

# SENATE BILL No. 37

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## 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 (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 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 establishing a redistricting commission for congressional redistricting.

**Effective:** July 1, 2019.

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January 3, 2019, read first time and referred to Committee on Elections.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 37

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 **2019]:**  
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 2-1.5-2-1.

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. "Nominating authority"** refers to any of the following:

19           (1) The chief justice of the supreme court.

20           (2) The president of Ball State University.

21           (3) The president of Indiana University.

22           (4) The president of Purdue University.

23           **Sec. 12. (a) "Plan"** refers to any of the following:

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

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

26           (3) A plan for congressional districts.

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

30           **Sec. 13. "Political subdivision"** means a city, county, town, or  
31 township.

32           **Sec. 14. "Redistricting year"** refers to the year immediately  
33 following a census year.

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

35           **Chapter 2. Redistricting Commission**

36           **Sec. 1. As provided in this chapter, a redistricting commission**  
37 **consisting of nine (9) members is established.**

38           **Sec. 2. (a) Not later than January 15 of a redistricting year, four**  
39 **(4) members of the commission shall be selected by each of the**  
40 **appointing authorities:**

41           (1) appointing one (1) individual to be a commission member;  
42 and



1           (2) certifying to the executive director of the agency the  
2           appointment of the individual to the commission.

3           (b) Four (4) members of the commission shall be selected as  
4 follows:

5           (1) Not later than January 15 of a redistricting year, a pool of  
6           twelve (12) candidates for appointment to the commission  
7           shall be established. The pool is created by each of the  
8           nominating authorities:

9           (A) selecting three (3) individuals as candidates for  
10           membership on the commission; and

11           (B) certifying the following to the executive director of the  
12           agency:

13           (i) The name and contact information for each of the  
14           three (3) individuals selected by that nominating  
15           authority as candidates for membership on the  
16           commission.

17           (ii) That each of the individuals identified in item (i) has  
18           agreed to serve if the individual is appointed as a  
19           member of the commission.

20           (iii) That the nominating authority believes that each of  
21           the individuals identified in item (i) will, if appointed as  
22           a member of the commission, faithfully comply with this  
23           article, including specifically IC 2-1.5-4-10(b).

24           (2) Not later than February 1 of a redistricting year, each of  
25           the four (4) members of the commission appointed under  
26           subsection (a) shall:

27           (A) appoint one (1) of the candidates from the pool  
28           established under subsection (b)(1) as a member of the  
29           commission; and

30           (B) certify to the executive director of the agency the  
31           appointment of the individual as a member of the  
32           commission.

33           (c) Not later than February 15 of a redistricting year, the  
34           members appointed under subsections (a) and (b) shall meet and  
35           appoint the commission's chair. The member appointed by the  
36           speaker of the house of representatives shall call and preside  
37           during the meeting. The chair may be a member appointed to the  
38           commission under subsection (b)(2) or another individual chosen  
39           by the commission, but may not be a member appointed to the  
40           commission under subsection (a)(1). If the commission selects as  
41           the chair a member appointed to the commission under subsection  
42           (b)(2), the commission shall appoint by majority vote another



1 candidate from the pool established under subsection (b)(1) as a  
 2 member of the commission. The commission shall certify to the  
 3 executive director of the agency the appointment of the  
 4 commission's chair and the commission member, if any, selected  
 5 under this subsection.

6 (d) In selecting candidates for appointment under subsection  
 7 (b)(1) and in making the appointments under subsections (a), (b),  
 8 and (c), the nominating authorities, the appointing authorities, and  
 9 the members of the commission shall seek to optimize the  
 10 geographic, minority, and gender diversity of the commission.

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

13 Sec. 4. (a) The definitions in IC 3-5-2 apply throughout this  
 14 section.

15 (b) An individual may not serve on the commission if the  
 16 individual has been any of the following at any time less than six (6)  
 17 years before the individual's appointment to the commission:

18 (1) A member of the general assembly or the Congress of the  
 19 United States.

