

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 135

AN ACT to amend the Indiana Code concerning elections.

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

SECTION 1. IC 3-5-10-7, AS AMENDED BY P.L.227-2023, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Subject to ~~section~~ **sections 7.1 and 8** of this chapter, a redistricting authority shall redistrict election districts at the following times:

- (1) If the census event is a federal decennial census, the following:
 - (A) For a county executive or county fiscal body, only during the first year after the federal decennial census is conducted.
 - (B) For a school corporation, only during the first year after the federal decennial census is conducted.
 - (C) For a municipality that conducts its municipal elections in an odd-numbered year, only during the second year after the federal decennial census is conducted.
 - (D) For a municipality that conducts its municipal elections in:
 - (i) an even-numbered year; or
 - (ii) both an even-numbered year and an odd-numbered year; only during the first year after the federal decennial census is conducted.
 - (E) For the legislative body of a township in a county having a consolidated city, only during the first year after the federal decennial census is conducted.

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(2) For a census event other than a federal decennial census, only during the first year after the year the census event becomes effective with respect to the political subdivision, as provided in IC 1-1-3.5-3.

(3) Whenever a county adopts an order declaring a county boundary to be changed under IC 36-2-1-2 that affects the boundaries of the political subdivision.

(4) Whenever required to assign annexed territory to a district, subject to the provisions of IC 36-4-3.

(5) Whenever the boundary of the political subdivision is changed.

(6) As provided in the order of a court that has found the current redistricting plan unconstitutional or otherwise unlawful.

(b) **Except as provided in section 7.1 of this chapter**, a redistricting authority may not redistrict at a time other than is provided in subsection (a).

SECTION 2. IC 3-5-10-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.1. (a) A redistricting authority described in section 7(a)(1) of this chapter that did not redistrict election districts or did not recertify existing districts following the 2020 decennial census, shall:**

(1) after January 1, 2025, and before June 30, 2025, redistrict election districts for an office that is on the ballot during the 2024 general election; or

(2) before June 30, 2025:

(A) recertify existing districts under section 8 of this chapter; or

(B) redistrict election districts for an office that is not on the ballot during the 2024 general election.

(b) Redistricting or recertifying under this section must be based on the 2020 decennial census.

(c) A member of a redistricting authority described in subsection (a) that fails to:

(1) redistrict election districts; or

(2) recertify existing districts under section 8 of this chapter; before June 30, 2025, shall not be entitled to receive payment of any salary or fees, as fixed by law, until the redistricting authority complies with subsection (a).

(d) This section expires July 1, 2025.

SECTION 3. **An emergency is declared for this act.**



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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