and expenses awarded by the court.
- (6) In any action brought under this Section, the court may order a plaintiff to pay reasonable compensation for actual, necessary services rendered by an attorney, consulting or testifying expert, or other professional, or any corporation, association, or other entity or group of other persons, employed or engaged by a defendant, and to promptly reimburse the attorney, consulting or testifying expert, or other professional, or any corporation, association, or other entity or group of other persons, employed or engaged by a defendant for actual, necessary expenses, only if the court determines that:
 - (a) the plaintiff brought the action for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

- (b) the plaintiff's claims, defenses, and other legal contentions are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; or
 - (c) the plaintiff's allegations and other factual contentions do not have any evidentiary support, or if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- (7) Notwithstanding Title 63G, Chapter 7, Governmental Immunity Act of Utah, a governmental entity named as a defendant in any action brought under this Section is not immune from such action or from payment of compensation or reimbursement of expenses awarded by the court under Subsection (5).
- (8) Upon the issuance of a permanent injunction under Subsection (2), the Legislature may enact a new or alternative redistricting plan that abides by and conforms to the redistricting standards, procedures, and requirements of this chapter.

~~Effective 3/28/2020~~

~~20A-20-101. Title.~~

—This chapter is known as the "Utah Independent Redistricting Commission."

~~Effective 5/28/2021~~

~~20A-20-102. Definitions.~~

—As used in this chapter:

- (1) "Commission" means the Utah Independent Redistricting Commission created in Section 20A-20-201.
- (2) "Committee" means the Legislature's redistricting committee.
- (3) "Decennial year" means a year during which the United States Bureau of Census conducts a national decennial census.
- (4) "Linked PL94-171 data" means legacy file decennial census data for Utah, published by the United States Bureau of Census, that, after publication, is linked to Utah geographic data files in a manner that the data can be used to draw maps for the purpose of redistricting.
- (5) "Regular decennial redistricting" means redistricting required due to a national decennial census.
- (6) "Special redistricting" means redistricting that is not a regular decennial redistricting.

~~Effective 3/28/2020~~

~~20A-20-103. Review by interim committee.~~

—During the 2022 Legislative interim, the Government Operations Interim Committee shall conduct a review of the commission and the commission's role in relation to the redistricting process.

~~Effective 7/1/2021~~

~~20A-20-201. Utah Independent Redistricting Commission -- Creation --
Membership -- Term -- Quorum -- Action -- Meetings -- Staffing -- Website.~~

- (1) (a) There is created the Utah Independent Redistricting Commission.
- (b) The commission is housed in the Department of Government Operations for budgetary purposes only.
- (c) The commission is not under the direction or control of the Department of Government Operations or any executive director, director, or other employee of the Department of Government Operations or any other government entity.
- (2) Except as provided in Subsection (4), the commission comprises seven members appointed as follows:
- (a) one member appointed by the governor, which member shall serve as chair of the commission;
- (b) one member appointed by the president of the Senate;
- (c) one member appointed by the speaker of the House of Representatives;
- (d) one member appointed by the legislative leader of the largest minority political party in the Senate;
- (e) one member appointed by the legislative leader of the largest minority political party in the House of Representatives;
- (f) one member appointed jointly by the president of the Senate and the speaker of the House of Representatives; and
- (g) one member appointed jointly by the legislative leader of the largest minority political party in the Senate and the legislative leader of the largest minority political party in the House of Representatives.
- (3) An appointing authority described in Subsection (2):
- (a) shall make the appointments no later than:
- (i) February 1 of the year immediately following a decennial year; or
- (ii) if there is a change in the number of congressional, legislative, or other districts resulting from an event other than a national decennial enumeration made by the authority of the United States, the day on which the Legislature appoints a committee to draw maps in relation to the change;
- (b) may remove a commission member appointed by the appointing authority, for cause; and
- (c) shall, if a vacancy occurs in the position appointed by the appointing authority under Subsection (2), appoint another individual to fill the vacancy within 10 days after the day on which the vacancy occurs.
- (4) (a) If the appointing authority described in Subsection (2)(a) fails to timely make the appointment, the legislative leader of the largest political party in the House of

Representatives and the Senate, of which the governor is not a member, shall jointly make the appointment.

