PROPOSED AMENDMENT HB 1032 # 16

DIGEST

Redistricting. Provides for the legislative services agency (agency) to develop initial redistricting plans for Indiana congressional districts and Indiana legislative districts. Provides a procedure for the general assembly to review and enact plans developed by the agency, including initial steps for consideration of plans without amendment. Provides that if a third in a sequence of plans is necessary, the general assembly may amend any plan. Establishes standards for developing redistricting plans. Establishes a temporary redistricting advisory committee to advise the agency regarding the redistricting process, hold hearings on redistricting plans, and report to the general assembly regarding those hearings. Repeals a provision establishing a redistricting commission for congressional redistricting. Deletes provisions that do the following: (1) Allow the general assembly to amend congressional districts at a time other than the first regular session of the general assembly convening immediately following the United States decennial census. (2) Establish new Indiana congressional districts. (3) Provide for expiration of the current congressional districts on the date of the 2026 general election. (4) Specify that for purposes of the 2026 primary and general election, a precinct may cross the boundary of a congressional district.

1	Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2	"SECTION 1. IC 2-1.5 IS ADDED TO THE INDIANA CODE AS
3	A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON
4	PASSAGE]:
5	ARTICLE 1.5. ESTABLISHING LEGISLATIVE AND
6	INDIANA CONGRESSIONAL DISTRICTS
7	Chapter 1. Definitions
8	Sec. 1. The definitions in this chapter apply throughout this
9	article.
10	Sec. 2. "Agency" refers to the legislative services agency
11	established by IC 2-5-1.1-7.
12	Sec. 3. "Body" refers to either of the following:
13	(1) The house of representatives.
14	(2) The senate.
15	Sec. 4. "Bureau" refers to the United States Department of
16	Commerce, Bureau of the Census.
17	Sec. 5. "Census data" means the population data that the
18	Bureau is required to provide to the state under 13 U.S.C. 141.
19	Sec. 6. "Census year" refers to the year in which a federal

1	decennial census is conducted.
2	Sec. 7. "Committee" refers to the temporary redistricting
3	advisory committee established by IC 2-1.5-4-1.
4	Sec. 8. "Executive director" refers to the executive director of
5	the agency.
6	Sec. 9. "Federal decennial census" refers to a federal decennial
7	census conducted under 13 U.S.C. 141.
8	Sec. 10. "GIS" refers to the geographic information system
9	established and maintained by the office under
10	IC 2-5-1.1-12.2(f)(7).
11	Sec. 11. "House of representatives" refers to the house of
12	representatives of the general assembly.
13	Sec. 12. "Ideal district population" for a plan refers to the
14	number equal to the quotient of the following, rounded to the
15	nearest whole number:
16	(1) The numerator is the population of Indiana as reported by
17	the most recent federal decennial census.
18	(2) The denominator is the number of districts required by
19	this article for the plan.
20	Sec. 13. "Legislative district" refers to any of the following:
21	(1) A district of the house of representatives.
22	(2) A district of the senate.
23	Sec. 14. "Legislative leader" refers to any of the following:
24	(1) The speaker of the house of representatives.
25	(2) The minority leader of the house of representatives.
26	(3) The president pro tempore of the senate.
27	(4) The minority leader of the senate.
28	Sec. 15. "Office" refers to the office of census data of the agency
29	established by IC 2-5-1.1-12.2.
30	Sec. 16. (a) "Plan" refers to any of the following:
31	(1) A plan for districts for the house of representatives.
32	(2) A plan for districts for the senate.
33	(3) A plan for Indiana congressional districts.
34	(b) A plan includes maps and written descriptions of the maps
35	that define all the districts that a plan is required to have under
36	this article.
37	Sec. 17. "Political subdivision" means a city, county, town, or
38	township.
39	Sec. 18. "Principal administrative officer" refers to the
40	following:

