



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 179 be amended to read as follows:

- 1 Page 4, line 40, delete "IC 36-2-2-4;".  
2 Page 4, line 41, delete "or" and insert ",".  
3 Page 4, line 41, after "IC 36-2-2-3.4," insert "**or IC 36-2-2-4,**".  
4 Page 5, between lines 30 and 31, begin a new line block indented  
5 and insert:  
6 "**(3) A county having a population of more than two hundred**  
7 **fifty thousand (250,000) but less than two hundred seventy**  
8 **thousand (270,000).**".  
9 Page 7, after line 42, begin a new paragraph and insert:  
10 "SECTION 5. IC 36-2-2-4 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2021]: [EFFECTIVE] JULY 1,  
12 2021]. Sec. 4: (a) This subsection does not apply to a county having a  
13 population of:  
14 (1) more than four hundred thousand (400,000) but less than  
15 seven hundred thousand (700,000); or  
16 (2) more than two hundred fifty thousand (250,000) but less than  
17 two hundred seventy thousand (270,000).  
18 The executive shall divide the county into three (3) districts that are  
19 composed of contiguous territory and are reasonably compact. The  
20 district boundaries drawn by the executive must not cross precinct  
21 boundary lines and must divide townships only when a division is  
22 clearly necessary to accomplish redistricting under this section. If  
23 necessary, the county auditor shall call a special meeting of the  
24 executive to establish or revise districts.  
25 (b) This subsection applies to a county having a population of more  
26 than four hundred thousand (400,000) but less than seven hundred  
27 thousand (700,000). A county redistricting commission shall divide the

1 county into three (3) single-member districts that comply with  
2 subsection (d). The commission is composed of:

- 3 (1) the members of the Indiana election commission;
- 4 (2) two (2) members of the senate selected by the president pro  
5 tempore; one (1) from each political party; and
- 6 (3) two (2) members of the house of representatives selected by  
7 the speaker; one (1) from each political party.

8 The legislative members of the commission have no vote and may act  
9 only in an advisory capacity. A majority vote of the voting members is  
10 required for the commission to take action. The commission may meet  
11 as frequently as necessary to perform its duty under this subsection.  
12 The commission's members serve without additional compensation  
13 above that provided for them as members of the Indiana election  
14 commission; the senate; or the house of representatives.

15 (e) (a) This subsection applies to a county having a population of  
16 more than two hundred fifty thousand (250,000) but less than two  
17 hundred seventy thousand (270,000). The executive shall divide the  
18 county into three (3) single-member districts that comply with  
19 subsection (d). (b).

20 (d) (b) Single-member districts established under subsection (b) or  
21 (e) (a) must:

- 22 (1) be compact, subject only to natural boundary lines (such as  
23 railroads, major highways, rivers, creeks, parks, and major  
24 industrial complexes);
- 25 (2) contain, as nearly as is possible, equal population; and
- 26 (3) not cross precinct lines.

27 (e) (c) Except as provided by subsection (g); (e), a division under  
28 subsection (a) (b); or (e) shall be made:

- 29 (1) during the first year after a year in which a federal decennial  
30 census is conducted; and
- 31 (2) when the county adopts an order declaring a county boundary  
32 to be changed under IC 36-2-1-2.

33 (f) (d) A division under subsection (a) (b); or (e) may be made in  
34 any odd-numbered year not described in subsection (e). (c).

35 (g) (e) This subsection applies during the first year after a year in  
36 which a federal decennial census is conducted. If the county executive  
37 or county redistricting commission determines that a division under  
38 subsection (e) (c) is not required, the county executive or county  
39 redistricting commission shall adopt an ordinance a resolution  
40 recertifying that the districts as drawn comply with this section.

41 (h) (f) Each time there is a division under subsection (e) (c) or (f)  
42 (d) or a recertification under subsection (g); (e), the county executive  
43 or county redistricting commission shall file with the circuit court clerk  
44 of the county, not later than thirty (30) days after the division or  
45 recertification occurs, a map of the district boundaries:

- 46 (1) adopted under subsection (e) (c) or (f); (d); or

- 1           (2) recertified under subsection ~~(g)~~: **(e)**.
- 2           ~~(i)~~ **(g)** The limitations set forth in this section are part of the
- 3 ~~ordinance, resolution,~~ but do not have to be specifically set forth in the
- 4 ~~ordinance, resolution.~~ The ~~ordinance~~ **resolution** must be construed, if
- 5 possible, to comply with this chapter. If a provision of the ~~ordinance~~
- 6 **resolution** or an application of the ~~ordinance~~ **resolution** violates this
- 7 chapter, the invalidity does not affect the other provisions or
- 8 applications of the ~~ordinance~~ **resolution** that can be given effect
- 9 without the invalid provision or application. The provisions of the
- 10 ~~ordinance~~ **resolution** are severable.
- 11          ~~(j)~~ **(h)** If a conflict exists between:
- 12           (1) a map showing the boundaries of a district; and
- 13           (2) a description of the boundaries of that district set forth in the
- 14 ~~ordinance, resolution;~~
- 15 the district boundaries are the description of the boundaries set forth in
- 16 the ~~ordinance, resolution,~~ not the boundaries shown on the map, to the
- 17 extent there is a conflict between the description and the map."
- 18          Delete page 8.
- 19          Page 9, delete lines 1 through 36.
- 20          Page 9, line 39, after "under" insert "**section 3.2, 3.4, or**".
- 21          Page 9, line 40, reset in roman "4".
- 22          Page 9, line 40, delete "section 3.2 or 3.4".
- 23          Page 10, line 4, after "under" insert "**section 3.2, 3.4, or**".
- 24          Page 10, line 4, reset in roman "4".
- 25          Page 10, line 4, delete "section 3.2 or 3.4".
- 26          Page 10, line 7, after "under" insert "**section 3.2, 3.4, or**".
- 27          Page 10, line 7, reset in roman "4".
- 28          Page 10, line 7, delete "section 3.2 or 3.4".
- 29          Page 10, delete lines 12 through 17.
- 30          Page 11, line 6, delete "3.2" and insert "**4**".
- 31          Page 11, line 38, delete "IC 36-2-2-3.2" and insert "**IC 36-2-2-4**".
- 32          Page 13, line 9, delete "or" and insert ",".
- 33          Page 13, line 9, after "IC 36-2-2-3.4" insert ", **IC 36-2-2-4**".
- 34          Page 13, line 9, after "applicable)" insert ",".
- 35          Re-number all SECTIONS consecutively.
- (Reference is to SB 179 as printed February 9, 2021.)

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Senator GASKILL