

# SENATE BILL No. 293

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## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Redistricting. Establishes procedures for redistricting Indiana's congressional and legislative districts. Requires the legislative services agency to do the following to prepare for redistricting: (1) Acquire hardware, software, and supplies. (2) Establish an Internet based redistricting portal to assist the public in drawing maps, providing input on the redistricting process, and allowing the upload of their own maps. (3) Arrange with state educational institutions for creation of at least one site in each Indiana congressional district to enable the public to do the same tasks as through the portal. Requires the house and senate committees assigned to redistricting to hold joint hearings in each congressional district to take public input on redistricting and in defining communities of interest. Establishes standards to govern redistricting of Indiana's congressional and legislative districts. Provides that the standards govern any congressional redistricting plan that is established by the congressional redistricting commission. (Under current law, a congressional redistricting commission is formed to establish a congressional district plan for Indiana if the general assembly fails to do so after the first regular session that occurs after the federal decennial census or if a congressional district plan adopted by the general assembly is invalidated.) Makes conforming changes.

**Effective:** July 1, 2020.

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## Ruckelshaus

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January 16, 2020, read first time and referred to Committee on Elections.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

# SENATE BILL No. 293



A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

*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 **2020]:**  
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. "Bureau" refers to the United States Department of**  
12 **Commerce, Bureau of the Census.**  
13 **Sec. 4. "Census data" means the population data that the**  
14 **bureau is required to provide to the state under 13 U.S.C. 141.**  
15 **Sec. 5. "Census year" refers to the year in which a federal**  
16 **decennial census is conducted.**  
17 **Sec. 6. "Community of interest" refers to a local population**



1 with shared socioeconomic characteristics that would benefit from  
2 unified representation by a single legislator.

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

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

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

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

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

14 Sec. 10. "Joint committee" refers to the members of each of the  
15 redistricting committees meeting jointly.

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

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

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

19 (3) A plan for congressional districts.

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

23 Sec. 12. "Political subdivision" refers to a city, county, town, or  
24 township.

25 Sec. 13. "Redistricting committee" refers to either of the  
26 following:

27 (1) The senate committee assigned to redistricting.

28 (2) The house committee assigned to redistricting.

29 Sec. 14. "Redistricting year" refers to the year immediately  
30 following a census year.

31 Sec. 15. "Senate" refers to the senate of the general assembly.

### 32 Chapter 2. Redistricting Standards

33 Sec. 1. Districts created for the house of representatives, the  
34 senate, and the United States House of Representatives must  
35 comply with the standards of this chapter.

36 Sec. 2. (a) A plan for house of representatives districts must  
37 provide for one hundred (100) districts.

38 (b) A plan for senate districts must provide for fifty (50)  
39 districts.

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

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



1           **Sec. 4.** The population of a district of the house of  
2 representatives or the senate may not deviate from the ideal  
3 district population by more than two percent (2%) of the ideal  
4 district population.

5           **Sec. 5. (a)** A district must be composed of contiguous territory.

6           **(b)** Areas that meet only at the point of adjoining corners are  
7 not considered contiguous.

8           **Sec. 6.** A district must be as compact as possible to the extent  
9 practicable while considering other provisions of this chapter and  
10 the federal Voting Rights Act.

11           **Sec. 7.** A district must not breach precinct boundaries.

12           **Sec. 8.** To the extent possible consistent with sections 3 through  
13 7 of this chapter, a district boundary must coincide with the  
14 boundaries of Indiana political subdivisions as follows:

15           **(1)** The number of counties and cities divided among more  
16 than one (1) district shall be minimized.

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

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

24           **Sec. 9.** An evaluation of a plan must consider the effect that the  
25 plan has on language minority groups and racial minority groups  
26 as required by the federal Voting Rights Act.

27           **Sec. 10.** To the extent possible consistent with sections 3 through  
28 9 of this chapter, a plan shall provide representation to  
29 communities of interest as identified by the hearings of the joint  
30 committee.

31           **Chapter 3. Redistricting Procedure**

32           **Sec. 1. (a)** Before January 1 of a redistricting year, the agency  
33 shall do the following:

34           **(1)** Acquire any hardware, software, and supplies necessary  
35 to assist the implementation of this article.

36           **(2)** Establish an Internet based redistricting portal to:

37           **(A)** assist the public in drawing maps and providing input  
38 on the redistricting process; and

39           **(B)** allow members of the public to upload their own maps.