1	(1) For the house of representatives, the principal clerk of the
2	house of representatives.
3	(2) For the senate, the principal secretary of the senate.
4	Sec. 19. "Redistricting bill" refers to a bill prepared by the
5	agency under IC 2-1.5-2-3 for any, all, or any combination of the
6	following:
7	(1) Establishing house of representatives districts.
8	(2) Establishing senate districts.
9	(3) Establishing Indiana congressional districts.
10	Sec. 20. "Redistricting year" refers to the year immediately
11	following a census year.
12	Sec. 21. "Senate" refers to the senate of the general assembly.
13	Chapter 2. Redistricting Procedure
14	Sec. 1. (a) Before January 1 of a redistricting year, the agency
15	shall acquire any hardware, software, and supplies necessary to
16	establish the plans as required by this article.
17	(b) At any time, the agency may acquire additional hardware,
18	software, and supplies the executive director considers necessary
19	to accomplish the requirements of this article.
20	Sec. 2. After the agency obtains the census data from the
21	Bureau, the office shall incorporate that data into the GIS and
22	make necessary adjustments to the GIS to enable the agency to
23	perform its duties under this article.
24	Sec. 3. (a) Not later than April 15 of a redistricting year, or not
25	later than forty-five (45) days after the agency receives census
26	data, if the agency receives census data after March 15 of a
27	redistricting year, the agency shall do the following:
28	(1) Create maps for legislative districts and congressional
29	districts that conform to the requirements of IC 2-1.5-3.
30	(2) Prepare all of the following:
31	(A) Written descriptions of the maps created under
32	subdivision (1).
33	(B) A summary of the standards prescribed by IC 2-1.5-3
34	for development of the plans.
35	(C) A statement of the following:
36	(i) The population of each legislative and congressional
37	district in the proposed plans.
38	(ii) The relative deviation of each district population
39	from the ideal district population.
40	(D) The bills necessary for introduction to enact the

1	legislative district plans and the congressional district plan.
2	(b) The agency shall publish all the information described in
3	subsection (a) not later than the applicable date stated in
4	subsection (a).
5	Sec. 4. (a) Not later than the applicable date stated in section
6	3(a) of this chapter, the agency shall deliver to the principal
7	administrative officers the redistricting bills and the other
8	information required by section 3 of this chapter.
9	(b) Not later than three (3) days after the date of the committee
10	report required by IC 2-1.5-4-13, either body shall bring the
11	redistricting bills for a vote on final passage in that body. The rules
12	of each body must provide that no amendments, except
13	amendments of a technical nature, may be offered to any of the
14	redistricting bills.
15	(c) If a redistricting bill is passed in the first body, the other
16	body must bring that bill to a vote on final passage in that body,
17	without amendments, except amendments of a technical nature, not
18	later than three (3) days after the bill is passed by the first body.
19	(d) If either body fails to pass a redistricting bill, the principal
20	administrative officer of that body shall, not later than seven (7)
21	days after the bill fails to pass in that body, transmit to the agency
22	a resolution adopted by the body stating the objections that body
23	had to the redistricting bill that was not passed.
24	(e) If the governor vetoes a redistricting bill, and either body
25	sustains the governor's veto, the principal administrative officer of
26	the body in which the bill was first passed shall transmit to the
27	agency a copy of the governor's veto message.
28	Sec. 5. (a) This section applies only if either of the following
29	occurs:
30	(1) A redistricting bill for a plan fails to be enacted under
31	section 4 of this chapter.
32	(2) The veto of a redistricting bill for a plan is sustained under
33	section 4 of this chapter.
34	(b) The agency shall prepare a second redistricting bill for the
35	plan as provided in section 3 of this chapter, as far as possible
36	according to the standards set by IC 2-1.5-3 and to meet the
37	objections cited in any of the following:
38	(1) An applicable resolution adopted by either body.
39	(2) The governor's veto message.
40	(c) If a second redistricting bill for a plan is required under this
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section, the second bill shall be delivered to the principal administrative officers not later than thirty-five (35) days after the first redistricting bill for the plan failed or the governor's veto, whichever is applicable.

