

Members

Rep. Russ Stilwell, Chairperson
Rep. Kreg Battles
Rep. Kathy Richardson
Rep. Robert Behning
Sen. Sue Landske
Sen. Connie Lawson
Sen. Timothy Lanane
Sen. Karen Tallian



CENSUS DATA ADVISORY COMMITTEE

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Authority: IC 2-5-19

MEETING MINUTES¹

Meeting Date: September 17, 2010
Meeting Time: 11:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Russ Stilwell, Chairperson; Rep. Kreg Battles; Rep. Kathy Richardson; Rep. Robert Behning; Sen. Timothy Lanane; Sen. Karen Tallian.

Members Absent: Sen. Connie Lawson; Sen. Sue Landske.

Chairman Representative Russ Stilwell convened the meeting at 11:10 AM. He welcomed persons in attendance. Testimony began after member introductions and a brief review of the Committee's responsibilities for the interim.

Maureen Bard and Mark Stratton, Legislative Services Agency Office of Census Data-

Ms. Bard and Mr. Stratton gave an overview of census data and the anticipated date of arrival for the data for use in preparing state House, Senate, and federal congressional districts. They provided a handout for each committee member concerning data facts and figures that pertain to their respective House and Senate districts. (Please refer to Exhibit A.)

Ms. Bard discussed data projections for counties that could either gain or lose population with the release of the next census.

Mr. Stratton discussed the potential for improvement in the release date by the U.S. Census Bureau of data in 2011 as compared to ten years ago. He said that the data could be received by early February 2011 as compared to the receipt of data ten years ago during mid-March 2001.

¹ These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative>. Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

Chairman Stilwell opened discussion to the Committee about the topic of redistricting. (Reference to HB 1013, HB 1030, HB 1347, SB 136, SB 289, and SR 66, all from the 2010 session; see Exhibits B-G.)

Senator Lanane discussed some of the differences in Exhibits B-G. He said the Senate Democratic Caucus had the mind not to wait on a state constitutional amendment to establish a redistricting commission. He said the focus was to go ahead and statutorily establish a commission, which was what Senator Simpson's bill attempted to do.

Chairman Stilwell thanked Senator Lanane for the explanation. The Chairman said that under current circumstances a commission could not be in place without a change in statute. He mentioned, given the date, it would be too late to establish a commission for the next redistricting, scheduled for 2011.

Representative Behning referred to Senate Bill 289-2010 (page 8, line 23) and questioned if the date involved [before Oct 1 of a redistricting year] was right for the General Assembly to meet to establish new legislative maps. He questioned if the data would be available by that date to draft a redistricting bill. He said the date would require a special session. He said that after looking over the various drafts for a redistricting commission last year, it looked good in theory, but perhaps not be practical in actual practice.

Senator Lanane responded to Representative Behning that Senator Simpson (SB 289's author) realized the need to have a special session to adopt new districts.

Representative Behning stressed it could be difficult to pass a redistricting bill alone without a budget bill to push it along.

Chairman Stilwell added that he thought the idea of an independent commission looked good in theory, as well, but in practice could be difficult to implement.

Senator Tallian stated that she had done research on redistricting commissions last year. She continued that she found over half of U.S. states have a redistricting commission. She said that they differ in the membership schemes ranging from 5 to 15 members. She added that the dates in Senate Bill 289-2010 could be changed without changing the State Constitution. She concluded that she believes the general public wants an impartial separate redistricting commission.

With the conclusion of the discussion, the Chairman shifted to the topic of election law.

Ms. Beverly Elliot of the Indiana Clerks Association (ICA) passed around a sample optical scan ballot for the Committee to inspect while she made her presentation. She said sample ballots, except for the "SAMPLE" watermark, are identical to actual ballots. She asked the Committee to recommend redefining the definition of "identical" under sample ballot code to exclude coding and timing marks (on the border of the sample ballot shown). She said under current form a sample ballot could be voted with the watermarks intact on the border. She stated that the concern for the change is due to the possibility of voter fraud. She said it was possible for someone to hide a sample ballot under an actual ballot and in essence vote twice.

Representative Richardson asked if the ballot's paper stock matters.

Ms. Elliot answered that sample ballots are currently printed on the same standard ballot paper as used for voting.

Ms. Elliot also requested that the Committee recommend allowing counties the option of

removing the numbers in parentheses at the right of a candidate's name from the ballot. She cited printing cost and space on the ballot as the reason for the request. She also asked for school board offices, currently in their own column, to be placed in a way that would allow the candidates to be placed in whole or partially on the front side of the ballot. Ms. Elliot stated that in her county the candidates for school board get placed on the backside of the ballot, which can lead significantly to undervoting, as many voters simply do not turn the ballot over to the second side before placing it in the scan machine.

Ms. Elliot explained in her testimony the inability to split the candidates up was the primary reason for her asking for a change to the law. Her testimony reflected that if candidates could be split, then at least some of them could be printed on the front side of the ballot, which would save ballot printing expenditures.

Chairman Stilwell asked if a county had 13 persons running for school board and the law changed, would the clerk be able to keep the candidates together.

Ms. Peggy Mayfield, Morgan County Clerk, standing with Ms. Elliot during her testimony, answered that under current law, the candidates could not be divided.

Senator Lanane asked if law should be amended with regard to using the same paper stock for sample ballots.

Ms. Elliot responded that they could put the sample ballot on regular paper with the timing marks off.

Senator Lanane asked how a sample ballot could be voted currently.

Ms. Elliot answered that two or more ballots could be placed in the "secrecy sleeve" used by her county. She continued that only a small portion was necessary to be pulled through the screen. She said it could be done without a poll worker seeing what was occurring. She concluded that both ballots could then be slipped through the scanner. She said the voter could then hide the sample ballot as they exit the polls, leaving the real ballot behind.

Senator Tallian asked if it would be cheaper to print the sample ballots on paper other than the ballot stock. Ms. Elliot replied yes it would be. She said it could even be Xeroxed.

Representative Behning asked if there were another way to address the problem. He specifically asked if the "SAMPLE" watermark could be made of bigger font size and cover more candidates.

Ms. Mayfield said that ballots can change from year to year and a one-size-fits-all larger watermark would not necessarily cover every office on the ballot nor prevent a person from filling out and voting the ballot.

Ms. Elliot said the most effective way would be to remove the timing marks, then the machine would not be able to scan the sample ballot.

Representative Behning asked if the vendor could find a way around the problem without changing the sample ballot format under current law.

Ms. Mayfield replied that most voters want to know who is on the ballot.

Chairman Stilwell asked both Ms. Elliot and Ms. Mayfield to come up with proposed language that would be the most cost-effective and least-intrusive means to a solution to the problem.

Ms. Mayfield then testified about the impact of the Military and Overseas Voter Election Act (MOVE) on county clerk filing dates. She proposed backing the beginning of the filing period from February 1 to January 1.

Chairman Stilwell asked Ms. Mayfield and Ms. Elliot to provide language and the reasoning behind the proposed change and send to the chairs and ranking members of the respective House and Senate election committees.

Ms. Sarah Rossier, representing the Association of Indiana Counties (AIC), spoke briefly about combined county election boards. She said that with the upcoming census, four counties could be required to adopt a combined board under current law, because those counties' populations will likely fall into the required statutory population parameters.

Ms. Mayfield followed up saying that in a county with a combined board, members are appointed by the political parties and not appointed by the clerk.

Representative Behning said he believed that the law would not apply to these counties. He said the only counties under the effect of the law were those counties whose populations qualified at the time the law was created.

Chairman Stilwell said that the Committee could look into this situation, but was certain that the parameters would not be a problem.

Representative Richardson said she thought a new bill would come forth with new population parameters.

Staff attorney Margaret Piety said that staff attorney Robert Rudolph drafted the last parameter update bill.

Chairman Stilwell then opened the floor to public testimony.

Julia Vaughn said she was in support of an independent redistricting commission (IRC). She said an IRC would lead to better maps and greater trust of the public. She said that it would help if those with greatest self-interest were not the architects of the legislative maps.

Ms. Vaughn went through how the maps are drawn currently in Indiana. She said the "roadmap" to drawing up new districts is sketchy and follows little criteria. She said the only current requirement by law was that districts had to be contiguous. She urged the Committee to put a roadmap in place early in the next session to provide more specific criteria for redistricting. She concluded that Senate Bill 80's language would be a good starting point.

Ms. Vaughn said the maps should contain more competitive districts. She said the current tendency is to draw more safe districts. She said this issue is important only every 10 years and that it is easy to forget about it once it is done. She reiterated that establishing firmer criteria would be a wise thing to do.

Senator Tallian commented that there is an entire battery of cases listing the criteria Ms. Vaughn requested in her testimony. Senator Tallian said the rules for redistricting are in case law. She also said perhaps it is time to put these criteria into statute.

Senator Lanane commented that he was not sure if the Supreme Court had said if the districts had to be competitive.

Chairman Stilwell asked Ms. Vaughn how to ensure competitiveness in districts. He asked if we

look at voting pattern histories.

Ms. Vaughn replied that of course competitiveness is not possible in every district, but she said that as close to 50-50 should be the goal. She said competitive means 50-50.