40           **(3)** Arrange with state educational institutions the creation of  
41 at least one (1) site in each Indiana congressional district:

42           **(A)** that has the necessary hardware, software, and



- 1            technical support; and  
 2            (B) at which Indiana residents are able to create and  
 3            submit maps as provided in this article.
- 4            (b) At any time, the agency may acquire additional hardware,  
 5            software, and supplies the executive director of the agency  
 6            considers necessary to assist in implementation of this article.
- 7            Sec. 2. (a) Not later than March 15 of a redistricting year, the  
 8            joint committee shall meet to do the following:
- 9            (1) Receive reports from the agency concerning the following:
- 10            (A) Information relating to the receipt of census data from  
 11            the bureau.  
 12            (B) The readiness of the agency to assist the joint  
 13            committee and each of the redistricting committees in  
 14            redistricting as provided by this article.  
 15            (C) Any other matter on which a report is requested by the  
 16            joint committee.
- 17            (2) Provide initial instructions to the agency regarding  
 18            redistricting.
- 19            (3) Hold at least one (1) hearing in each Indiana congressional  
 20            district. The joint committee may begin hearings required  
 21            under this subdivision at any time after the date the general  
 22            assembly convenes in November of a census year under  
 23            IC 2-2.1-1-2(a).
- 24            (b) The joint committee shall do the following at any hearing  
 25            held under this section:
- 26            (1) Explain the redistricting procedure.  
 27            (2) Hear public comments and suggestions, including  
 28            comments and suggestions about how communities of interest  
 29            should be identified for purpose of creating redistricting  
 30            plans.
- 31            Sec. 3. If the agency must make a decision on a question for  
 32            which no clearly applicable provision of this article or instruction  
 33            of the joint committee provides an answer, the executive director  
 34            of the agency shall submit a written request to the joint committee  
 35            for direction.
- 36            Sec. 4. The agency shall do the following:
- 37            (1) Create maps for legislative district plans and  
 38            congressional district plans that conform to this article as  
 39            instructed by any of the following:
- 40            (A) Either of the redistricting committees.  
 41            (B) Any of the caucuses of the general assembly.
- 42            (2) Prepare written descriptions of the maps created under



- 1           subdivision (1).  
 2           (3) Evaluate maps submitted by the public for conformance  
 3           with the standards set forth in IC 2-1.5-2.  
 4           **Sec. 5. The following apply to any hearing held by the joint**  
 5           **committee under this article:**  
 6           (1) A quorum of the joint committee is not necessary for the  
 7           joint committee to conduct a hearing under this article.  
 8           However, at least two (2) members of the joint committee,  
 9           including one (1) of the co-chairs, must attend such a hearing.  
 10          (2) In any meeting of the joint committee, the chair of each of  
 11          the redistricting committees is a co-chair of the joint  
 12          committee.  
 13          (3) A hearing must be recorded and made available live and  
 14          archived for public viewing on the Internet.  
 15          (4) Public notice of a hearing held under this article must be  
 16          given not later than ten (10) days before the date of the  
 17          meeting.  
 18          (5) The joint committee may hold hearings in addition to the  
 19          hearings required under this chapter.
- 20          SECTION 2. IC 3-3-2-2 IS AMENDED TO READ AS FOLLOWS  
 21          [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) If a session of the general  
 22          assembly adjourns without having complied with the requirements of  
 23          section 1 of this chapter or if for any other reason at any time the state  
 24          finds itself without a valid congressional district law, a redistricting  
 25          commission ~~shall be~~ is established. ~~which shall consist~~  
 26          **(b) The redistricting commission consists of the following:**  
 27          (1) The speaker of the house.  
 28          (2) The president pro tem of the senate.  
 29          (3) The ~~chairman~~ **chair** of the senate **committee responsible for**  
 30          **legislative apportionment. and**  
 31          (4) ~~The chair of the house committees~~ **committee** responsible for  
 32          legislative apportionment. ~~and~~  
 33          (5) A fifth member ~~who shall be~~ appointed by the governor from  
 34          the membership of the general assembly.  
 35          **(b) (c) The redistricting commission shall do the following:**  
 36          (1) Meet ~~within~~ **not later than** thirty (30) days after adjournment  
 37          of the general assembly at a time and place designated by the  
 38          president pro tem of the senate. ~~and shall~~  
 39          (2) Adopt a congressional redistricting plan in accordance with  
 40          this chapter **and the redistricting standards set forth in**  
 41          **IC 2-1.5-2. The redistricting commission shall also take into**  
 42          **consideration the testimony and materials received in the**