- (b) If the appointing authority described in Subsection ~~(2)(b)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(d)~~ shall make the appointment.
 - (c) If the appointing authority described in Subsection ~~(2)(c)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(e)~~ shall make the appointment.
 - (d) If the appointing authority described in Subsection ~~(2)(d)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(b)~~ shall make the appointment.
 - (e) If the appointing authority described in Subsection ~~(2)(e)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(e)~~ shall make the appointment.
 - (f) If the appointing authority described in Subsection ~~(2)(f)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(g)~~ shall make the appointment.
 - (g) If the appointing authority described in Subsection ~~(2)(g)~~ fails to timely make the appointment, the appointing authority described in Subsection ~~(2)(f)~~ shall make the appointment.
- (5) A member of the commission may not, during the member's service on the commission:
- (a) be a lobbyist or principal, as those terms are defined in Section ~~36-11-102~~;
 - (b) be a candidate for or holder of any elective office, including federal elective office, state elective office, or local government elective office;
 - (c) be a candidate for or holder of any office of a political party, except for delegates to a political party's convention;
 - (d) be an employee of, or a paid consultant for, a political party, political party committee, personal campaign committee, or any political action committee affiliated with a political party or controlled by an elected official or candidate for elective office, including any local government office;
 - (e) serve in public office if the member is appointed to public office by the governor or the Legislature;
 - (f) be employed by the United States Congress or the Legislature; or
 - (g) hold any position that reports directly to an elected official, including a local elected official, or to any person appointed by the governor or Legislature to any other public office.
- (6) In addition to the qualifications described in Subsection ~~(5)~~, a member of the commission described in Subsection ~~(2)(f)~~ or ~~(g)~~:

- ~~(a) may not have, during the two-year period immediately preceding the member's appointment to the commission:~~
 - ~~(i) been affiliated with a political party under Section [20A-2-107](#);~~
 - ~~(ii) voted in the regular primary election or municipal primary election of a political party; or~~
 - ~~(iii) been a delegate to a political party convention; and~~
 - ~~(b) may not, in the sole determination of the appointing authority, be an individual who is affiliated with a partisan organization or cause.~~
- ~~(7) Each commission member shall, upon appointment to the commission, sign and file a statement with the governor certifying that the commission member:~~
 - ~~(a) meets the qualifications for appointment to the commission;~~
 - ~~(b) will, during the member's service on the commission, comply with the requirements described in Subsection [\(5\)](#);~~
 - ~~(c) will comply with the standards, procedures, and requirements described in this chapter that are applicable to a commission member; and~~
 - ~~(d) will faithfully discharge the duties of a commission member in an independent, impartial, honest, and transparent manner.~~
- ~~(8) For a regular decennial redistricting, the commission is:~~
 - ~~(a) formed and may begin conducting business on February 1 of the year immediately following a decennial year; and~~
 - ~~(b) dissolved upon approval of the Legislature's redistricting maps 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.~~
- ~~(9) (a) A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:~~
 - ~~(i) Section [63A-3-106](#);~~
 - ~~(ii) Section [63A-3-107](#); and~~
 - ~~(iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and [63A-3-107](#).~~
 - ~~(b) A member of the commission may decline to receive per diem or travel expenses.~~
- ~~(10) The commission shall meet upon the request of a majority of the commission members or when the chair calls a meeting.~~
- ~~(11) (a) A majority of the members of the commission constitutes a quorum.~~
 - ~~(b) The commission takes official action by a majority vote of a quorum present at a meeting of the commission.~~
- ~~(12) Within appropriations from the Legislature, the commission may, to fulfill the duties of the commission:~~

- (a) contract with or employ an attorney licensed in Utah, an executive director, and other staff; and
- (b) purchase equipment and other resources, in accordance with [Title 63G, Chapter 6a, Utah Procurement Code](#), to fulfill the duties of the commission.