20 (2) A candidate for election to the general assembly or the  
 21 Congress of the United States.

22 (3) The holder of a state office (as defined in IC 3-5-2-48).

23 (4) An appointed public official.

24 (5) An employee of any of the following:

25 (A) The general assembly.

26 (B) A member of the Congress of the United States from  
 27 Indiana.

28 (C) A United States senator representing Indiana.

29 (6) The chairman or treasurer of a candidate's committee of  
 30 a candidate for election to the general assembly or the  
 31 Congress of the United States as required by IC 3-9-1 or  
 32 federal law.

33 (7) A precinct committeeman or a precinct vice  
 34 committeeman.

35 (8) A member of a candidate's committee.

36 (9) A member of a central committee.

37 (10) A member of a national committee of a political party.

38 (11) An employee or an agent of a political party or of an  
 39 entity described in any of subdivisions (8) through (10).

40 (12) An individual who is either of the following:

41 (A) A paid consultant of an entity described in any of  
 42 subdivisions (8) through (11).



- 1           **(B) An employee of a paid consultant of an entity described**  
 2           **in any of subdivisions (8) through (11).**  
 3           **(13) An individual registered as a lobbyist under IC 2-7.**  
 4           **Sec. 5. (a) Before undertaking duties as a commission member,**  
 5           **an individual appointed under section 2 or 8 of this chapter must**  
 6           **do each of the following:**  
 7           **(1) Take an oath of office.**  
 8           **(2) Make an affirmation that the individual will:**  
 9           **(A) apply the provisions of this article in an honest and**  
 10           **independent manner; and**  
 11           **(B) uphold public confidence in the integrity of the**  
 12           **redistricting process.**  
 13           **(3) Make a written pledge that the individual will not be a**  
 14           **candidate for:**  
 15           **(A) election to the general assembly; or**  
 16           **(B) selection to fill a vacancy in the general assembly;**  
 17           **at any time before the second election for members of the**  
 18           **general assembly after the individual's appointment to the**  
 19           **commission.**  
 20           **(4) Make a written pledge that the individual will not do any**  
 21           **of the following until plans are adopted as provided in this**  
 22           **article:**  
 23           **(A) Make a contribution (as defined in IC 3-5-2-15).**  
 24           **(B) Attend any function relating to the election of a**  
 25           **candidate.**  
 26           **(C) Serve in any capacity described in section 4 of this**  
 27           **chapter.**  
 28           **(b) A member's oath, affirmation, and pledge shall be filed with**  
 29           **the agency.**  
 30           **Sec. 6. An individual serves as a commission member until the**  
 31           **earliest of the following:**  
 32           **(1) The individual resigns the individual's membership on the**  
 33           **commission.**  
 34           **(2) The individual is removed as a member of the commission**  
 35           **under section 7 of this chapter.**  
 36           **(3) The appointment of a new commission under this chapter**  
 37           **following a federal decennial census.**  
 38           **Sec. 7. (a) A commission member may be removed from office**  
 39           **for any of the following:**  
 40           **(1) Substantial neglect of duty.**  
 41           **(2) Gross misconduct in office.**  
 42           **(3) Inability to discharge the duties of a member of the**