- (d) Not later than seven (7) days after the second redistricting bill for a plan is delivered to the principal administrative officers, the bill shall be brought to a vote in either body without amendments, except amendments of a technical nature.
- (e) If the second redistricting bill for a plan passes in the first body, the other body must bring that bill to a vote on final passage in that body, without amendments, except amendments of a technical nature, not later than three (3) days after the bill is passed by the first body.
- (f) If either body fails to pass the second redistricting bill for a plan, the principal administrative officer of that body shall, not later than seven (7) days after the bill fails to pass in that body, transmit to the agency a resolution adopted by the body stating the objections that body had to the second redistricting bill.
- (g) If the governor vetoes a second redistricting bill for a plan, and either body sustains the governor's veto, the principal administrative officer of the body in which the bill was first passed shall transmit to the agency a copy of the governor's veto message.
- Sec. 6. (a) This section applies only if either of the following occurs:
 - (1) A second redistricting bill for a plan fails to be enacted under section 5 of this chapter.
 - (2) The veto of a second redistricting bill for a plan is sustained under section 5 of this chapter.
- (b) The agency shall prepare a third redistricting bill for the plan as provided in section 3 of this chapter, as far as possible according to the standards set by IC 2-1.5-3 and to meet the objections cited in any of the following:
 - (1) An applicable resolution adopted by either body.
 - (2) The governor's veto message.
- (c) If a third redistricting bill for a plan is required under this section, the bill shall be delivered to the principal administrative officers not later than thirty-five (35) days after the second redistricting bill for the plan failed or the governor's veto, whichever is applicable.
- (d) Not later than seven (7) days after the third redistricting bill

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for a plan is delivered to the principal administrative officers, the
bill shall be brought to a vote in either body. However, a third
redistricting bill for a plan may be amended by either body as
provided in that body's rules.
(e) If the third redistricting bill for a plan passes in the first
body, the other body must bring that bill to a vote on final passage
in that body not later than three (3) days after the bill is passed by
the first body. However, a third redistricting bill for a plan may be

- Sec. 7. (a) While the general assembly is in session considering redistricting bills as provided in this article, either body may adjourn from day to day as provided in that body's rules and in the joint rules of the house of representatives and the senate.
 - (b) Notwithstanding any provisions of IC 2-2.1 setting:

amended by either body as provided in that body's rules.

(1) the length of a session; or

(2) the date by which a session of the general assembly must adjourn sine die;

a session of the general assembly during which redistricting bills are being considered under this article may not adjourn sine die until congressional districts and legislative districts have been established by law.

Chapter 3. Redistricting Standards

- Sec. 1. Congressional districts and legislative districts must comply with the standards in this chapter.
- Sec. 2. (a) A plan for house of representatives districts must provide for one hundred (100) districts.
- (b) A plan for senate districts must provide for fifty (50) districts.
- (c) A plan for congressional districts must provide for as many districts as are allocated to Indiana under 2 U.S.C. 2a.
 - Sec. 3. Districts must be established on the basis of population.
- Sec. 4. (a) This section applies only to a legislative district.
- (b) The population of a district must be as nearly equal as practicable to the ideal district population for that plan.
- (c) The population of a district may not vary from the ideal district population for that plan except as necessary to comply with another standard of this chapter.
- (d) The number obtained in STEP THREE of the following formula may not be greater than one percent (1%) of the ideal district population for the plan:

1	STEP ONE: Determine, for each district, the absolute value
2	of the difference between the actual population of a district
3	and the ideal district population for the plan.
4	STEP TWO: Find the sum of the values obtained under STEP
5	ONE.
6	STEP THREE: Divide the sum obtained in STEP TWO by the
7	number of districts required for the plan.
8	(e) The population of a district for a plan may not be more than
9	five percent (5%) greater than the population of any other district
10	in the plan.
11	Sec. 5. (a) This section applies only to districts in a congressional
12	district plan.
13	(b) A congressional district must have a population as nearly
14	equal as practicable to the ideal district population for a
15	congressional plan.
16	(c) The population of a congressional district may not vary from
17	the ideal district population by more than one percent (1%).
18	Sec. 6. (a) Districts must be composed of contiguous territory.
19	(b) Areas that meet only at the point of adjoining corners are
20	not considered contiguous.
21	Sec. 7. Districts may not breach precinct boundaries.
22	Sec. 8. To the extent possible consistent with sections 3 through
23	7 of this chapter, district boundaries must seek to coincide with the
24	boundaries of Indiana political subdivisions as follows:
25	(1) A plan must attempt to minimize the number of counties
26	and cities divided among more than one (1) district.
27	(2) Except as provided in subdivision (3), if there is a choice
28	between political subdivisions to be divided, a more populous
29	political subdivision shall be divided before a less populous
30	political subdivision is divided.
31	(3) Subdivision (2) does not apply to a district boundary
32	drawn along a county line that passes through a municipality
33	that lies in more than one (1) county.
34	Sec. 9. (a) Districts must be as compact as possible to the extent
35	practicable while considering other provisions of this chapter.
36	(b) To measure the compactness of a district for purposes of
37	comparison between proposed districts or between proposed plans,
38	the following measures shall be used:
39	(1) Determination of the height and width of a district. The
40	height of a district is the measure of the north and south