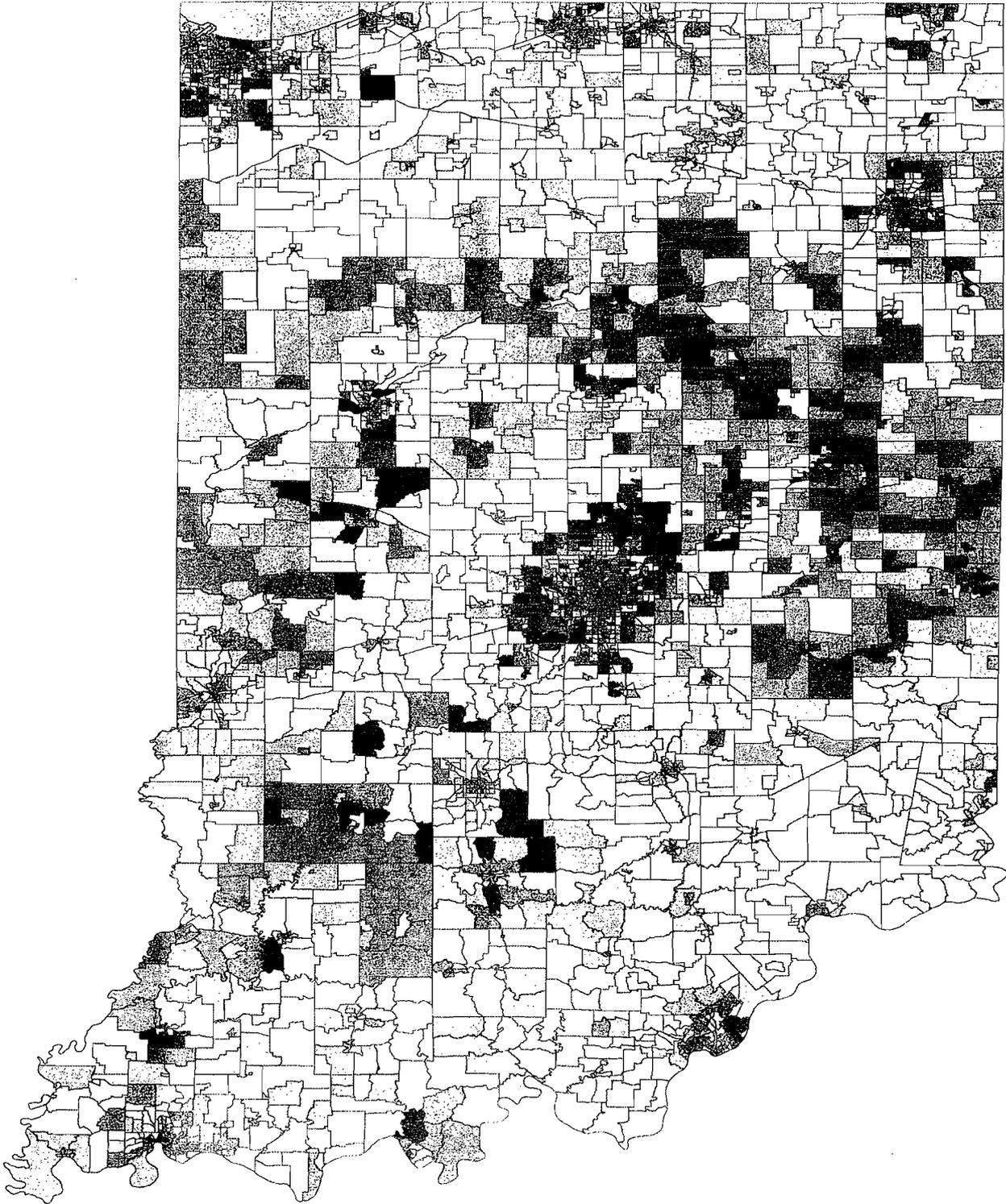
Chairman Stilwell opened discussion to the Committee members.

Representative Richardson asked where does the Committee go from here and when was the next meeting.

Chairman Stilwell indicated that another meeting would be called if something else were brought to the attention of the Committee and needed to be discussed. He said he wanted the members to go through the minutes and then get back to him if members felt that something further should be discussed.

With no further business or discussion by members, the Chairman adjourned the meeting at 12:05 PM.

ESRI POPULATION PROJECTIONS BY BLOCK GROUP



Legend

2009 Projection	1700 - 3108	90 - 157	-36 - 0	-1646 - -878
Projected Difference	931 - 1699	53 - 89	-104 - -37	-3056 - -1647
10427 - 19104	512 - 930	33 - 52	-229 - -105	
5692 - 10426	283 - 511	22 - 32	-458 - -230	
3109 - 5691	158 - 282	1 - 21	-877 - -459	

Table 1. Annual Estimates of the Resident Population for Counties of Indiana: April 1, 2000 to July 1, 2009

Geographic Area	difference	Percentage change	Population Estimates					
			July 1, 2009	July 1, 2008	July 1, 2007	July 1, 2006	July 1, 2005	July 1, 2004
Indiana	342,628	5.334298182	6,423,113	6,388,309	6,346,113	6,301,700	6,253,120	6,214,454
Adams County	631	1.842013078	34,256	34,105	33,847	33,788	33,779	33,758
Allen County	22,039	6.227676553	353,888	351,148	349,322	345,976	342,894	340,678
Bartholomew County	4,628	6.084430012	76,063	75,494	74,676	73,972	73,200	72,523
Benton County	-808	-9.381168002	8,613	8,692	8,697	8,775	8,837	8,954
Blackford County	-997	-7.639261359	13,051	13,165	13,245	13,298	13,511	13,599
Boone County	10,180	18.08588129	56,287	54,964	54,009	52,970	51,427	50,305
Brown County	-409	-2.811383008	14,548	14,633	14,716	14,847	14,877	15,063
Carroll County	-413	-2.090927501	19,752	19,777	19,815	19,916	20,056	19,980
Cass County	-1,865	-4.774094458	39,065	39,144	39,116	39,312	39,680	39,958
Clark County	12,162	11.19539003	108,634	107,040	105,369	103,834	101,523	100,259
Clay County	-23	-0.086684506	26,533	26,665	26,617	26,770	26,823	26,802
Clinton County	501	1.457793814	34,367	34,271	33,988	33,981	33,800	33,800
Crawford County	-203	-1.925996205	10,540	10,705	10,853	10,932	10,946	10,978
Daviess County	800	2.612671457	30,620	30,318	30,120	29,958	30,010	29,938
Dearborn County	4,393	8.698665399	50,502	50,087	49,694	49,139	48,620	48,300
Decatur County	524	2.089397504	25,079	25,117	25,038	25,064	25,030	24,936
DeKalb County	1,775	4.220161674	42,060	42,023	41,834	41,494	41,382	41,169
Delaware County	-3,577	-3.105250365	115,192	114,897	115,293	115,619	116,737	117,797
Dubois County	1,745	4.213042324	41,419	41,442	41,248	41,102	40,826	40,571
Elkhart County	17,711	8.833328346	200,502	200,125	198,394	196,691	193,541	190,298
Fayette County	-1,487	-6.16986847	24,101	24,236	24,277	24,369	24,581	24,750
Floyd County	3,603	4.841050171	74,426	73,777	72,821	72,283	71,850	71,435
Fountain County	-1,102	-6.539283171	16,852	17,030	17,091	17,193	17,210	17,397
Franklin County	997	4.307067565	23,148	23,199	23,123	22,978	22,923	22,750
Fulton County	-246	-1.213915618	20,265	20,261	20,217	20,242	20,272	20,257
Gibson County	250	0.763358779	32,750	32,757	32,783	32,981	32,901	32,919
Grant County	-4,607	-6.696610268	68,796	68,965	68,864	69,435	69,955	70,798
Greene County	-694	-2.137818439	32,463	32,551	32,651	32,877	33,032	33,166
Hamilton County	96,547	34.56909917	279,287	270,936	261,910	252,406	242,100	231,811
Hancock County	12,943	18.94079082	68,334	67,265	66,227	64,646	62,415	60,429
Harrison County	3,237	8.617751983	37,562	37,236	36,910	36,696	36,460	36,025
Hendricks County	36,513	25.96830861	140,606	137,828	134,789	130,185	126,336	122,824
Henry County	-681	-1.423881908	47,827	48,057	46,884	47,372	47,264	47,548
Howard County	-2,069	-2.495928584	82,895	83,517	83,755	83,911	84,348	84,281
Huntington County	-298	-0.78883977	37,777	37,777	37,917	38,003	37,975	38,045

