
HOUSE BILL No. 1170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-1.5; IC 3-8.

Synopsis: Redistricting. Establishes a redistricting commission (commission) to draw congressional and legislative districts required after 2012. Provides that the commission consists of four members, one of whom is appointed by each of the legislative leaders. Requires the governor to appoint a fifth nonvoting member who acts as chair of the commission. Requires the commission to do the commission's work according to procedures and deadlines established by joint rules adopted by the house of representatives and the senate. Establishes criteria for establishing congressional and legislative districts. Makes an appropriation.

Effective: July 1, 2012.

Bartlett

January 9, 2012, read first time and referred to Committee on Elections and Apportionment.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1170



A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-1.5 IS ADDED TO THE INDIANA CODE AS A
- 2 **NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,**
- 3 **2012]:**
- 4 **ARTICLE 1.5. REDISTRICTING OF GENERAL ASSEMBLY**
- 5 **AND CONGRESSIONAL DISTRICTS**
- 6 **Chapter 1. Application**
- 7 **Sec. 1. This article applies to the establishment of general**
- 8 **assembly or congressional districts required after December 31,**
- 9 **2012.**
- 10 **Chapter 2. Definitions**
- 11 **Sec. 1. The definitions in this chapter apply throughout this**
- 12 **article.**
- 13 **Sec. 2. "Appointing authority" refers to any of the following:**
- 14 **(1) The speaker of the house of representatives.**
- 15 **(2) The minority leader of the house of representatives.**
- 16 **(3) The president pro tempore of the senate.**
- 17 **(4) The minority leader of the senate.**



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(5) The governor.

Sec. 3. "Bureau" refers to the United States Department of Commerce, Bureau of the Census.

Sec. 4. "Census data" means the population data that the bureau is required to provide to the state under 13 U.S.C. 141.

Sec. 5. "Census year" refers to the year in which a federal decennial census is conducted.

Sec. 6. "Commission" refers to the redistricting commission established under IC 2-1.5-3.

Sec. 7. "Federal decennial census" refers to a federal decennial census conducted under 13 U.S.C. 141.

Sec. 8. "House of representatives" refers to the house of representatives of the general assembly.

Sec. 9. "Ideal district population" for a plan refers to the number equal to the quotient of the following, rounded to the nearest whole number:

- (1) The numerator is the population of Indiana as reported by the most recent federal decennial census.
- (2) The denominator is the number of districts required by this article for the plan.

Sec. 10. (a) "Plan" refers to any of the following:

- (1) A plan for districts for the house of representatives.
- (2) A plan for districts for the senate.
- (3) A plan for congressional districts.

(b) A plan includes maps and written descriptions of the maps that define all the districts that a plan is required to have under this article.

Sec. 11. "Political subdivision" means a city, county, town, or township.

Sec. 12. "Redistricting year" refers to the year immediately following a census year.

Sec. 13. "Senate" refers to the senate of the general assembly.

Chapter 3. Redistricting Commission

Sec. 1. A redistricting commission consisting of five (5) members is established as provided in this chapter.

Sec. 2. Not later than January 15 of a redistricting year, each of the appointing authorities shall appoint one (1) individual to be a commission member. An individual appointed by an appointing authority other than the governor must be a member of the general assembly.

Sec. 3. An individual serves as a commission member until the earlier of the following:

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- 1 (1) The individual vacates the individual's membership on the
2 commission.
- 3 (2) The appointment of a new commission under this chapter
4 following a federal decennial census.
- 5 **Sec. 4. The commission member appointed by the governor:**
6 (1) serves as chair of the commission; and
7 (2) is a nonvoting member of the commission.
- 8 **Sec. 5. Three (3) commission members constitute a quorum.**
- 9 **Sec. 6. The affirmative vote of three (3) commission members is**
10 **necessary for the commission to adopt a plan.**
- 11 **Sec. 7. The legislative services agency shall provide the**
12 **commission with staff and administrative services.**
- 13 **Sec. 8. The amounts necessary to pay the commission's and the**
14 **legislative services agency's expenses to implement this article are**
15 **continuously appropriated from the state general fund.**
- 16 **Sec. 9. The commission shall do the commission's work**
17 **according to procedures and deadlines established by joint rules**
18 **adopted by the house of representatives and the senate.**
- 19 **Sec. 10. A plan becomes effective only when enacted as a law as**
20 **provided in the Constitution of the State of Indiana.**
- 21 **Chapter 4. Redistricting Standards**
- 22 **Sec. 1. Districts created for the house of representatives, the**
23 **senate, and the United States House of Representatives must**
24 **comply with the standards of this chapter.**
- 25 **Sec. 2. (a) A plan for house of representatives districts must**
26 **have one hundred (100) districts.**
- 27 **(b) A plan for senate districts must have fifty (50) districts.**
- 28 **(c) A plan for congressional districts must have as many**
29 **districts as are allocated to the state of Indiana under 2 U.S.C. 2a.**
- 30 **Sec. 3. Districts must be established on the basis of population.**
- 31 **Sec. 4. The population of a house of representatives or a senate**
32 **district may not deviate from the ideal district population by more**
33 **than one percent (1%) of the ideal district population.**
- 34 **Sec. 5. (a) Districts must be composed of contiguous territory.**
- 35 **(b) Areas that meet only at the point of adjoining corners are**
36 **not considered contiguous.**
- 37 **Sec. 6. (a) Districts must be as compact as possible.**
- 38 **(b) The compactness of a district must be measured by**
39 **determining the total length of the boundary of the district.**
- 40 **(c) The compactness of a plan must be measured by adding the**
41 **compactness measures of all the districts in the plan as determined**
42 **under subsection (b).**