- 1           **commission.**
- 2           **(4) Becoming a candidate in violation of the commission**
- 3           **member's pledge under section 5(a)(3) of this chapter.**
- 4           **(5) Taking an action in violation of the commission member's**
- 5           **pledge under section 5(a)(4) of this chapter.**
- 6           **(6) Ceasing to be a resident of Indiana as required by section**
- 7           **3 of this chapter.**
- 8           **(7) Being convicted of an action that would result in the**
- 9           **removal of a public officer under IC 5-8-1-38 or IC 5-8-3-1.**
- 10          **(b) The supreme court has original and exclusive jurisdiction to**
- 11          **remove a commission member. Any resident of Indiana may seek**
- 12          **to remove a commission member by filing a verified complaint**
- 13          **with the clerk of the supreme court and serving the agency with a**
- 14          **copy. The agency shall immediately transmit a copy of the**
- 15          **complaint to all members of the commission by electronic mail or**
- 16          **by a faster method, if available.**
- 17          **(c) The supreme court may decide the matter by summary**
- 18          **disposition, or after a hearing, if necessary, under such procedures**
- 19          **as the supreme court establishes by rule or order to resolve the**
- 20          **matter. The supreme court shall decide the matter as expeditiously**
- 21          **as possible, but not later than seven (7) days after the date the**
- 22          **complaint is filed, in order to permit the commission to complete**
- 23          **its duties under the schedule established by IC 2-1.5-3.**
- 24          **Sec. 8. (a) If a vacancy occurs in the position of a commission**
- 25          **member who was appointed under section 2(a) of this chapter, the**
- 26          **leader of the caucus whose leader appointed the member whose**
- 27          **position is vacant shall appoint an individual to fill the vacancy:**
- 28               **(1) not later than fifteen (15) days after the vacancy occurs;**
- 29               **and**
- 30               **(2) in the same manner described in section 2(a) of this**
- 31               **chapter.**
- 32          **(b) If a vacancy occurs during a redistricting year in the**
- 33          **position of a commission member who was appointed under section**
- 34          **2(b) of this chapter, the commission shall:**
- 35               **(1) not later than fifteen (15) days after the vacancy occurs**
- 36               **either:**
- 37                   **(A) appoint a candidate from the pool established under**
- 38                   **section 2(b)(1) of this chapter to fill the vacancy; or**
- 39                   **(B) if no candidate described in clause (A) meets the**
- 40                   **qualifications of this article or is available to serve, appoint**
- 41                   **an individual to fill the vacancy; and**
- 42               **(2) certify to the executive director of the agency the**



- 1           **appointment of the individual to the commission.**
- 2           **(c) If a vacancy occurs during a year that is not a redistricting**
- 3 **year in the position of a commission member who was appointed**
- 4 **under section 2(b) of this chapter, the commission:**
- 5           **(1) shall appoint an individual to fill the vacancy not later**
- 6 **than fifteen (15) days after the vacancy occurs; and**
- 7           **(2) shall certify to the executive director of the agency the**
- 8 **appointment of the individual to the commission.**
- 9           **(d) If the position of commission chair becomes vacant, the**
- 10 **commission shall appoint an individual to fill the vacancy:**
- 11           **(1) not later than fifteen (15) days after the vacancy occurs;**
- 12 **and**
- 13           **(2) in the same manner:**
- 14           **(A) described in section 2(c) of this chapter, if the vacancy**
- 15 **occurs during a redistricting year; or**
- 16           **(B) described in subsection (c), if the vacancy occurs**
- 17 **during a year that is not a redistricting year.**
- 18           **Sec. 9. The affirmative vote of seven (7) commission members**
- 19 **is necessary for the commission to take official action.**
- 20           **Sec. 10. Each commission member is entitled to receive the same**
- 21 **per diem, mileage, and travel allowances paid to members of the**
- 22 **general assembly serving on interim study committees established**
- 23 **by the legislative council.**
- 24           **Sec. 11. (a) The agency shall provide the commission with staff**
- 25 **and administrative services.**
- 26           **(b) The expenses of the commission shall be paid out of amounts**
- 27 **appropriated to the legislative council (created under IC 2-5-1.1-1)**
- 28 **and the agency, including the costs of litigation (if any).**
- 29           **Sec. 12. (a) The definitions in IC 3-5-2 apply throughout this**
- 30 **section.**
- 31           **(b) A commission member who has communicated, directly or**
- 32 **indirectly, regarding redistricting with any of the following, other**
- 33 **than during a public meeting of the commission, shall take the**
- 34 **action described in subsection (c):**
- 35           **(1) A member of the Congress of the United States.**
- 36           **(2) A member of the general assembly.**
- 37           **(3) An individual who holds any other public office.**
- 38           **(4) An individual who has held a public office described in**
- 39 **subdivisions (1) through (3).**
- 40           **(5) A candidate for a public office described in subdivisions**
- 41 **(1) through (3).**
- 42           **(6) An individual otherwise described in section 4 of this**





1 chapter, other than an employee of the agency acting within  
 2 the scope of the employee's responsibilities under section 11  
 3 of this chapter.