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Geographic Area	difference	Percentage change	Population Estimates					
			July 1, 2009	July 1, 2008	July 1, 2007	July 1, 2006	July 1, 2005	July 1, 2004
Jackson County	1,027	2.424342571	42,362	42,199	42,120	42,042	41,933	41,613
Jasper County	2,773	8.45014627	32,816	32,668	32,360	31,868	31,273	31,088
Jay County	-689	-3.262774068	21,117	21,193	21,325	21,327	21,390	21,486
Jefferson County	1,305	3.95334747	33,010	32,926	32,430	32,554	32,222	31,981
Jennings County	489	1.743750669	28,043	28,045	28,131	27,975	28,067	27,987
Johnson County	26,292	18.58078741	141,501	139,722	136,657	133,188	129,336	126,426
Knox County	-1,349	-3.558709473	37,907	37,948	37,854	37,963	38,176	38,419
Kosciusko County	2,442	3.192198591	76,499	76,444	76,260	75,801	75,475	75,105
LaGrange County	2,295	6.168691539	37,204	37,203	36,931	36,636	36,311	36,060
Lake County	9,647	1.952000259	494,211	493,443	491,332	489,333	487,695	485,994
LaPorte County	957	0.861673104	111,063	110,754	110,367	109,179	109,145	108,590
Lawrence County	-80	-0.174512456	45,842	45,856	45,953	45,843	45,962	45,893
Madison County	-1,941	-1.476977864	131,417	131,253	130,915	130,902	130,588	131,185
Marion County	30,425	3.415166369	890,879	883,107	878,190	873,347	868,883	866,945
Marshall County	1,775	3.784406115	46,903	46,687	46,540	46,578	46,317	46,113
Martin County	-423	-4.252966016	9,946	10,014	10,096	10,135	10,145	10,220
Miami County	-81	-0.22499375	36,001	36,214	36,646	36,918	36,759	36,558
Monroe County	10,175	7.782741055	130,738	129,239	127,903	126,644	124,752	123,698
Montgomery County	233	0.615392742	37,862	37,857	37,840	37,735	37,848	37,595
Morgan County	4,187	5.907500423	70,876	70,980	70,056	69,745	69,236	68,782
Newton County	-830	-6.042516016	13,736	13,920	14,009	13,996	14,208	14,172
Noble County	1,753	3.649954193	48,028	47,886	47,695	47,637	47,399	47,057
Ohio County	286	4.840074463	5,909	5,886	5,833	5,884	5,844	5,805
Orange County	253	1.293522164	19,559	19,535	19,609	19,431	19,545	19,469
Owen County	611	2.728043934	22,397	22,375	22,388	22,331	22,364	22,514
Parke County	-345	-2.041903409	16,896	17,117	17,126	17,129	17,201	17,375
Perry County	-87	-0.462470763	18,812	18,862	18,940	18,810	18,937	18,897
Pike County	-578	-4.714903336	12,259	12,523	12,571	12,597	12,529	12,764
Porter County	16,800	10.26907419	163,598	162,300	160,509	158,242	155,717	153,447
Posey County	-1,057	-4.064759268	26,004	26,125	26,248	26,355	26,490	26,668
Pulaski County	-141	-1.035698546	13,674	13,724	13,795	13,792	13,771	13,770
Putnam County	818	2.220593425	36,837	37,138	37,146	36,849	36,994	36,880
Randolph County	-1,705	-6.635273973	25,696	25,821	25,814	26,041	26,199	26,333
Ripley County	898	3.274862332	27,421	27,432	27,318	27,438	27,282	27,248
Rush County	-1,086	-6.323144105	17,175	17,266	17,525	17,510	17,647	17,726
St. Joseph County	2,054	0.767526241	267,613	267,707	266,320	265,527	264,832	264,551

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			July 1, 2009	July 1, 2008	July 1, 2007	July 1, 2006	July 1, 2005	July 1, 2004
Scott County	664	2.810700982	23,624	23,624	23,751	23,637	23,596	23,395
Shelby County	1,058	2.377367818	44,503	44,223	43,956	43,715	43,423	43,470
Spencer County	-352	-1.756574679	20,039	20,048	20,212	20,250	20,285	20,120
Starke County	-26	-0.110497238	23,530	23,430	23,281	23,361	23,390	23,311
Steuben County	365	1.086988892	33,579	33,513	33,496	33,591	33,543	33,413
Sullivan County	-598	-2.827022172	21,153	21,279	21,313	21,324	21,512	21,654
Switzerland County	610	6.304909561	9,675	9,623	9,602	9,568	9,667	9,467
Tippecanoe County	19,009	11.31730609	167,964	165,284	162,867	160,123	156,397	153,897
Tipton County	-685	-4.310344828	15,892	15,933	16,055	16,144	16,252	16,379
Union County	-309	-4.389204545	7,040	7,037	7,104	7,117	7,116	7,084
Vanderburgh County	3,512	2.00189245	175,434	174,786	174,819	174,161	173,521	173,328
Vermillion County	-616	-3.809052684	16,172	16,165	16,337	16,392	16,440	16,389
Vigo County	119	0.112299112	105,967	105,703	105,718	105,445	104,335	103,918
Wabash County	-2,402	-7.377603047	32,558	32,781	32,929	33,274	33,476	33,863
Warren County	72	0.84795666	8,491	8,595	8,548	8,613	8,619	8,605
Warrick County	6,138	10.48854257	58,521	57,814	57,169	56,211	55,608	54,815
Washington County	506	1.824804356	27,729	27,883	27,864	27,817	27,607	27,630
Wayne County	-3,545	-5.247809095	67,552	67,727	68,100	68,532	68,843	69,311
Wells County	-34	-0.123340347	27,566	27,729	27,771	27,783	27,750	27,769
White County	-1,815	-7.739212008	23,452	23,811	23,793	23,992	24,153	24,405
Whitley County	2,154	6.554882688	32,861	32,748	32,566	32,353	31,994	31,716

Note: The April 1, 2000 estimates base reflects changes to the Census 2000 population resulting from legal boundary updates, other geographic program changes, and Count Question Resolution actions. All geographic boundaries for the

Suggested Citation:
Resident Population for Counties of Indiana: April 1, 2000 to July 1, 2009 (CO-EST2009-01-18)
 Population Division
 Release Date: March 2010

Census 2010 Data Products Release Schedule

November/December 2010:

TIGER/LINE Shape files: These are electronic files for use in a Geographic Information System. They will contain the boundaries, names, and other technical information for geographic entities (counties, townships, cities and towns, census tracts, census block groups, census blocks, Voting Tabulation Districts [VTDS], congressional and state legislative districts, streets, rivers, and so on.) There will be **no** demographic or population data of any type in this product.

December 2010:

American Community Survey (ACS) 5 year estimates:

These will be five year estimates (2005 – 2009), based on *sample* data, from the American Community Survey. It will be tied to Census 2000 geography (**NOT Census 2010 geography**), and will only be available at the Census Tract level. These data will be available online.

December 31, 2010:

Population Total for the State of Indiana:

No later than December 31, the Governor will receive the total population for the State of Indiana, as well as the number of Congressional districts that Indiana will have for the next decade. Currently, the various estimate models show that Indiana will remain with nine (9) Congressional districts. This population data will only be the total for the state – there will be no population data for any other geographic entity.

February/March 2011:

P.L. 94-171 Data: This is the main census data set. It will contain population data at various geographic levels and will also include demographic data such as race, ethnicity, and 18 and older. Though federal law requires that these data be delivered to the states no later than April 1, 2011, we have been told that it's possible that Indiana will receive its data within the first or second week of February.

HOUSE BILL No. 1013

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-1.5; IC 2-2.1-1-2.7; IC 3-3; IC 3-8.

Synopsis: Redistricting commission. Establishes a redistricting commission to create, hold hearings on, take public comment about, and recommend plans to redraw general assembly districts and congressional districts. Requires the legislative services agency (agency) to provide staff and administrative services to the commission. Establishes standards to govern the commission and the agency in the creation of redistricting plans. Provides that if the Constitution of the State of Indiana does not require the general assembly to establish legislative districts, the commission's recommendations for legislative and congressional districts become the plans that define those districts. Provides that, if the Constitution so requires, the general assembly must meet and enact redistricting plans before October 1 of a redistricting year. Authorizes the general assembly to convene in a session to act on redistricting bills at times other than the times the general assembly is currently authorized to meet. Repeals the current law relating to congressional redistricting. Appropriates from the state general fund the amounts necessary to pay the expenses of implementing the statute.

Effective: July 1, 2010.

Torr, Bosma, Clere, Truitt

January 5, 2010, read first time and referred to Committee on Rules and Legislative Procedures.

C
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Introduced

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1013

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 **2010]:**
4 **ARTICLE 1.5. REDISTRICTING OF GENERAL ASSEMBLY**
5 **AND CONGRESSIONAL DISTRICTS**
6 **Chapter 1. Definitions**
7 **Sec. 1. The definitions in this chapter apply throughout this**
8 **article.**
9 **Sec. 2. "Agency" refers to the legislative services agency**
10 **established by IC 2-5-1.1-7.**
11 **Sec. 3. "Appointing authority" refers to any of the following:**
12 **(1) The speaker of the house of representatives.**
13 **(2) The minority leader of the house of representatives.**
14 **(3) The president pro tempore of the senate.**
15 **(4) The minority leader of the senate.**
16 **Sec. 4. "Bureau" refers to the United States Department of**
17 **Commerce, Bureau of the Census.**



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1 **Sec. 5. "Census data" means the population data that the**
2 **Bureau is required to provide to the state under 13 U.S.C. 141.**
3 **Sec. 6. "Census year" refers to the year in which a federal**
4 **decennial census is conducted.**
5 **Sec. 7. "Commission" refers to the redistricting commission**
6 **established by IC 2-1.5-2.**
7 **Sec. 8. "Federal decennial census" refers to a federal decennial**
8 **census conducted under 13 U.S.C. 141.**
9 **Sec. 9. "House of representatives" refers to the house of**
10 **representatives of the general assembly.**
11 **Sec. 10. "Ideal district population" for a plan refers to the**
12 **number equal to the quotient of the following, rounded to the**
13 **nearest whole number:**
14 **(1) The numerator is the population of Indiana as reported by**
15 **the most recent federal decennial census.**
16 **(2) The denominator is the number of districts required by**
17 **this article for the plan.**
18 **Sec. 11. (a) "Plan" refers to any of the following:**
19 **(1) A plan for districts for the house of representatives.**
20 **(2) A plan for districts for the senate.**
21 **(3) A plan for congressional districts.**
22 **(b) A plan includes maps and written descriptions of the maps**
23 **that define all the districts that a plan is required to have under**
24 **this article.**
25 **Sec. 12. "Political subdivision" means a city, county, town, or**
26 **township.**
27 **Sec. 13. "Redistricting year" refers to the year immediately**
28 **following a census year.**
29 **Sec. 14. "Senate" refers to the senate of the general assembly.**
30 **Chapter 2. Redistricting Commission**
31 **Sec. 1. A redistricting commission consisting of five (5) members**
32 **is established as provided in this chapter.**
33 **Sec. 2. (a) Not later than January 15 of a redistricting year, each**
34 **of the appointing authorities shall do the following:**
35 **(1) Appoint one (1) individual to be a commission member.**
36 **(2) Certify to the executive director of the agency the**
37 **appointment of the individual to the commission.**
38 **(b) Not later than February 15 of a redistricting year, the**
39 **members appointed under subsection (a) shall meet and appoint a**
40 **fifth individual to be the commission's chair.**
41 **(c) If the commission does not appoint an individual as**
42 **commission chair before March 1 of a redistricting year, the chief**

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1 justice of the supreme court shall appoint a fifth individual to be
2 the commission's chair. The chief justice shall:

- 3 (1) make the appointment before March 15 of the redistricting
4 year; and
5 (2) certify the appointment to the executive director of the
6 agency.

