

Adopted	Rejected
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COMMITTEE REPORT

YES: 9
NO: 3

MR. SPEAKER:

Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 475, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 11, delete lines 22 through 23, begin a new line block indented
- 2 and insert:
- 3 **"(4) the county council shall divide the county into seven (7)**
- 4 **single-member county council districts as required by**
- 5 **IC 36-2-3-4.1."**
- 6 Page 16, line 2, after "executive" insert "**under section 6(a) of this**
- 7 **chapter**".
- 8 Page 16, line 3, delete "certified" and insert "**attested to**".
- 9 Page 17, line 16, delete "and shall execute the single county
- 10 executive's" and insert ".".
- 11 Page 17, delete line 17.
- 12 Page 20, delete lines 17 through 19, begin a new line block indented
- 13 and insert:
- 14 **"(8) Effective with the second general election after the local**
- 15 **public question is approved, the county council shall be**
- 16 **elected with four (4) single-member county council districts**

1 **and three (3) at-large members under IC 36-2-3-4. The county**
 2 **council shall divide the county into the four (4) contiguous**
 3 **single-member county council districts under IC 36-2-3-4. The**
 4 **terms of all county council members serving at the time of the**
 5 **second general election after the local public question is**
 6 **approved expire January 1 following the election.**
 7 **Notwithstanding any other law, to provide for staggered terms**
 8 **of the members of the county council, the county council may,**
 9 **before the primary election preceding the general election at**
 10 **which county council members will be elected as provided in**
 11 **this subdivision, adopt an ordinance specifying which of the**
 12 **seven (7) members of the county council shall serve an initial**
 13 **term of two (2) years rather than four (4) years.**

14 SECTION 16. IC 36-2-3-4, AS AMENDED BY P.L.119-2012,
 15 SECTION 182, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) This subsection does not
 17 apply to a county having a population of:

- 18 (1) more than four hundred thousand (400,000) but less than seven
 19 hundred thousand (700,000); or
 20 (2) more than two hundred fifty thousand (250,000) but less than
 21 two hundred seventy thousand (270,000).

22 **Except as provided in section 4.1 of this chapter,** the county
 23 executive shall, by ordinance, divide the county into four (4)
 24 contiguous, single-member districts that comply with subsection (d). If
 25 necessary, the county auditor shall call a special meeting of the
 26 executive to establish or revise districts. One (1) member of the fiscal
 27 body shall be elected by the voters of each of the four (4) districts.
 28 Three (3) at-large members of the fiscal body shall be elected by the
 29 voters of the whole county.

30 (b) This subsection applies to a county having a population of more
 31 than four hundred thousand (400,000) but less than seven hundred
 32 thousand (700,000). The county redistricting commission established
 33 under IC 36-2-2-4 shall divide the county into seven (7) single-member
 34 districts that comply with subsection (d). One (1) member of the fiscal
 35 body shall be elected by the voters of each of these seven (7)
 36 single-member districts.

37 (c) This subsection applies to a county having a population of more
 38 than two hundred fifty thousand (250,000) but less than two hundred

1 seventy thousand (270,000). The fiscal body shall divide the county
 2 into nine (9) single-member districts that comply with subsection (d).
 3 Three (3) of these districts must be contained within each of the three
 4 (3) districts established under IC 36-2-2-4(c). One (1) member of the
 5 fiscal body shall be elected by the voters of each of these nine (9)
 6 single-member districts.

7 (d) Single-member districts established under subsection (a), (b), or
 8 (c) must:

9 (1) be compact, subject only to natural boundary lines (such as
 10 railroads, major highways, rivers, creeks, parks, and major
 11 industrial complexes);

12 (2) not cross precinct boundary lines;

13 (3) contain, as nearly as possible, equal population; and

14 (4) include whole townships, except when a division is clearly
 15 necessary to accomplish redistricting under this section.

16 (e) A division under subsection (a), (b), or (c) shall be made:

17 (1) during the first year after a year in which a federal decennial
 18 census is conducted; and

19 (2) when the county executive adopts an order declaring a county
 20 boundary to be changed under IC 36-2-1-2.

21 (f) A division under subsection (a), (b), or (c) may be made in any
 22 odd-numbered year not described in subsection (e).

23 **(g) A division under subsection (a) shall be made during the year**
 24 **before county council members will be elected under**
 25 **IC 36-2-2.7-6(8).**

26 SECTION 17. IC 36-2-3-4.1 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE UPON PASSAGE]: **Sec. 4.1. (a) This chapter applies**
 29 **only to a county:**

30 **(1) that has a population of more than three hundred**
 31 **thousand (300,000) but less than four hundred thousand**
 32 **(400,000); and**

33 **(2) in which a local public question under IC 36-2-2.4 making**
 34 **the county executive a single county commissioner has been**
 35 **approved by the voters of the county.**

36 **(b) Effective for the second general election after the local public**
 37 **question under IC 36-2-2.4 is approved, the county fiscal body shall**
 38 **by ordinance divide the county into seven (7) contiguous,**

1 single-member districts that comply with subsection (c). One (1)
2 member of the fiscal body shall be elected by the voters of each of
3 the seven (7) districts.

4 (c) Single-member districts established under subsection (b)
5 must:

6 (1) be compact, subject only to natural boundary lines (such
7 as railroads, major highways, rivers, creeks, parks, and major
8 industrial complexes);

9 (2) not cross precinct boundary lines;

10 (3) contain, as nearly as possible, equal population;

11 (4) include whole townships, except when a division is clearly
12 necessary to accomplish redistricting under this section;

13 (5) consider how communities of interest within the county
14 can best be represented; and

15 (6) be drawn so as to provide at least one (1) representative to
16 each distinct community of interest to the extent practicable
17 and not inconsistent with other applicable law.

18 (d) A division under subsection (b) shall be made:

19 (1) effective for the second general election after the local
20 public question under IC 36-2-2.4 is approved; and

21 (2) whenever the county executive adopts an order declaring
22 a county boundary to be changed under IC 36-2-1-2.

23 (e) After a division is initially made under subsection (b),
24 another division may be made in any odd-numbered year not
25 described in subsection (d)."

26 Page 20, line 33, after "Sec. 3." insert "(a)".

27 Page 21, line 5, delete "IC 36-2-2.5." and insert "IC 36-2-2.5; and

28 (3) the county council shall divide the county into seven (7)
29 single-member county council districts.

30 (b) The following apply in a county to which this chapter
31 applies:

32 (1) Seven (7) county council members shall be elected at the
33 second general election after the local public question under
34 IC 36-2-2.4 is approved.

35 (2) The terms of all county council members serving at the
36 time of the second general election after the local public
37 question under IC 36-2-2.4 is approved expire January 1
38 following the election.

1 **(3) Notwithstanding any other law, to provide for staggered**
2 **terms of the members of the county council, the county**
3 **council may, before the primary election preceding the**
4 **general election described in subdivision (1), adopt an**
5 **ordinance specifying which of the seven (7) members of the**
6 **county council shall serve an initial term of two (2) years**
7 **rather than four (4) years."**

8 Renumber all SECTIONS consecutively.

(Reference is to SB 475 as printed February 15, 2013.)

and when so amended that said bill do pass.

Representative Mahan