(13) The commission shall maintain a website where the public may:

- (a) access announcements and records of commission meetings and hearings;
- (b) access maps presented to, or under consideration by, the commission;
- (c) access evaluations described in Subsection [20A-20-302\(8\)](#);
- (d) submit a map to the commission; and
- (e) submit comments on a map presented to, or under consideration by, the commission.

~~Effective 3/28/2020~~

~~20A-20-202. Software and software services.~~

~~—The Office of Legislative Research and General Counsel shall, when procuring software, licenses for using the software, and software support services for redistricting by the Legislature, include in the requests for proposals and the resulting contracts that the commission may purchase the same software, licenses for using the software, and software support services, under the contracts at the same cost and under the same terms provided to the Legislature.~~

~~Effective 5/4/2022~~

**~~20A-20-203. Exemptions from and applicability of certain legal requirements
—Risk management—Code of ethics.~~**

(1) The commission is exempt from:

- (a) except as provided in Subsection [\(3\)](#), [Title 63A, Utah Government Operations Code](#);
- (b) [Title 63G, Chapter 4, Administrative Procedures Act](#); and
- (c) [Title 63A, Chapter 17, Utah State Personnel Management Act](#).

(2) (a) The commission shall adopt budgetary procedures, accounting, and personnel and human resource policies substantially similar to those from which the commission is exempt under Subsection [\(1\)](#).

(b) The commission is subject to:

- (i) [Title 52, Chapter 4, Open and Public Meetings Act](#);
- (ii) Section [67-3-12](#) relating to the Utah public finance website;
- (iii) [Title 63G, Chapter 2, Government Records Access and Management Act](#);
- (iv) [Title 63G, Chapter 6a, Utah Procurement Code](#); and
- (v) [Title 63J, Chapter 1, Budgetary Procedures Act](#).

- (3) Subject to the requirements of Subsection ~~63E-1-304(2)~~, the commission may participate in coverage under the Risk Management Fund created by Section ~~63A-4-201~~.
- (4) (a) The commission may, by majority vote, adopt a code of ethics.
- (b) The commission, and the commission's members and employees, shall comply with a code of ethics adopted under Subsection ~~(4)(a)~~.
- (c) The executive director of the commission shall report a commission member's violation of a code of ethics adopted under Subsection ~~(4)(a)~~ to the appointing authority of the commission member.
- (d) (i) A violation of a code of ethics adopted under Subsection ~~(4)(a)~~ constitutes cause to remove a member from the commission under Subsection ~~20A-20-201(3)(b)~~.
- (ii) An act or omission by a member of the commission need not constitute a violation of a code of ethics adopted under Subsection ~~(4)(a)~~ to be grounds to remove a member of the commission for cause.

Effective 5/28/2021

~~20A-20-301. Public hearings -- Private conversations.~~

- (1) (a) The commission shall, by majority vote, determine the number, locations, and dates of public hearings to be held by the commission, but shall hold no fewer than seven public hearings throughout the state to discuss maps, as follows:
- (i) one in the Bear River region, which includes Box Elder, Cache, and Rich counties;
- (ii) one in the Southwest region, which includes Beaver, Garfield, Iron, Kane, and Washington counties;
- (iii) one in the Mountain region, which includes Summit, Utah, and Wasatch counties;
- (iv) one in the Central region, which includes Juab, Millard, Piute, Sanpete, Sevier, and Wayne counties;
- (v) one in the Southeast region, which includes Carbon, Emery, Grand, and San Juan counties;
- (vi) one in the Uintah Basin region, which includes Daggett, Duchesne, and Uintah counties; and
- (vii) one in the Wasatch Front region, which includes Davis, Morgan, Salt Lake, Tooele, and Weber counties.
- (b) The commission shall hold at least two public hearings in a first or second class county but not in the same county.
- (c) The committee and the commission may coordinate hearing times and locations to:
- (i) avoid holding hearings at, or close to, the same time in the same area of the state; and
- (ii) to the extent practical, hold hearings in different cities within the state.