7 (d) The individual appointed commission chair must have the
8 same qualifications as the other commission members.

9 Sec. 3. To serve on the commission, an individual must be a
10 resident of Indiana.

11 Sec. 4. An individual may not serve on the commission if the
12 individual has been any of the following at any time less than six (6)
13 years before the individual's appointment to the commission:

- 14 (1) A member of the general assembly or the Congress of the
15 United States.
16 (2) A candidate for election to the general assembly or the
17 Congress of the United States.
18 (3) The holder of a state office (as defined in IC 3-5-2-48).
19 (4) An appointed public official.
20 (5) The chairman or treasurer of a candidate's committee of
21 a candidate for election to the general assembly or the
22 Congress of the United States as required by IC 3-9-1 or
23 federal law.
24 (6) An individual registered as a lobbyist under IC 2-7.

25 Sec. 5. (a) Before undertaking duties as a commission member,
26 an individual appointed under section 2 or 8 of this chapter must
27 do each of the following:

- 28 (1) Take an oath of office.
29 (2) Make an affirmation that the individual will:
30 (A) apply the provisions of this article in an honest and
31 independent manner; and
32 (B) uphold public confidence in the integrity of the
33 redistricting process.
34 (3) Make a written pledge that the individual will not be a
35 candidate for:
36 (A) election to the general assembly; or
37 (B) selection to fill a vacancy in the general assembly;
38 at any time before the second election for members of the
39 general assembly after the individual's appointment to the
40 commission.

41 (b) A member's oath, affirmation, and pledge shall be filed with
42 the agency.

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1 **Sec. 6. An individual serves as a commission member until the**
2 **earlier of the following:**

3 **(1) The individual vacates the individual's membership on the**
4 **commission.**

5 **(2) The appointment of a new commission under this chapter**
6 **following a federal decennial census.**

7 **Sec. 7. A commission member may be removed from office for**
8 **substantial neglect of duty, gross misconduct in office, or inability**
9 **to discharge the duties of office as provided by law for the removal**
10 **of other public officers.**

11 **Sec. 8. (a) If the position of commission chair becomes vacant,**
12 **the commission shall appoint an individual to fill the vacancy not**
13 **later than fifteen (15) days after the vacancy occurs. If the**
14 **commission does not make the appointment as provided in this**
15 **subsection, the chief justice shall:**

16 **(1) make the appointment not later than thirty (30) days after**
17 **the vacancy occurs; and**

18 **(2) certify the appointment to the executive director of the**
19 **agency.**

20 **(b) If a vacancy other than a vacancy described in subsection (a)**
21 **occurs on the commission, the leader of the caucus whose leader**
22 **appointed the member whose position is vacant shall appoint an**
23 **individual to fill the vacancy not later than fifteen (15) days after**
24 **the vacancy occurs.**

25 **Sec. 9. The affirmative vote of three (3) commission members is**
26 **necessary for the commission to take official action.**

27 **Sec. 10. Each commission member is entitled to receive the same**
28 **per diem, mileage, and travel allowances paid to members of the**
29 **general assembly serving on interim study committees established**
30 **by the legislative council.**

31 **Sec. 11. The agency shall provide the commission with staff and**
32 **administrative services.**

33 **Sec. 12. The amounts necessary to pay the expenses of the**
34 **commission and the agency to implement this article are**
35 **continuously appropriated to the agency from the state general**
36 **fund.**

37 **Chapter 3. Redistricting Procedure**

38 **Sec. 1. (a) Before January 1 of a redistricting year, the agency**
39 **shall acquire any hardware, software, and supplies necessary to**
40 **assist the commission in the performance of the commission's**
41 **duties under this article.**

42 **(b) At any time, the agency may acquire additional hardware,**

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1 applies only if the Constitution of the State of Indiana
2 requires the general assembly to establish legislative districts.

3 (b) The commission shall recommend to the general assembly
4 the plan that the commission considers the best in meeting the
5 standards set forth in IC 2-1.5-4.

6 (c) The commission may include any other information in the
7 report that the commission considers useful to explain the
8 commission's work or recommendations.

9 (d) The report required by this section must be submitted to the
10 legislative council in an electronic format under IC 5-14-6.

11 Sec. 7. (a) This section does not apply if the Constitution of the
12 State of Indiana requires the general assembly to establish
13 legislative districts.

14 (b) The agency shall file the commission's report under section
15 6 of this chapter with the secretary of state not later than August
16 15 of a redistricting year.

17 (c) The commission's recommendations become the plans for the
18 districts for the house of representatives, for the senate, and for
19 congressional districts, beginning with the first general election
20 held after the redistricting year.

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 provide for one hundred (100) districts.

27 (b) A plan for senate districts must provide for fifty (50)
28 districts.

29 (c) A plan for congressional districts must provide for as many
30 districts as are allocated to Indiana under 2 U.S.C. 2a.

31 Sec. 3. Districts shall be established on the basis of population.

32 Sec. 4. The population of a district of the house of
33 representatives or the senate may not deviate from the ideal
34 district population by more than one percent (1%) of the ideal
35 district population.

36 Sec. 5. (a) Districts must be composed of contiguous territory.

37 (b) Areas that meet only at the point of adjoining corners are
38 not considered contiguous.

39 Sec. 6. Districts must be as compact as possible to the extent
40 practicable while considering other provisions of this chapter and
41 the federal Voting Rights Act.

42 Sec. 7. Districts must not breach precinct boundaries.

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

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

7 **(2) Except as provided in subdivision (3), if there is a choice**
 8 **between political subdivisions to be divided, a more populous**
 9 **political subdivision shall be divided before a less populous**
 10 **political subdivision is divided.**

11 **(3) Subdivision (2) does not apply to a legislative district**
 12 **boundary drawn along a county line that passes through a**
 13 **municipality that lies in more than one (1) county.**

14 **Sec. 9. (a) In evaluating plans for recommendation, the**
 15 **commission shall consider the effect that a plan has on language**
 16 **minority groups and racial minority groups as required by the**
 17 **federal Voting Rights Act.**

18 **(b) The commission may use political data at least to the extent**
 19 **necessary to comply with the federal Voting Rights Act.**

20 **SECTION 2. IC 2-2.1-1-2.7 IS ADDED TO THE INDIANA CODE**
 21 **ASA NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 22 **1, 2010]: Sec. 2.7. (a) This section applies only if the Constitution of**
 23 **the State of Indiana requires the general assembly to establish**
 24 **legislative districts.**

25 **(b) The definitions in IC 2-1.5-1 apply throughout this section.**

26 **(c) Before October 1 of a redistricting year, the general**
 27 **assembly shall convene and enact bills to establish the following:**

28 **(1) House of representatives districts.**

29 **(2) Senate districts.**

30 **(3) Congressional districts.**

31 **(d) A bill to enact a redistricting plan recommended by the**
 32 **redistricting commission under IC 2-1.5-3 must be introduced in**
 33 **and considered by each house of the general assembly, without**
 34 **amendment, except amendments of a technical nature.**

35 **(e) Unless the general assembly has enacted bills described in**
 36 **subsection (c) at:**

37 **(1) a session convened under another section of this chapter;**

38 **or**

39 **(2) a special session called by the governor;**

40 **the general assembly may not consider a matter that is not relevant**
 41 **to the legislation described in subsection (c) during a session**
 42 **convened under this section.**

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1 SECTION 3. IC 3-8-2-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2010]: Sec. 8. (a) A declaration of candidacy
3 for the office of United States Senator or for the office of governor
4 must be accompanied by a petition signed by at least four thousand five
5 hundred (4,500) voters of the state, including at least five hundred
6 (500) voters from each congressional district.

- 7 (b) Each petition must contain the following:
8 (1) The signature of each petitioner.
9 (2) The name of each petitioner legibly printed.
10 (3) The residence mailing address of each petitioner.
11 (c) This subsection applies to a petition filed during the period:
12 (1) beginning on the date that a congressional district plan has
13 been adopted under ~~IC 3-3~~; IC 2-1.5; and
14 (2) ending on the date that ~~the part of the act or order issued under~~
15 ~~IC 3-3-2 establishing~~ the previous congressional district plan is
16 repealed or superseded.

17 The petition must be signed by at least four thousand five hundred
18 (4,500) voters of Indiana, including at least five hundred (500) voters
19 from each congressional district created by the most recent
20 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

21 SECTION 4. IC 3-8-3-2 IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) A request filed under section
23 1 of this chapter must be accompanied by a petition signed by at least
24 four thousand five hundred (4,500) voters of the state, including at least
25 five hundred (500) voters from each congressional district.

- 26 (b) Each petition must contain the following:
27 (1) The signature of each petitioner.
28 (2) The name of each petitioner legibly printed.
29 (3) The residence mailing address of each petitioner.
30 (c) This subsection applies to a petition filed during the period:
31 (1) beginning on the date that a congressional district plan has
32 been adopted under ~~IC 3-3~~; IC 2-1.5; and
33 (2) ending on the date that ~~the part of the act or order issued under~~
34 ~~IC 3-3-2 establishing~~ the previous congressional district plan is
35 repealed or superseded.