- distance between the northern most point of the district and the southern most point of the district. The width of a district is the measure of the east and west distance between the eastern most point of the district and the western most point of the district. The compactness measure under this subdivision is the absolute value of the difference between the height and the width of the district. A district that has a compactness measure that is less than the compactness measure of another district under this subdivision is considered to be more compact than the other district.
- (2) Determination of the perimeter of a district. A district that has a perimeter that is less than the perimeter of another district is considered to be more compact than the other district.
- (3) If a district is considered more compact than another district under subdivision (1) and less compact than the other district under subdivision (2), the measure under subdivision
- (1) prevails in determining compactness.
- (c) The compactness measure of a plan is computed by determining the sum of the compactness measures of each district in the plan under both subsection (b)(1) and (b)(2). A plan is considered more compact than another plan if the compactness measure of the plan is less than the compactness measure of the other plan. If a plan is considered more compact than another plan under the compactness measure of subsection (b)(1) and less compact under the compactness measure of subsection (b)(2), the compactness measure under subsection (b)(1) prevails in determining compactness.
- Sec. 10. (a) A district may not be drawn for the purpose of favoring any of the following:
 - (1) A political party.
 - (2) An incumbent member of the general assembly.
 - (3) An incumbent member of Congress.
 - (4) Any other person or group.
- (b) A district may not be drawn for the purpose of augmenting or diluting the voting strength of a language or a racial minority group.
- (c) In establishing districts, none of the following data may be used:
- (1) Except as provided in subsection (d), the addresses of

incumbent members of the general assembly or Congress.

(2) The political affiliations of registered voters.

(3) Previous election results.

(4) Demographic information other than population coun

- (4) Demographic information other than population counts, except as required by the Constitution of the United States and other federal law.
- (d) A plan for senate districts may not include a senate district that includes the residence address of two (2) or more senators, more than one (1) of whose term of office expires at the second general election held after the redistricting year.

Chapter 4. Temporary Redistricting Advisory Committee

- Sec. 1. The temporary redistricting advisory committee is established as a continuing committee of the general assembly.
- Sec. 2. (a) Except as provided in subsection (b), not later than February 15 of a redistricting year, each of the legislative leaders shall appoint one (1) individual to serve as a member of the committee.
- (b) If the executive director determines, based on information received from the Bureau, that the release of census data will be delayed, the executive director shall inform the legislative leaders in writing of this determination. The executive director must include with this information to the legislative leaders the executive director's estimate, based on information received from the Bureau, of the date when the census data will be released. The legislative leaders may delay the appointments required by subsection (a) to not later than sixty (60) days before the date estimated by the executive director.
- (c) Each legislative leader shall certify to the executive director the name of the individual whom the legislative leader has appointed under this section.
- Sec. 3. (a) Not later than thirty (30) days after the last appointment made under section 2 of this chapter, the executive director shall convene the committee members appointed under section 2 of this chapter at the date, place, and time determined by the executive director.
- (b) At the meeting convened under subsection (a), the committee members shall, by a majority vote of the members, appoint an additional individual to be the committee's chair.
- Sec. 4. To serve on the committee, an individual must be a registered voter of Indiana.