4 (c) If a commission member communicates regarding  
 5 redistricting with an individual described in subsection (b), the  
 6 commission member shall do the following:

7 (1) If the communication is written or electronic material, the  
 8 commission member shall instruct that the written or  
 9 electronic material be placed in the commission's public  
 10 records not later than five (5) days after the commission  
 11 member reads the written or electronic material.

12 (2) If the communication is other than written or electronic  
 13 material, the commission member shall place a verified  
 14 written description of the communication in the commission's  
 15 public records not later than five (5) days after the  
 16 communication occurs. The verified written description must  
 17 include the following information:

18 (A) The name of the individual with whom the  
 19 communication occurred.

20 (B) The date and approximate time of the communication.

21 (C) A description of the nature and substance of the  
 22 communication.

23 (d) A commission member who fails to comply with this section  
 24 commits gross misconduct in office and is subject to removal from  
 25 the commission under section 7 of this chapter.

### 26 Chapter 3. Redistricting Procedure

27 Sec. 1. (a) Before January 1 of a redistricting year, the agency  
 28 shall do the following:

29 (1) Acquire any hardware, software, and supplies necessary  
 30 to assist the commission in the performance of the  
 31 commission's duties under this article.

32 (2) Establish an Internet based redistricting portal to:

33 (A) assist the public in drawing maps and providing input  
 34 on the redistricting process; and

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

36 (b) At any time, the agency may acquire additional hardware,  
 37 software, and supplies the executive director of the agency  
 38 considers necessary to assist the commission in the performance of  
 39 the commission's duties under this article.

40 Sec. 2. (a) Not later than March 15 of a redistricting year, the  
 41 commission's chair shall convene the commission to do the  
 42 following:



- 1           **(1) Organize the commission.**  
 2           **(2) Receive reports from the agency concerning the following:**  
 3               **(A) Information relating to the receipt of census data from**  
 4               **the bureau.**  
 5               **(B) The readiness of the agency to assist the commission's**  
 6               **work.**  
 7               **(C) Any other matter on which a report is requested by the**  
 8               **commission.**  
 9           **(3) Provide initial instructions to the agency regarding the**  
 10           **commission's work.**  
 11           **(4) Schedule hearings required or permitted under section 5**  
 12           **of this chapter.**  
 13           **(5) Schedule other meetings the commission considers**  
 14           **necessary.**  
 15           **(6) Schedule the receipt of maps from the public.**  
 16           **(b) IC 5-14-1.5 (the open door law) applies to the commission's**  
 17           **meetings.**  
 18           **(c) Records of the commission shall be made available for**  
 19           **inspection and copying in accordance with IC 5-14-3.**  
 20           **Sec. 3. If the agency must make a decision on a question for**  
 21           **which no clearly applicable provision of this article or instruction**  
 22           **of the commission provides an answer, the executive director of the**  
 23           **agency shall submit a written request to the commission for**  
 24           **direction.**  
 25           **Sec. 4. (a) The agency shall do the following:**  
 26               **(1) Create maps of legislative district plans and congressional**  
 27               **district plans that conform to this article and the**  
 28               **commission's instructions.**  
 29               **(2) Prepare written descriptions of the maps created under**  
 30               **subdivision (1).**  
 31               **(3) Evaluate maps submitted by the public for conformance**  
 32               **with the standards set forth in IC 2-1.5-4.**  
 33           **(b) The agency shall produce as many different plans as the**  
 34           **commission instructs:**  
 35               **(1) not earlier than May 1 of a redistricting year; and**  
 36               **(2) not later than May 15 of the redistricting year.**  
 37           **(c) The agency shall publish the maps and descriptions:**  
 38               **(1) prepared for the commission by the agency; and**  
 39               **(2) submitted to the commission from the public;**  
 40           **as directed by the commission not later than May 15 of a**  
 41           **redistricting year.**  
 42           **Sec. 5. (a) As directed by the commission, the agency shall**



1 receive for the commission written public comments regarding the  
2 plans after publication of the plans.