36 The petition must be signed by at least four thousand five hundred
37 (4,500) voters of Indiana, including at least five hundred (500) voters
38 from each congressional district created by the most recent
39 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

40 SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE
41 JULY 1, 2010]: IC 3-3-2; IC 3-3-3.

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January 12, 2010

HOUSE BILL No. 1030

DIGEST OF HB 1030 (Updated January 12, 2010 1:35 pm - DI 87)

Citations Affected: IC 36-1.5.

Synopsis: Local government reorganization. Specifies that a reorganization committee acting under the local government reorganization statutes must include in its reorganization plan and in other materials provided to the public a statement regarding: (1) whether a fiscal impact analysis concerning the proposed reorganization has been prepared by or on behalf of the reorganization committee; and (2) whether a fiscal impact analysis concerning the proposed reorganization has been made available to the public.

Effective: Upon passage.

Riecken

January 5, 2010, read first time and referred to Committee on Government and Regulatory Reform.
January 12, 2010, amended, reported — Do Pass.



January 12, 2010

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1030

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

- 1 SECTION 1. IC 36-1.5-4-18, AS ADDED BY P.L.186-2006,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 18. (a) A reorganization committee shall
4 prepare a comprehensive plan of reorganization for the reorganizing
5 political subdivisions. The plan of reorganization governs the actions,
6 duties, and powers of the reorganized political subdivision that are not
7 specified by law.
8 (b) The plan of reorganization must include at least the following:
9 (1) The name and a description of the reorganized political
10 subdivision that will succeed the reorganizing political
11 subdivisions.
12 (2) A description of the boundaries of the reorganized political
13 subdivision.
14 (3) Subject to section 40 of this chapter, a description of the
15 taxing areas in which taxes to retire obligations of the
16 reorganizing political subdivisions will be imposed.
17 (4) A description of the membership of the legislative body, fiscal

HB 1030—LS 6307/DI 73



1 body, and executive of the reorganized political subdivision, a
 2 description of the election districts or appointment districts from
 3 which officers will be elected or appointed, and the manner in
 4 which the membership of each elected or appointed office will be
 5 elected or appointed.

6 (5) A description of the services to be offered by the reorganized
 7 political subdivision and the service areas in which the services
 8 will be offered.

9 (6) The disposition of the personnel, the agreements, the assets,
 10 and, subject to section 40 of this chapter, the liabilities of the
 11 reorganizing political subdivisions, including the terms and
 12 conditions upon which the transfer of property and personnel will
 13 be achieved.

14 (7) Any other matter that the:

15 (A) reorganization committee determines to be necessary or
 16 appropriate; or

17 (B) legislative bodies of the reorganizing political subdivisions
 18 require the reorganization committee;

19 to include in the plan of reorganization.

20 (8) In the case of a reorganization described in section 1(a)(9) of
 21 this chapter, if the legislative bodies of the reorganizing political
 22 subdivisions have specified that the vote on the public question
 23 regarding the reorganization shall be conducted on a countywide
 24 basis under section 30(b) of this chapter with a rejection
 25 threshold, the reorganization committee shall include in the
 26 reorganization plan a rejection threshold, specified as a
 27 percentage, that applies for purposes of section 32(b) of this
 28 chapter. The rejection threshold must be the same for each
 29 municipality that is a party to the proposed reorganization and to
 30 the county that is a party to the proposed reorganization.

31 (9) In the case of a reorganization described in section 1(a)(9) of
 32 this chapter, the reorganization committee shall determine and
 33 include in the reorganization plan the percentage of voters voting
 34 on the public question regarding the proposed reorganization who
 35 must vote, on a countywide basis, in favor of the proposed
 36 reorganization for the public question to be approved. This
 37 percentage is referred to in this chapter as the "countywide vote
 38 approval percentage". The countywide vote approval percentage
 39 must be greater than fifty percent (50%).

40 **(10) The statement required by subsection (c).**

41 (c) In the case of a reorganization described in section 1(a)(9) of this
 42 chapter, the reorganization committee may not change the decision of



1 the legislative bodies of the reorganizing political subdivisions
2 regarding whether the vote on the public question regarding the
3 reorganization shall be conducted on a countywide basis without a
4 rejection threshold or with a rejection threshold.

5 (d) Upon completion of the plan of reorganization, the
6 reorganization committee shall present the plan of reorganization to the
7 legislative body of each of the reorganizing political subdivisions for
8 adoption. The initial plan of reorganization must be submitted to the
9 legislative body of each of the reorganizing political subdivisions not
10 later than one (1) year after the clerk of the last political subdivision
11 that adopts a reorganization resolution under this chapter has certified
12 the resolution to all of the political subdivisions named in the
13 resolution.

14 (e) **A reorganization committee must include in the plan of**
15 **reorganization and in any other material the reorganization**
16 **committee provides to the public a statement of:**

17 (1) **whether a fiscal impact analysis concerning the proposed**
18 **reorganization has been prepared or has not been prepared**
19 **by or on behalf of the reorganization committee; and**

20 (2) **whether a fiscal impact analysis concerning the proposed**
21 **reorganization has been made available or has not been made**
22 **available to the public by or on behalf of the reorganization**
23 **committee.**

24 **SECTION 2. An emergency is declared for this act.**



HOUSE BILL No. 1347

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-1.5; IC 2-2.1-1-2.7; IC 3-3; IC 3-8.

Synopsis: Redistricting commission. Establishes a redistricting commission to create, hold hearings on, take public comment about, and recommend plans to redraw general assembly districts and congressional districts. Requires the legislative services agency (agency) to provide staff and administrative services to the commission. Establishes standards to govern the commission and the agency in the creation of redistricting plans. Provides that if the Constitution of the State of Indiana does not require the general assembly to establish legislative districts, the commission's recommendations for legislative and congressional districts become the plans that define those districts. Provides that, if the Constitution so requires, the general assembly must meet and enact redistricting plans before October 1 of a redistricting year. Authorizes the general assembly to convene in a session to act on redistricting bills at times other than the times the general assembly is currently authorized to meet. Repeals the current law relating to congressional redistricting. Appropriates from the state general fund the amounts necessary to pay the expenses of implementing the statute.

Effective: July 1, 2010.

Bosma, Torr, Richardson, Smith M

January 13, 2010, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1347

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 2010]:
4 ARTICLE 1.5. REDISTRICTING OF GENERAL ASSEMBLY
5 AND CONGRESSIONAL DISTRICTS
6 Chapter 1. Definitions
7 Sec. 1. The definitions in this chapter apply throughout this
8 article.
9 Sec. 2. "Agency" refers to the legislative services agency
10 established by IC 2-5-1.1-7.
11 Sec. 3. "Appointing authority" refers to any of the following:
12 (1) The speaker of the house of representatives.
13 (2) The minority leader of the house of representatives.
14 (3) The president pro tempore of the senate.
15 (4) The minority leader of the senate.
16 Sec. 4. "Bureau" refers to the United States Department of
17 Commerce, Bureau of the Census.



1 Sec. 5. "Census data" means the population data that the
2 Bureau is required to provide to the state under 13 U.S.C. 141.

3 Sec. 6. "Census year" refers to the year in which a federal
4 decennial census is conducted.

5 Sec. 7. "Commission" refers to the redistricting commission
6 established by IC 2-1.5-2.

7 Sec. 8. "Federal decennial census" refers to a federal decennial
8 census conducted under 13 U.S.C. 141.

9 Sec. 9. "House of representatives" refers to the house of
10 representatives of the general assembly.

11 Sec. 10. "Ideal district population" for a plan refers to the
12 number equal to the quotient of the following, rounded to the
13 nearest whole number:

14 (1) The numerator is the population of Indiana as reported by
15 the most recent federal decennial census.

16 (2) The denominator is the number of districts required by
17 this article for the plan.

18 Sec. 11. (a) "Plan" refers to any of the following:

19 (1) A plan for districts for the house of representatives.

20 (2) A plan for districts for the senate.

21 (3) A plan for congressional districts.

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

25 Sec. 12. "Political subdivision" means a city, county, town, or
26 township.

27 Sec. 13. "Redistricting year" refers to the year immediately
28 following a census year.

29 Sec. 14. "Senate" refers to the senate of the general assembly.

30 Chapter 2. Redistricting Commission

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

33 Sec. 2. (a) Not later than January 15 of a redistricting year, each
34 of the appointing authorities shall do the following:

35 (1) Appoint one (1) individual to be a commission member.

36 (2) Certify to the executive director of the agency the
37 appointment of the individual to the commission.

38 (b) Not later than February 15 of a redistricting year, the
39 members appointed under subsection (a) shall meet and appoint a
40 fifth individual to be the commission's chair.

41 (c) If the commission does not appoint an individual as
42 commission chair before March 1 of a redistricting year, the chief

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1 software, and supplies the executive director of the agency
2 considers necessary to assist the commission in performance of the
3 commission's duties under this article.

4 Sec. 2. Not later than March 15 of a redistricting year, the
5 commission's chair shall convene the commission to do the
6 following:

- 7 (1) Organize the commission.
8 (2) Receive reports from the agency concerning the following:
9 (A) Information relating to the receipt of census data from
10 the bureau.
11 (B) The readiness of the agency to assist the commission's
12 work.
13 (C) Any other matter on which a report is requested by the
14 commission.
15 (3) Provide initial instructions to the agency regarding the
16 commission's work.
17 (4) Schedule hearings required or permitted under section 5
18 of this chapter.
19 (5) Schedule other meetings the commission considers
20 necessary.
21 (6) Schedule the receipt of maps from the public.