- (2) Each public hearing must provide those in attendance a reasonable opportunity to submit written and oral comments to the commission and to propose redistricting maps for the commission's consideration.
- (3) The commission shall hold the public hearings described in Subsection [\(1\)](#), during the year following a decennial year, no later than:
- (a) October 17, if the commission receives the linked PL94-171 data on or before September 1; or
 - (b) 46 days after the day on which the commission receives the linked PL94-171 data, if the commission receives the linked PL94-171 data after September 1.
- (4) (a) A member of the commission may not engage in any private communication with any individual other than other members of the commission or commission staff, including consultants retained by the commission, that is material to any redistricting map or element of a map pending before the commission or intended to be proposed for commission consideration, without making the communication, or a detailed and accurate description of the communication including the names of all parties to the communication and the map or element of the map, available to the commission and to the public.
- (b) A member of the commission shall make the disclosure required by Subsection [\(4\)\(a\)](#) before the redistricting map or element of a map is considered by the commission.
- (5) The committee chairs and the chair of the commission shall, no later than two business days after the day on which the Legislature appoints a committee, under Subsection [20A-20-201\(3\)\(a\)\(ii\)](#), for a special redistricting, jointly agree on a schedule for the commission that:
- (a) reasonably ensures that the commission may complete the commission's duties in a timely manner, consistent with the time frame applicable to the committee and the Legislature;
 - (b) establishes deadlines for the following:
 - (i) holding the public hearings described in Subsection [\(1\)](#);
 - (ii) preparing and recommending maps under Subsection [20A-20-302\(2\)](#);
 - (iii) submitting the maps and written report described in Subsection [20A-20-303\(1\)](#); and
 - (iv) holding the public meeting described in Subsection [20A-20-303\(2\)](#); and
 - (c) provides that the commission dissolves upon approval of the Legislature's redistricting maps 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.

~~Effective 5/5/2021~~

~~20A-20-302. Selection of recommended maps — Map requirements and~~

standards.

(1) As used in this section:

- (a) "Map type" means one of four map types, as follows:
 - (i) a map of all Utah congressional districts;
 - (ii) a map of all state Senate districts;
 - (iii) a map of all state House of Representatives districts; and
 - (iv) a map of all State School Board districts.
- (b) "Total population deviation" means a percentage determined as follows:
 - (i) calculating the ideal district population by dividing the total population by the number of districts;
 - (ii) calculating the percentage difference between the population of the district with the greatest population and the ideal district population;
 - (iii) calculating the percentage difference between the population of the district with the lowest population and the ideal district population; and
 - (iv) combining the percentage differences described in Subsections [\(1\)\(b\)\(ii\)](#) and [\(iii\)](#).

(2) The commission shall, no later than 14 days after the day of the final public hearing described in Subsection [20A-20-301\(1\)](#), prepare and recommend three different maps for each map type, as follows:

- (a) three different maps for congressional districts, with the number of congressional districts apportioned to Utah;
- (b) three different maps for state Senate districts, with 29 Senate districts;
- (c) three different maps for state House of Representatives districts, with 75 House of Representative districts; and
- (d) three different maps for State School Board districts, with 15 State School Board districts.

- ### **(3)**
- (a) To the extent possible, each map recommended by the commission shall be approved by at least five members of the commission.
 - (b) If the commission is unable to obtain the approval of at least five members for all maps required under Subsection [\(2\)](#) for a particular map type, the commission shall, for that map type:
 - (i) if possible, recommend one map that is approved by at least five members of the commission; and
 - (ii) recommend two additional maps that are approved by a majority of commission members, as follows:
 - (A) one of the maps shall be approved by a majority that includes the commission member described in Subsection [20A-20-201\(2\)\(f\)](#); and
 - (B) one of the maps shall be approved by a majority that includes the commission member described in Subsection [20A-20-201\(2\)\(g\)](#).