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1 (d) A plan is considered more compact than another plan if the
2 compactness measure of the plan is less than the compactness
3 measure of the other plan.

4 Sec. 7. Districts must not violate precinct boundaries.

5 Sec. 8. To the extent possible consistent with sections 2 through
6 of this chapter, district boundaries of general assembly districts
7 must coincide with the boundaries of Indiana political subdivisions
8 as follows:

9 (1) The commission shall minimize the number of counties
10 and cities divided among more than one (1) district.

11 (2) Except as provided in subdivision (3), if there is a choice
12 between political subdivisions to be divided, the more
13 populous political subdivisions shall be divided before a less
14 populous political subdivision is divided.

15 (3) Subdivision (2) does not apply to a general assembly
16 district boundary drawn along a county line that passes
17 through a municipality that lies in more than one (1) county.

18 Sec. 9. In evaluating plans for recommendation, the commission
19 shall consider the following:

20 (1) The effect that a plan has on language and racial minority
21 groups.

22 (2) Whether a plan preserves traditional neighborhoods.

23 (3) Whether a plan preserves local communities of interest
24 based upon cultural, ethnic, geographic, and socioeconomic
25 similarities.

26 (4) Whether a plan avoids oddly shaped districts. Rational
27 and logical deviations may occur from this standard where an
28 effort is made to follow a political subdivision's boundaries or
29 to follow natural geographic boundaries.

30 SECTION 2. IC 3-8-2-8 IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A declaration of candidacy
32 for the office of United States Senator or for the office of governor
33 must be accompanied by a petition signed by at least four thousand five
34 hundred (4,500) voters of the state, including at least five hundred
35 (500) voters from each congressional district.

36 (b) Each petition must contain the following:

37 (1) The signature of each petitioner.

38 (2) The name of each petitioner legibly printed.

39 (3) The residence mailing address of each petitioner.

40 (c) This subsection applies to a petition filed during the period:

41 (1) beginning on the date that a congressional district plan has
42 been adopted under ~~IC 3-3~~; IC 2-1.5; and

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1 (2) ending on the date that ~~the part of the act or order issued under~~
 2 ~~IC 3-3-2~~ establishing the previous congressional district plan is
 3 repealed or superseded.
 4 The petition must be signed by at least four thousand five hundred
 5 (4,500) voters of Indiana, including at least five hundred (500) voters
 6 from each congressional district created by the most recent
 7 congressional district plan adopted under ~~IC 3-3~~; **IC 2-1.5**.
 8 SECTION 3. IC 3-8-3-2 IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A request filed under section
 10 1 of this chapter must be accompanied by a petition signed by at least
 11 four thousand five hundred (4,500) voters of the state, including at least
 12 five hundred (500) voters from each congressional district.
 13 (b) Each petition must contain the following:
 14 (1) The signature of each petitioner.
 15 (2) The name of each petitioner legibly printed.
 16 (3) The residence mailing address of each petitioner.
 17 (c) This subsection applies to a petition filed during the period:
 18 (1) beginning on the date that a congressional district plan has
 19 been adopted under ~~IC 3-3~~; **IC 2-1.5**; and
 20 (2) ending on the date that ~~the part of the act or order issued under~~
 21 ~~IC 3-3-2~~ establishing the previous congressional district plan is
 22 repealed or superseded.
 23 The petition must be signed by at least four thousand five hundred
 24 (4,500) voters of Indiana, including at least five hundred (500) voters
 25 from each congressional district created by the most recent
 26 congressional district plan adopted under ~~IC 3-3~~; **IC 2-1.5**.

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