22 Sec. 3. If the agency must make a decision on a question for
23 which no clearly applicable provision of this article or instruction
24 of the commission provides an answer, the executive director of the
25 agency shall submit a written request to the commission for
26 direction.

27 Sec. 4. (a) The agency shall do the following:

- 28 (1) Create maps of legislative district plans and congressional
29 district plans that conform to this article and the
30 commission's instructions.
31 (2) Prepare written descriptions of the maps created under
32 subdivision (1).
33 (3) Evaluate maps submitted by the public for conformance
34 with the standards set forth in IC 2-1.5-4.

35 (b) The agency shall produce as many different plans as the
36 commission instructs:

- 37 (1) not earlier than May 1 of a redistricting year; and
38 (2) not later than May 15 of the redistricting year.

39 (c) The agency shall publish the maps and descriptions:

- 40 (1) prepared for the commission by the agency; and
41 (2) submitted to the commission from the public;

42 as directed by the commission not later than May 15 of a

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1 redistricting year.

2 **Sec. 5. (a)** As directed by the commission, the agency shall
3 receive for the commission written public comments regarding the
4 plans after publication of the plans.

5 **(b)** Not later than June 30 of a redistricting year, the
6 commission shall conduct at least one (1) public hearing in each of
7 the following regions of Indiana, as determined by the commission:

8 **(1)** Northern Indiana.

9 **(2)** Central Indiana.

10 **(3)** Southern Indiana.

11 **(c)** The commission may hold hearings in addition to the
12 hearings required by subsection (b).

13 **(d)** The commission shall do the following at any hearings held
14 under this section:

15 **(1)** Explain the redistricting procedure.

16 **(2)** Present the plans prepared for the commission by the
17 agency.

18 **(3)** Have available the plans submitted by the public and the
19 agency's evaluation of those plans.

20 **(4)** Hear public comments and suggestions.

21 **(e)** The commission may take other actions the commission
22 considers appropriate to do the following:

23 **(1)** Explain the redistricting procedure or the plans to the
24 public.

25 **(2)** Receive public comments and suggestions.

26 **Sec. 6. (a)** Not later than August 1 of a redistricting year, the
27 commission shall meet to adopt a report to the general assembly.
28 The report must include the following:

29 **(1)** A summary of the commission's and the agency's
30 preparation for the commission's work.

31 **(2)** A description of the hearings held under section 5 of this
32 chapter.

33 **(3)** A summary of the public comments and suggestions
34 received in writing and at the hearings.

35 **(4)** The commission's recommendation to the general
36 assembly for each of the following:

37 **(A)** A district plan for the house of representatives.

38 **(B)** A district plan for the senate.

39 **(C)** A congressional district plan.

40 **(5)** Maps for each plan, including both a statewide map and a
41 map for each district.

42 **(6)** A bill that would enact each of the plans. This subdivision

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1 applies only if the Constitution of the State of Indiana
2 requires the general assembly to establish legislative districts.

3 (b) The commission shall recommend to the general assembly
4 the plan that the commission considers the best in meeting the
5 standards set forth in IC 2-1.5-4.

6 (c) The commission may include any other information in the
7 report that the commission considers useful to explain the
8 commission's work or recommendations.

9 (d) The report required by this section must be submitted to the
10 legislative council in an electronic format under IC 5-14-6.

11 Sec. 7. (a) This section does not apply if the Constitution of the
12 State of Indiana requires the general assembly to establish
13 legislative districts.

14 (b) The agency shall file the commission's report under section
15 6 of this chapter with the secretary of state not later than August
16 15 of a redistricting year.

17 (c) The commission's recommendations become the plans for the
18 districts for the house of representatives, for the senate, and for
19 congressional districts, beginning with the first general election
20 held after the redistricting year.

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 provide for one hundred (100) districts.

27 (b) A plan for senate districts must provide for fifty (50)
28 districts.

29 (c) A plan for congressional districts must provide for as many
30 districts as are allocated to Indiana under 2 U.S.C. 2a.

31 Sec. 3. Districts shall be established on the basis of population.

32 Sec. 4. The population of a district of the house of
33 representatives or the senate may not deviate from the ideal
34 district population by more than one percent (1%) of the ideal
35 district population.

36 Sec. 5. (a) Districts must be composed of contiguous territory.

37 (b) Areas that meet only at the point of adjoining corners are
38 not considered contiguous.

39 Sec. 6. Districts must be as compact as possible to the extent
40 practicable while considering other provisions of this chapter and
41 the federal Voting Rights Act.

42 Sec. 7. Districts must not breach precinct boundaries.

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

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

7 **(2) Except as provided in subdivision (3), if there is a choice**
 8 **between political subdivisions to be divided, a more populous**
 9 **political subdivision shall be divided before a less populous**
 10 **political subdivision is divided.**

11 **(3) Subdivision (2) does not apply to a legislative district**
 12 **boundary drawn along a county line that passes through a**
 13 **municipality that lies in more than one (1) county.**

14 **Sec. 9. (a) In evaluating plans for recommendation, the**
 15 **commission shall consider the effect that a plan has on language**
 16 **minority groups and racial minority groups as required by the**
 17 **federal Voting Rights Act.**

18 **(b) The commission may use political data at least to the extent**
 19 **necessary to comply with the federal Voting Rights Act.**

20 **SECTION 2. IC 2-2.1-1-2.7 IS ADDED TO THE INDIANA CODE**
 21 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 22 **1, 2010]: Sec. 2.7. (a) This section applies only if the Constitution of**
 23 **the State of Indiana requires the general assembly to establish**
 24 **legislative districts.**

25 **(b) The definitions in IC 2-1.5-1 apply throughout this section.**

26 **(c) Before October 1 of a redistricting year, the general**
 27 **assembly shall convene and enact bills to establish the following:**

28 **(1) House of representatives districts.**

29 **(2) Senate districts.**

30 **(3) Congressional districts.**

31 **(d) A bill to enact a redistricting plan recommended by the**
 32 **redistricting commission under IC 2-1.5-3 must be introduced in**
 33 **and considered by each house of the general assembly, without**
 34 **amendment, except amendments of a technical nature.**

35 **(e) Unless the general assembly has enacted bills described in**
 36 **subsection (c) at:**

37 **(1) a session convened under another section of this chapter;**
 38 **or**

39 **(2) a special session called by the governor;**

40 **the general assembly may not consider a matter that is not relevant**
 41 **to the legislation described in subsection (c) during a session**
 42 **convened under this section.**

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1 SECTION 3. IC 3-8-2-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2010]: Sec. 8. (a) A declaration of candidacy
3 for the office of United States Senator or for the office of governor
4 must be accompanied by a petition signed by at least four thousand five
5 hundred (4,500) voters of the state, including at least five hundred
6 (500) voters from each congressional district.

- 7 (b) Each petition must contain the following:
8 (1) The signature of each petitioner.
9 (2) The name of each petitioner legibly printed.
10 (3) The residence mailing address of each petitioner.
11 (c) This subsection applies to a petition filed during the period:
12 (1) beginning on the date that a congressional district plan has
13 been adopted under ~~IC 3-3~~; IC 2-1.5; and
14 (2) ending on the date that the part of the act or order issued under
15 ~~IC 3-3-2~~ establishing the previous congressional district plan is
16 repealed or superseded.

17 The petition must be signed by at least four thousand five hundred
18 (4,500) voters of Indiana, including at least five hundred (500) voters
19 from each congressional district created by the most recent
20 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

21 SECTION 4. IC 3-8-3-2 IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) A request filed under section
23 1 of this chapter must be accompanied by a petition signed by at least
24 four thousand five hundred (4,500) voters of the state, including at least
25 five hundred (500) voters from each congressional district.

- 26 (b) Each petition must contain the following:
27 (1) The signature of each petitioner.
28 (2) The name of each petitioner legibly printed.
29 (3) The residence mailing address of each petitioner.
30 (c) This subsection applies to a petition filed during the period:
31 (1) beginning on the date that a congressional district plan has
32 been adopted under ~~IC 3-3~~; IC 2-1.5; and
33 (2) ending on the date that the part of the act or order issued under
34 ~~IC 3-3-2~~ establishing the previous congressional district plan is
35 repealed or superseded.

36 The petition must be signed by at least four thousand five hundred
37 (4,500) voters of Indiana, including at least five hundred (500) voters
38 from each congressional district created by the most recent
39 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

40 SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE
41 JULY 1, 2010]: IC 3-3-2; IC 3-3-3.

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SENATE BILL No. 289

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-1.5; IC 2-2.1-1-2.7; IC 3-3-2; IC 3-3-3; IC 3-8.

Synopsis: Redistricting commission. Establishes a redistricting commission to create, hold hearings on, take public comment about, and recommend plans to redraw general assembly districts and congressional districts. Requires the legislative services agency to provide staff and administrative services to the commission. Establishes standards to govern the commission and the legislative services agency in the creation of redistricting plans. Requires the general assembly to meet and to enact redistricting plans for general assembly districts before October 1 of a redistricting year. Provides that the commission's plan for congressional districts becomes the congressional district plan when adopted by the commission unless the general assembly enacts a different plan by law. Authorizes the general assembly to convene in a session to act on redistricting bills at times other than the general assembly is currently authorized to meet. Repeals the current law relating to congressional redistricting. Makes an appropriation.

Effective: July 1, 2010.

Simpson

January 11, 2010, read first time and referred to Committee on Elections.