1	Sec. 5. (a) The definitions in IC 3-5-2.1 apply throughout this
2	section.
3	(b) An individual may not serve on the committee if the
4	individual has been any of the following at any time less than six (6)
5	years before the individual's appointment to the committee:
6	(1) A member of the general assembly or the Congress of the
7	United States.
8	(2) A candidate for election to the general assembly or the
9	Congress of the United States.
10	(3) The holder of a state office (as defined in IC 3-5-2.1-97).
11	(4) An appointed public official.
12	(5) An employee of any of the following:
13	(A) The general assembly.
14	(B) A member of the Congress of the United States from
15	Indiana.
16	(6) The chairman or treasurer of a candidate's committee of
17	a candidate for election to the general assembly or the
18	Congress of the United States as required by IC 3-9-1 or
19	federal law.
20	(7) A precinct committeeman or a precinct vice
21	committeeman.
22	(8) A member of a candidate's committee.
23	(9) A member of a central committee.
24	(10) A member of a national committee of a political party.
25	(11) An employee or an agent of a political party or of an
26	entity described in any of subdivisions (8) through (10).
27	(12) An individual who is either of the following:
28	(A) A paid consultant of an entity described in any of
29	subdivisions (8) through (11).
30	(B) An employee of a paid consultant of an entity described
31	in any of subdivisions (8) through (11).
32	(13) An individual registered as a lobbyist under IC 2-7.
33	Sec. 6. An individual serves as a committee member until the
34	earlier of the following:
35	(1) The individual resigns the individual's membership on the
36	committee.
37	(2) January 1 after congressional districts and legislative
38	districts have been established by law under this article.
39	Sec. 7. (a) If a vacancy occurs in the position of a committee
40	member who was appointed by a legislative leader, the individual

1	who is the legislative leader of the caucus that appointed the
2	individual who previously served in the vacant position shall
3	appoint an individual to fill the vacancy not later than fifteen (15)
4	days after the vacancy occurs.
5	(b) If the position of committee chair becomes vacant, the
6	committee shall appoint an individual to fill the vacancy:
7	(1) not later than fifteen (15) days after the vacancy occurs;
8	and
9	(2) in the same manner described in section 3 of this chapter.
10	Sec. 8. The affirmative vote of three (3) committee members is
11	necessary for the committee to take official action.
12	Sec. 9. Each committee member is entitled to receive the same
13	per diem, mileage, and travel allowances paid to members of the
14	general assembly serving on interim study committees established
15	by the legislative council.
16	Sec. 10. (a) The agency shall provide the committee with staff
17	and administrative services.
18	(b) The expenses of the committee shall be paid out of amounts
19	appropriated to the legislative council (created by IC 2-5-1.1-1) and
20	the agency.
21	Sec. 11. If in preparation of plans, the agency is confronted with
22	the necessity to make any decision for which no clearly applicable
23	guideline is provided by this article, the agency may submit a
24	written request for direction from the committee.
25	Sec. 12. (a) Except as provided in subsection (b), before the date
26	set in IC 2-1.5-2-3(a), the agency may not provide to persons
27	outside of the agency information relating to any plan except
28	information permitted under policies adopted by the committee.
29	(b) Notwithstanding subsection (a), the agency may provide
30	information furnished to the agency by the Bureau.
31	Sec. 13. (a) After the agency delivers the information required
32	by IC 2-1.5-2-3, the committee shall do all of the following:
33	(1) As expeditiously as reasonably possible, schedule a public
34	hearing on the plans delivered by the agency under
35	IC 2-1.5-2-3 in northern Indiana, central Indiana, and
36	southern Indiana.
37	(2) After all the hearings required by subdivision (1), prepare
38	a report summarizing the information and testimony received
39	by the committee during the hearings. The report shall

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include any comments and conclusions that any member

wants to make regarding the information and testimony received at the hearings or that is otherwise presented to the committee.

(b) The agency shall submit the committee's report to the principal administrative officers not later than fourteen (14) days after the information is submitted under IC 2-1.5-2-3.

SECTION 2. IC 3-3-2-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 2. (a) This subsection applies only to the first regular session of the one hundred twenty-second general assembly. If the general assembly adjourns sine die before November 15, 2021, without having complied with the requirements of section 1 of this chapter, a redistricting commission is established. The redistricting commission consists of the speaker of the house, the president pro tem of the senate, the chairpersons of the senate and house committees responsible for legislative apportionment, and a fifth member appointed by the governor from the membership of the general assembly.