1           **hearings held under IC 2-1.5-3.**

2           ~~(c) Any~~ **(d) A redistricting plan so adopted shall under this**  
3 **chapter must be:**

4           **(1) signed by a majority of the redistricting committee; and**

5           **(2) submitted to the governor. who forthwith**

6           **(e) After receiving a plan under subsection (d), the governor**  
7 **shall immediately issue and publish his an executive order**  
8 **establishing congressional districts in accordance with the plan so**  
9 **adopted. and directing the commission to place such**

10           **(f) The congressional districts in established take effect for the**  
11 **next primary and general elections next succeeding such that occur**  
12 **after the session of the general assembly described in section 1 of**  
13 **this chapter.**

14           **(g) Congressional districts so established shall by the plan continue**  
15 **in effect until changed by statute.**

16           SECTION 3. IC 3-8-2-8, AS AMENDED BY P.L.169-2015,  
17 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2020]: Sec. 8. (a) A declaration of candidacy for the office of  
19 United States Senator or for the office of governor must be  
20 accompanied by a petition signed by at least four thousand five  
21 hundred (4,500) voters of the state, including at least five hundred  
22 (500) voters from each congressional district.

23           (b) Each petition must contain the following:

24           (1) The signature of each petitioner.

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

26           (3) The residence address of each petitioner as set forth on the  
27 petitioner's voter registration record.

28           (c) Except as provided in this subsection, the signature, printed  
29 name, and residence address of the petitioner must be made in writing  
30 by the petitioner. If a petitioner with a disability is unable to write this  
31 information on the petition, the petitioner may authorize an individual  
32 to do so on the petitioner's behalf. The individual acting under this  
33 subsection shall execute an affidavit of assistance for each such  
34 petitioner, in a form prescribed by the election division. The form must  
35 set forth the name and address of the individual providing assistance,  
36 and the date the individual provided the assistance. The form must be  
37 submitted with the petition.

38           (d) This subsection applies to a petition filed during the period:

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

41           (2) ending on the date that ~~the part of the act or order issued under~~  
42 ~~IC 3-3-2~~ **establishing** the previous congressional district plan is



- 1 repealed or superseded.
- 2 The petition must be signed by at least four thousand five hundred  
3 (4,500) voters of Indiana, including at least five hundred (500) voters  
4 from each congressional district created by the most recent  
5 congressional district plan adopted under ~~IC 3-3~~; **IC 2-1.5 or IC 3-3-2**.
- 6 SECTION 4. IC 3-8-3-2, AS AMENDED BY P.L.169-2015,  
7 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2020]: Sec. 2. (a) A request filed under section 1 of this  
9 chapter must be accompanied by a petition signed by at least four  
10 thousand five hundred (4,500) voters of the state, including at least five  
11 hundred (500) voters from each congressional district.
- 12 (b) Each petition must contain the following:
- 13 (1) The signature of each petitioner.
- 14 (2) The name of each petitioner legibly printed.
- 15 (3) The residence address of each petitioner as set forth on the  
16 petitioner's voter registration record.
- 17 (c) Except as provided in this subsection, the signature, printed  
18 name, and residence address of the petitioner must be made in writing  
19 by the petitioner. If a petitioner with a disability is unable to write this  
20 information on the petition, the petitioner may authorize an individual  
21 to do so on the petitioner's behalf. The individual acting under this  
22 subsection shall execute an affidavit of assistance for each such  
23 petitioner, in a form prescribed by the election division. The form must  
24 set forth the name and address of the individual providing assistance,  
25 and the date the individual provided the assistance. The form must be  
26 submitted with the petition.
- 27 (d) This subsection applies to a petition filed during the period:
- 28 (1) beginning on the date that a congressional district plan has  
29 been adopted under ~~IC 3-3~~; **IC 2-1.5 or IC 3-3-2**; and  
30 (2) ending on the date that ~~the part of the act or order issued under~~  
31 ~~IC 3-3-2 establishing~~ the previous congressional district plan is  
32 repealed or superseded.
- 33 The petition must be signed by at least four thousand five hundred  
34 (4,500) voters of Indiana, including at least five hundred (500) voters  
35 from each congressional district created by the most recent  
36 congressional district plan adopted under ~~IC 3-3~~; **IC 2-1.5 or IC 3-3-2**.