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Introduced

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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SENATE BILL No. 289

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 2010]:

4 ARTICLE 1.5. REDISTRICTING OF GENERAL ASSEMBLY
5 AND CONGRESSIONAL DISTRICTS

6 Chapter 1. Definitions

7 Sec. 1. The definitions in this chapter apply throughout this
8 article.

9 Sec. 2. "Agency" refers to the legislative services agency
10 established by IC 2-5-1.1-7.

11 Sec. 3. "Appointing authority" refers to any of the following:

- 12 (1) The speaker of the house of representatives.
13 (2) The minority leader of the house of representatives.
14 (3) The president pro tempore of the senate.
15 (4) The minority leader of the senate.

16 Sec. 4. "Bureau" refers to the United States Department of
17 Commerce, Bureau of the Census.

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IN 289—LS 7066/DI 75+



1 Sec. 5. "Census data" means the population data that the
2 bureau is required to provide to the state under 13 U.S.C. 141.

3 Sec. 6. "Census year" refers to the year in which a federal
4 decennial census is conducted.

5 Sec. 7. "Commission" refers to the redistricting commission
6 established under IC 2-1.5-2.

7 Sec. 8. "Federal decennial census" refers to a federal decennial
8 census conducted under 13 U.S.C. 141.

9 Sec. 9. "House of representatives" refers to the house of
10 representatives of the general assembly.

11 Sec. 10. "Ideal district population" for a plan refers to the
12 number equal to the quotient of the following, rounded to the
13 nearest whole number:

14 (1) The numerator is the population of Indiana as reported by
15 the most recent federal decennial census.

16 (2) The denominator is the number of districts required by
17 this article for the plan.

18 Sec. 11. (a) "Plan" refers to any of the following:

19 (1) A plan for districts for the house of representatives.

20 (2) A plan for districts for the senate.

21 (3) A plan for congressional districts.

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

25 Sec. 12. "Political subdivision" means a city, county, town, or
26 township.

27 Sec. 13. "Redistricting year" refers to the year immediately
28 following a census year.

29 Sec. 14. "Senate" refers to the senate of the general assembly.

30 Chapter 2. Redistricting Commission

31 Sec. 1. A redistricting commission consisting of nine (9)
32 members is established as provided in this chapter.

33 Sec. 2. Not later than January 15 of a redistricting year, each of
34 the appointing authorities shall do the following:

35 (1) Appoint two (2) individuals to be commission members.

36 (2) Certify to the executive director of the agency the
37 appointment of each individual to the commission.

38 Sec. 3. To be eligible to serve on the commission, an individual
39 must be a resident of Indiana.

40 Sec. 4. An individual is not eligible to serve on the commission
41 if the individual has been any of the following at any time less than
42 six (6) years before the individual's appointment to the

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commission:

- (1) A member of the general assembly or the Congress of the United States.
- (2) A candidate for election to the general assembly or the Congress of the United States.
- (3) The holder of a state office (as defined in IC 3-5-2-48).
- (4) An appointed public official.
- (5) The chairman or treasurer of a candidate's committee of a candidate for election to the general assembly or to the Congress of the United States required by IC 3-9-1 or federal law.
- (6) An individual registered as a lobbyist under IC 2-7.

Sec. 5. (a) Before undertaking the individual's duties as a commission member, an individual appointed under section 2 or 9 of this chapter or elected under section 7 of this chapter must do each of the following:

- (1) Take an oath of office.
- (2) Make an affirmation that the individual will:
 - (A) apply the provisions of this article in an honest and independent manner; and
 - (B) uphold public confidence in the integrity of the redistricting process.
- (3) Make a written pledge that the individual will not be a candidate for:
 - (A) election to the general assembly; or
 - (B) selection to fill a vacancy in the general assembly; at any time before the second election for members of the general assembly after the individual's appointment to the commission.

(b) A member's oath, affirmation, and pledge shall be filed with the agency.

Sec. 6. An individual serves as a commission member until the earlier of the following:

- (1) The individual vacates the individual's membership on the commission.
- (2) The appointment of a new commission under this chapter following a federal decennial census.

Sec. 7. (a) Not later than February 1 of a redistricting year, the executive director of the agency shall convene the members appointed under section 2 of this chapter to elect the commission's chair.

(b) The commission's chair:

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1 (1) may not be an individual appointed under section 2 of this
2 chapter; and

3 (2) must have all the other qualifications required by this
4 chapter to be a commission member.

5 (c) The individual elected under this section becomes the
6 commission's chair upon satisfying the requirements of section 5
7 of this chapter.

8 Sec. 8. A commission member may be removed from office for
9 substantial neglect of duty, gross misconduct in office, or inability
10 to discharge the duties of office as provided by law for the removal
11 of other public officers.

12 Sec. 9. (a) If the position of commission chair becomes vacant,
13 the executive director of the agency shall convene the commission
14 in the same manner as provided in section 7 of this chapter to elect
15 an individual to fill the vacancy not later than fifteen (15) days
16 after the vacancy occurs.

17 (b) If a vacancy other than a vacancy described in subsection (a)
18 occurs on the commission, the leader of the caucus whose leader
19 appointed the member whose position is vacant shall appoint an
20 individual to fill the vacancy not later than fifteen (15) days after
21 the vacancy occurs.

22 Sec. 10. (a) Except as provided in subsection (b), five (5)
23 members of the commission constitute a quorum.

24 (b) All commission members must be present for the
25 commission to adopt or recommend a plan.

26 Sec. 11. The affirmative vote of five (5) commission members is
27 necessary for the commission to take official action.

28 Sec. 12. Each commission member is entitled to receive the same
29 per diem, mileage, and travel allowances paid to members of the
30 general assembly serving on interim study committees established
31 by the legislative council.

32 Sec. 13. The agency shall provide the commission with staff and
33 administrative services.

34 Sec. 14. The amounts necessary to pay the commission's and the
35 agency's expenses to implement this article are continuously
36 appropriated to the agency from the state general fund.

37 Chapter 3. Redistricting Procedure

38 Sec. 1. (a) Before January 1 of a redistricting year, the agency
39 shall acquire any hardware, software, and supplies necessary to
40 assist the commission in the performance of its duties under this
41 article.

42 (b) At any time, the agency may acquire additional hardware,

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1 software, and supplies the executive director of the agency
2 considers necessary to assist the commission in performance of its
3 duties under this article.

4 Sec. 2. Not later than March 15 of a redistricting year, the
5 commission's chair shall convene the commission to do the
6 following:

7 (1) Organize the commission.

8 (2) Receive reports from the agency concerning the following:

9 (A) Information relating to the receipt of census data from
10 the bureau.

11 (B) The readiness of the agency to assist the commission's
12 work.

13 (C) Any other matter requested by the commission.

14 (3) Provide initial instructions to the agency regarding the
15 commission's work.

16 (4) Schedule hearings required or permitted under section 5
17 of this chapter.

18 (5) Schedule other meetings the commission considers
19 necessary.

20 (6) Schedule receipt of maps from the public.

21 Sec. 3. If the agency is confronted with the necessity to make a
22 decision for which no clearly applicable provision of this article or
23 instruction of the commission provides an answer, the executive
24 director of the agency shall submit a written request to the
25 commission for direction.

26 Sec. 4. (a) The agency shall do the following:

27 (1) Create maps of legislative district plans and congressional
28 district plans that conform to this article and the
29 commission's instructions.

30 (2) Prepare written descriptions of the maps created under
31 subdivision (1).

32 (3) Evaluate maps submitted by the public for conformance
33 with the standards described in IC 2-1.5-4.

34 (b) The agency shall produce as many different plans as the
35 commission instructs:

36 (1) not earlier than May 1 of a redistricting year; and

37 (2) not later than May 15 of the redistricting year.

38 (c) The agency shall publish the descriptions and maps:

39 (1) prepared for the commission by the agency; and

40 (2) submitted to the commission from the public;

41 as directed by the commission not later than May 15 of a
42 redistricting year.

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1 **Sec. 5. (a) As directed by the commission, the agency shall**
 2 **receive for the commission written public comments regarding the**
 3 **plans after publication of the plans.**

4 **(b) Not later than June 30 of a redistricting year, the**
 5 **commission shall conduct at least one (1) public hearing in each of**
 6 **the following regions of Indiana, as determined by the commission:**

7 **(1) Northern Indiana.**

8 **(2) Central Indiana.**

9 **(3) Southern Indiana.**

10 **(c) The commission may hold hearings in addition to the**
 11 **hearings required by subsection (b).**

12 **(d) The commission shall do the following at any hearings held**
 13 **under this section:**

14 **(1) Explain the redistricting procedure.**

15 **(2) Present the plans prepared for the commission by the**
 16 **agency.**

17 **(3) Have available the plans submitted by the public and the**
 18 **agency's evaluation of those plans.**

19 **(4) Hear public comments and suggestions.**

20 **(e) The commission may take other actions the commission**
 21 **considers appropriate to do the following:**

22 **(1) Explain the redistricting procedure or the plans to the**
 23 **public.**

24 **(2) Receive public comments and suggestions.**

25 **Sec. 6. (a) Not later than August 1 of a redistricting year, the**
 26 **commission shall meet to adopt a report to the general assembly.**
 27 **The report must include the following:**

28 **(1) A summary of the commission's and the agency's**
 29 **preparation for the commission's work.**

30 **(2) A description of the hearings held under section 5 of this**
 31 **chapter.**

32 **(3) A summary of the public comments and suggestions**
 33 **received in writing and at the hearings.**

34 **(4) The commission's recommendation to the general**
 35 **assembly for each of the following:**

36 **(A) A district plan for the house of representatives.**

37 **(B) A district plan for the senate.**

38 **(5) The commission's plan for congressional districts.**

39 **(6) Maps for each plan, including both a statewide map and a**
 40 **map for each district.**

41 **(7) A bill that would enact each of the plans described in**
 42 **subdivision (4).**

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1 (b) The commission may include any other information in the
2 report that the commission considers useful to explain the
3 commission's work or recommendations.