- (b) This subsection applies to a session of the general assembly beginning after November 15, 2021. If a session of the general assembly adjourns without having complied with the requirements of section 1 of this chapter or if for any other reason at any time the state finds itself without a valid congressional district law, a redistricting commission shall be established which shall consist of the speaker of the house, the president pro tem of the senate, the chairman of the senate and house committees responsible for legislative apportionment and a fifth member who shall be appointed by the governor from the membership of the general assembly.
- (e) The redistricting commission shall meet within thirty (30) days after adjournment of the general assembly at a time and place designated by the president pro tem of the senate and shall adopt a congressional redistricting plan in accordance with this chapter.
- (d) Any plan so adopted shall be signed by a majority of the redistricting committee and submitted to the governor who forthwith shall issue and publish the governor's executive order establishing congressional districts in accordance with the plan so adopted and directing the commission to place such congressional districts in effect for the primary and general elections next succeeding such general assembly. Congressional districts so established shall continue in effect until changed by statute."
- Page 2, delete lines 1 through 26.
- 40 Page 3, delete lines 29 through 42, begin a new paragraph and

insert:

"SECTION 4. IC 3-8-2-8, AS AMENDED BY P.L.169-2015, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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 hundred (4,500) voters of the state, including at least five hundred (500) voters from each congressional district.

- (b) Each petition must contain the following:
 - (1) The signature of each petitioner.
 - (2) The name of each petitioner legibly printed.
 - (3) The residence address of each petitioner as set forth on the petitioner's voter registration record.
- (c) Except as provided in this subsection, the signature, printed name, and residence address of the petitioner must be made in writing by the petitioner. If a petitioner with a disability is unable to write this information on the petition, the petitioner may authorize an individual to do so on the petitioner's behalf. The individual acting under this subsection shall execute an affidavit of assistance for each such petitioner, in a form prescribed by the election division. The form must set forth the name and address of the individual providing assistance, and the date the individual provided the assistance. The form must be submitted with the petition.
 - (d) This subsection applies to a petition filed during the period:
 - (1) beginning on the date that a congressional district plan has been adopted under IC 3-3 or IC 2-1.5; and
 - (2) ending on the date that the part of the act or order issued under IC 3-3-2 establishing the previous congressional district plan is repealed or superseded.

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

SECTION 5. IC 3-8-3-2, AS AMENDED BY P.L.169-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A request filed under section 1 of this chapter must be accompanied by a petition signed by at least four thousand five hundred (4,500) voters of the state, including at least five hundred (500) voters from each congressional district.

(b) Each petition must contain the following:

1 (1) The signature of each petitioner. 2 (2) The name of each petitioner legibly printed. 3 (3) The residence address of each petitioner as set forth on the 4 petitioner's voter registration record. 5 (c) Except as provided in this subsection, the signature, printed 6 name, and residence address of the petitioner must be made in writing 7 by the petitioner. If a petitioner with a disability is unable to write this 8 information on the petition, the petitioner may authorize an individual 9 to do so on the petitioner's behalf. The individual acting under this 10 subsection shall execute an affidavit of assistance for each such 11 petitioner, in a form prescribed by the election division. The form must 12 set forth the name and address of the individual providing assistance, 13 and the date the individual provided the assistance. The form must be 14 submitted with the petition. 15 (d) This subsection applies to a petition filed during the period: 16 (1) beginning on the date that a congressional district plan has 17 been adopted under IC 3-3 or IC 2-1.5; and 18 (2) ending on the date that the part of the act or order issued under 19 IC 3-3-2 establishing the previous congressional district plan is 20 repealed or superseded. 21 The petition must be signed by at least four thousand five hundred 22 (4,500) voters of Indiana, including at least five hundred (500) voters 23 from each congressional district created by the most recent 24 congressional district plan adopted under IC 3-3 or IC 2-1.5.". 25 Delete pages 4 through 19. 26 Page 20, delete lines 1 through 23. 27 Page 20, delete lines 29 through 35. 28 Renumber all SECTIONS consecutively. (Reference is to HB 1032 as introduced.)