3 (b) The commission shall provide for at least one (1) public  
4 hearing in each Indiana congressional district, and an additional  
5 meeting in Marion County, as determined by the commission. At  
6 least two (2) commission members shall be present at each public  
7 hearing, and a commission member shall preside and conduct the  
8 hearing. The hearings shall be held not later than June 30 of a  
9 redistricting year and shall be recorded and made available live  
10 and archived for public viewing on the Internet.

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 hearing 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 (f) The commission may modify, with or without additional  
27 public hearings under this section, the maps published under  
28 section 4 of this chapter to:

- 29 (1) incorporate any public comments and suggestions adopted  
30 by the commission; or
- 31 (2) comply with the federal Voting Rights Act in accordance  
32 with IC 2-1.5-4-10(b).

33 The commission shall adopt any modifications made under this  
34 subsection in a public meeting.

35 (g) The commission shall give public notice of a meeting held  
36 under this section not later than ten (10) days before the date of the  
37 meeting.

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

- 41 (1) A summary of the commission's and the agency's  
42 preparation for the commission's work.



- 1           (2) A description of the hearings held under section 5 of this
- 2           chapter.
- 3           (3) A summary of the public comments and suggestions
- 4           received in writing and at the hearings.
- 5           (4) The commission's recommendation to the general
- 6           assembly for each of the following:
- 7                (A) A district plan for the house of representatives.
- 8                (B) A district plan for the senate.
- 9                (C) A congressional district plan.
- 10          (5) Maps for each plan, including both a statewide map and a
- 11          map for each district.
- 12          (6) A bill that would enact each of the plans.
- 13          (b) The commission shall recommend to the general assembly
- 14          the plan the commission considers the best in meeting the
- 15          standards set forth in IC 2-1.5-4.
- 16          (c) The commission may include any other information in the
- 17          report the commission considers useful to explain the commission's
- 18          work or recommendations.
- 19          (d) The report required by this section must be submitted to the
- 20          legislative council in an electronic format under IC 5-14-6.
- 21          Sec. 7. (a) If, for any reason, an appointing authority, a
- 22          nominating authority, the agency, the commission, or the general
- 23          assembly is unable to complete a duty required under this article
- 24          or IC 2-2.1-1-2.7 before the deadline specified by law, the
- 25          appointing authority, nominating authority, agency, commission,
- 26          or general assembly, as applicable, shall expedite completion of the
- 27          requirement as soon as practicable after the deadline.
- 28          (b) If a court invalidates a plan after October 1 of a redistricting
- 29          year, the commission and the general assembly shall take all
- 30          necessary action to expedite the adoption of a plan to replace the
- 31          invalidated plan.
- 32          Chapter 4. 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. Except as provided by section 10 of this chapter, the**  
2 **population of a district of the house of representatives or the senate**  
3 **may not deviate from the ideal district population by more than**  
4 **two percent (2%) of the ideal district population.**

5           **Sec. 5. (a) Districts 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. Districts 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. Districts must not breach precinct boundaries.**

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

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

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. A plan for senate districts may not include a senate**  
25 **district that includes the residence address of two (2) or more**  
26 **senators, one (1) or more of whose term of office expires at the**  
27 **second general election held after the redistricting year.**

28           **Sec. 10. (a) In evaluating plans for recommendation, the**  
29 **commission shall consider the effect that a plan has on language**  
30 **minority groups and racial minority groups as required by the**  
31 **federal Voting Rights Act.**