4 (c) The report required by this section must be submitted to the
5 legislative council in an electronic format under IC 5-14-6.

6 Sec. 7. The commission shall:

7 (1) recommend to the general assembly the plan for house and
8 senate districts; and

9 (2) adopt the plan for congressional districts;
10 that the commission considers the best in meeting the standards set
11 forth in IC 2-1.5-4.

12 Sec. 8. (a) A plan for congressional districts becomes the plan
13 when adopted by the commission unless the general assembly
14 enacts a different plan by law.

15 (b) The executive director of the agency shall file the
16 congressional district plan adopted by the commission with the
17 secretary of state not later than ten (10) days after the commission
18 adopts the plan.

19 Chapter 4. Redistricting Standards

20 Sec. 1. Districts created for the house of representatives, the
21 senate, and the United States House of Representatives must
22 comply with the standards of this chapter.

23 Sec. 2. (a) A plan for house of representatives districts must
24 have one hundred (100) districts.

25 (b) A plan for senate districts must have fifty (50) districts.

26 (c) A plan for congressional districts must have as many
27 districts as are allocated to the state of Indiana under 2 U.S.C. 2a.

28 Sec. 3. Districts must be established on the basis of population.

29 Sec. 4. The population of a house or a senate district may not
30 deviate from the ideal district population by more than one percent
31 (1%) of the ideal district population.

32 Sec. 5. (a) Districts must be composed of contiguous territory.

33 (b) Areas that meet only at the point of adjoining corners are
34 not considered contiguous.

35 Sec. 6. (a) Districts must be as compact as possible.

36 (b) The compactness of a district shall be measured by
37 determining the total length of the boundary of the district.

38 (c) Compactness of a plan shall be measured by adding the
39 compactness measures of all the districts in the plan as determined
40 under subsection (b).

41 (d) A plan is considered more compact than another plan if the
42 compactness measure of the plan is less than the compactness

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measure of the other plan.

Sec. 7. Districts must not violate precinct boundaries.

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

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

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

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

Sec. 9. In evaluating plans for recommendation, the commission shall consider the effect that a plan has on language and racial minority groups.

SECTION 2. IC 2-2.1-1-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2.7. (a) The definitions in IC 2-1.5-1 apply throughout this section.

(b) Before October 1 of a redistricting year, the general assembly shall convene and enact bills to establish the following:

(1) House of representatives districts.

(2) Senate districts.

(c) A bill to enact a redistricting plan recommended by the redistricting commission under IC 2-1.5-3 must be introduced in and considered by each house of the general assembly, without amendment, except amendments of a technical nature.

(d) Unless the general assembly enacts bills described in subsection (b) at:

(1) a session convened under another section of this chapter; or

(2) a special session called by the governor;

the general assembly may not consider a matter that is not relevant to the legislation described in subsection (b) during a session convened under this section.

SECTION 3. IC 3-8-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 8. (a) A declaration of candidacy for the office of United States Senator or for the office of governor must be accompanied by a petition signed by at least four thousand five

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1 hundred (4,500) voters of the state, including at least five hundred
2 (500) voters from each congressional district.

- 3 (b) Each petition must contain the following:
- 4 (1) The signature of each petitioner.
- 5 (2) The name of each petitioner legibly printed.
- 6 (3) The residence mailing address of each petitioner.
- 7 (c) This subsection applies to a petition filed during the period:
- 8 (1) beginning on the date that a congressional district plan has
- 9 been adopted under ~~IC 3-3~~; IC 2-1.5; and
- 10 (2) ending on the date that the part of the act or order issued under
- 11 ~~IC 3-3-2~~ establishing the previous congressional district plan is
- 12 repealed or superseded.

13 The petition must be signed by at least four thousand five hundred
14 (4,500) voters of Indiana, including at least five hundred (500) voters
15 from each congressional district created by the most recent
16 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

17 SECTION 4. IC 3-8-3-2 IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) A request filed under section
19 1 of this chapter must be accompanied by a petition signed by at least
20 four thousand five hundred (4,500) voters of the state, including at least
21 five hundred (500) voters from each congressional district.

- 22 (b) Each petition must contain the following:
- 23 (1) The signature of each petitioner.
- 24 (2) The name of each petitioner legibly printed.
- 25 (3) The residence mailing address of each petitioner.
- 26 (c) This subsection applies to a petition filed during the period:
- 27 (1) beginning on the date that a congressional district plan has
- 28 been adopted under ~~IC 3-3~~; IC 2-1.5; and
- 29 (2) ending on the date that the part of the act or order issued under
- 30 ~~IC 3-3-2~~ establishing the previous congressional district plan is
- 31 repealed or superseded.

32 The petition must be signed by at least four thousand five hundred
33 (4,500) voters of Indiana, including at least five hundred (500) voters
34 from each congressional district created by the most recent
35 congressional district plan adopted under ~~IC 3-3~~; IC 2-1.5.

36 SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE
37 JULY 1, 2010]: IC 3-3-2; IC 3-3-3.

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January 22, 2010

SENATE BILL No. 136

DIGEST OF SB 136 (Updated January 19, 2010 6:40 pm - DI 102)

Citations Affected: IC 2-5.5.

Synopsis: Redistricting study committee. Establishes the redistricting study committee. Requires the committee to: (1) study the topic of redistricting and make recommendations on ways to improve the redistricting process; (2) study proposals to amend the Constitution of the State of Indiana to establish an independent commission to draw legislative and congressional district boundaries, beginning with the 2021 redistricting; (3) examine the successes and failures of redistricting commissions in other states and analyze the results of the 2010 election in Indiana and other states to make recommendations to the general assembly; and (4) consider certain standards for drawing legislative and congressional districts.

Effective: July 1, 2010.

**Landske, Lawson C, Charbonneau,
Miller**

January 5, 2010, read first time and referred to Committee on Elections.
January 21, 2010, amended, reported favorably — Do Pass.

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SB 136—LS 6550/DI 75+



**Exhibit F
Census Data Advisory Committee
September 17, 2010**

- 1 (E) Minority voting rights must be protected consistent
- 2 with the Constitution of the United States and the
- 3 Constitution of the State of Indiana, as interpreted by
- 4 federal and Indiana courts.
- 5 (F) Districts should be compact, particularly where
- 6 population density is greatest, to avoid dividing
- 7 communities of interest.
- 8 (G) Districts should have simple shapes. However, rational
- 9 and logical deviations may occur in a district's boundaries
- 10 to follow a political subdivision's boundaries or to follow
- 11 natural geographic boundaries.
- 12 (H) Districts must respect county boundary lines.
- 13 However, a district boundary may cross a county
- 14 boundary to preserve economic, social, and geographic
- 15 populations and to approximate the ideal population of the
- 16 district as closely as possible. The number of counties used
- 17 to comprise a district should be kept to a minimum, and
- 18 the counties within a district should be as contiguous as
- 19 possible.
- 20 (I) To prevent division of communities of interest, prevent
- 21 voter confusion, and minimize administrative costs of
- 22 elections, districts must, when practicable, not divide
- 23 precincts.

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COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 136, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 10 and 11, begin a new line block indented and insert:

"(1) Study the topic of redistricting and make recommendations on ways to improve the redistricting process, including a review of:

(A) computer programs that are available to assist in the redistricting process; and

(B) methods that are available to include the public in the redistricting process."

Page 2, line 11, delete "(1)" and insert "(2)".

Page 2, line 15, delete "(2)" and insert "(3)".

Page 2, line 18, delete "(1)." and insert "(2)."

Page 2, line 19, delete "(3)" and insert "(4)".

Page 2, line 23, delete "(4)" and insert "(5)".

and when so amended that said bill do pass.

(Reference is to SB 136 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 7, Nays 2.

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SENATE RESOLUTION No. ____

DIGEST OF INTRODUCED RESOLUTION

A SENATE RESOLUTION urging Legislative Council to establish an interim study committee, or assign to an existing study committee, the topic of redistricting.

LANDSKE, LAWSON C

_____, read first time and referred to Committee on



Introduced

Second Regular Session 116th General Assembly (2010)

SENATE RESOLUTION

MADAM PRESIDENT:

I offer the following resolution and move its adoption:

A SENATE RESOLUTION urging Legislative Council to establish an interim study committee, or assign to an existing study committee, the topic of redistricting.

Whereas, Every ten years, Indiana must redraw its legislative and congressional districts;

Whereas, In an effort to ensure that the redrawing of the legislative districts is fair and accurate, it is important to study the most effective way to redistrict; and

Whereas, An interim study committee is needed to fully explore the options available to the State of Indiana in redrawing the legislative boundaries: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

- 1 SECTION 1. That the Indiana Senate urges Legislative Council
- 2 to establish an interim study committee, or assign to an existing study
- 3 committee, the topic of redistricting.

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1 SECTION 2. That the committee shall:

2 (a) study the topic of redistricting and make recommendations on
3 ways to improve the redistricting process;

4 (b) study proposals to amend the Constitution of the State of
5 Indiana to establish an independent commission to draw legislative
6 and congressional district boundaries, beginning with the 2021
7 redistricting;

8 (c) examine the successes and failures of redistricting
9 commissions in other states and analyze the results of the 2010
10 election in Indiana and other states to make recommendations to
11 the general assembly;

12 (d) consider certain standards for drawing legislative and
13 congressional districts; and

14 (e) recommend standards for drawing legislative districts.

15 SECTION 3. The Secretary of the Senate is hereby directed to
16 transmit a copy of this Resolution to Legislative Council through the
17 Executive Director of the Legislative Services Agency.