~~(4) The commission shall ensure that:~~

- ~~(a) each map recommended by the commission:
 - ~~(i) is drawn using the official population enumeration of the most recent decennial census;~~
 - ~~(ii) for congressional districts, has a total population deviation that does not exceed 1%;~~
 - ~~(iii) for Senate, House of Representatives, and State School Board districts, has a total population deviation of less than 10%;~~
 - ~~(iv) does not use race as a predominant factor in drawing district lines; and~~
 - ~~(v) complies with the United States Constitution and all applicable federal laws, including Section 2 of the Voting Rights Act; and~~~~
- ~~(b) each district in each map is:
 - ~~(i) drawn based on total population;~~
 - ~~(ii) a single member district; and~~
 - ~~(iii) contiguous and reasonably compact.~~~~

~~(5) The commission shall define and adopt redistricting standards for use by the commission that require that maps adopted by the commission, to the extent practicable, comply with the following, as defined by the commission:~~

- ~~(a) preserving communities of interest;~~
- ~~(b) following natural, geographic, or man-made features, boundaries, or barriers;~~
- ~~(c) preserving cores of prior districts;~~
- ~~(d) minimizing the division of municipalities and counties across multiple districts;~~
- ~~(e) achieving boundary agreement among different types of districts; and~~
- ~~(f) prohibiting the purposeful or undue favoring or disfavoring of:
 - ~~(i) an incumbent elected official;~~
 - ~~(ii) a candidate or prospective candidate for elected office; or~~
 - ~~(iii) a political party.~~~~

~~(6) The commission may adopt a standard that prohibits the commission from using any of the following, except for the purpose of conducting an assessment described in Subsection (8):~~

- ~~(a) partisan political data;~~
- ~~(b) political party affiliation information;~~
- ~~(c) voting records;~~
- ~~(d) partisan election results; or~~
- ~~(e) residential addresses of incumbents, candidates, or prospective candidates.~~

~~(7) The commission may adopt redistricting standards for use by the commission that require a smaller total population deviation than the total population deviation~~

described in Subsection ~~(4)(a)(iii)~~ if the committee or the Legislature adopts a smaller total population deviation than 10% for Senate, House of Representatives, or State School Board districts.

- (8) (a) Three members of the commission may, by affirmative vote, require that commission staff evaluate any map drawn by, or presented to, the commission as a possible map for recommendation by the commission to determine whether the map complies with the redistricting standards adopted by the commission.
- (b) In conducting an evaluation described in Subsection ~~(8)(a)~~, commission staff shall use judicial standards and, as determined by the commission, the best available data and scientific methods.

Effective 5/5/2021

~~20A-20-303. Submission of maps to Legislature -- Consideration by Legislature.~~

- (1) The commission shall, no later than 14 days after the day of the final public hearing described in Subsection ~~20A-20-301(1)~~, submit to the director of the Office of Legislative Research and General Counsel, for distribution to the committee, and make available to the public, the redistricting maps recommended under Section ~~20A-20-302~~ and a detailed written report describing each map's adherence to the commission's redistricting standards and requirements.
- (2) The commission shall submit the maps recommended under Section ~~20A-20-302~~ to the committee in a public meeting of the committee as described in this section.
- (3) The committee shall:
- (a) hold the public meeting described in Subsection ~~(2)~~:
 - (i) for the sole purpose of considering each map recommended under Section ~~20A-20-302~~; and
 - (ii) for a year immediately following a decennial year, no later than 15 days after the day on which the commission complies with Subsection ~~(1)~~; and
 - (b) at the public meeting described in Subsection ~~(2)~~, provide reasonable time for:
 - (i) the commission to present and explain the maps described in Subsection ~~(1)~~;
 - (ii) the public to comment on the maps; and
 - (iii) the committee to discuss the maps.
- (4) The Legislature may not enact a redistricting plan before complying with Subsections ~~(2)~~ and ~~(3)~~.
- (5) The committee or the Legislature may, but is not required to, vote on or adopt a map submitted to the committee or the Legislature by the commission.