32           **(b) Except as provided in this subsection, the commission and**  
33 **the agency may not consider past election results in preparing**  
34 **proposed maps of legislative district plans and congressional**  
35 **district plans. After the maps have been published under**  
36 **IC 2-1.5-3-4, the agency shall review past election results to**  
37 **evaluate the proposed maps for compliance with the federal Voting**  
38 **Rights Act, and if necessary, shall recommend to the commission**  
39 **one (1) or more modifications to the maps to bring the maps into**  
40 **compliance with the federal Voting Rights Act. The modifications**  
41 **recommended under this subsection may include population**  
42 **deviations greater than those imposed under section 4 of this**



1 **chapter. However, the population deviations may not exceed ten**  
 2 **percent (10%).**

3 SECTION 2. IC 2-2.1-1-2.7 IS ADDED TO THE INDIANA CODE  
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 5 1, 2019]: Sec. 2.7. (a) The definitions in IC 2-1.5-1 apply throughout  
 6 this section.

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

9 (1) House of representatives districts.

10 (2) Senate districts.

11 (3) Congressional districts.

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

16 (d) If the general assembly does not enact the redistricting plan  
 17 recommended by the redistricting commission under IC 2-1.5-3,  
 18 the general assembly shall provide, not later than two (2) days after  
 19 the general assembly fails to enact the recommended plan, written  
 20 comments to the redistricting commission concerning the reason or  
 21 reasons why the recommended plan was not enacted.

22 (e) Not later than fifteen (15) days after receiving the general  
 23 assembly's comments under subsection (d), the redistricting  
 24 commission shall recommend to the general assembly a second  
 25 redistricting plan. The second redistricting plan recommended by  
 26 the redistricting commission must be introduced in, considered by,  
 27 and voted on by each house of the general assembly, without  
 28 amendment, except amendments of a technical nature.

29 (f) Unless the general assembly has enacted bills described in  
 30 subsection (b) at:

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

33 (2) a special session called by the governor;

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

37 SECTION 3. IC 3-3-2 IS REPEALED [EFFECTIVE JULY 1, 2019].  
 38 (Redistricting Commission).

39 SECTION 4. IC 3-3-5-10, AS ADDED BY P.L.215-2011,  
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2019]: Sec. 10. Beginning November 6, 2012, the 2001  
 42 Congressional District Plan:



1 (1) adopted by the redistricting commission under IC 3-3-2  
2 **(before its repeal);** and

3 (2) published in the governor's executive order 01-11 in the  
4 Indiana Register at 24 IR 3293-3298;

5 is void.

6 SECTION 5. IC 3-8-2-8, AS AMENDED BY P.L.169-2015,  
7 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2019]: Sec. 8. (a) A declaration of candidacy for the office of  
9 United States Senator or for the office of governor must be  
10 accompanied by a petition signed by at least four thousand five  
11 hundred (4,500) voters of the state, including at least five hundred  
12 (500) voters from each congressional district.

13 (b) Each petition must contain the following:

14 (1) The signature of each petitioner.

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

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

18 (c) Except as provided in this subsection, the signature, printed  
19 name, and residence address of the petitioner must be made in writing  
20 by the petitioner. If a petitioner with a disability is unable to write this  
21 information on the petition, the petitioner may authorize an individual  
22 to do so on the petitioner's behalf. The individual acting under this  
23 subsection shall execute an affidavit of assistance for each such  
24 petitioner, in a form prescribed by the election division. The form must  
25 set forth the name and address of the individual providing assistance,  
26 and the date the individual provided the assistance. The form must be  
27 submitted with the petition.

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

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

31 (2) ending on the date that ~~the part of the act or order issued under~~  
32 ~~IC 3-3-2~~ **establishing** the previous congressional district plan is  
33 repealed or superseded.

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

38 SECTION 6. IC 3-8-3-2, AS AMENDED BY P.L.169-2015,  
39 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2019]: Sec. 2. (a) A request filed under section 1 of this  
41 chapter must be accompanied by a petition signed by at least four  
42 thousand five hundred (4,500) voters of the state, including at least five



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

