
HOUSE BILL No. 1342

AM134201 has been incorporated into introduced printing.

Synopsis: County commissioner districts.

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2026

IN 1342—LS 7077/DI 144



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Introduced

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1342

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

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

1 SECTION 1. IC 1-1-15.5-4, AS ADDED BY P.L.161-2025,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 4. (a) This section does not apply to:
4 (1) the governor's workforce cabinet established by IC 4-3-27-3;
5 (2) the budget committee established by IC 4-12-1-3;
6 (3) the simplified sales and use tax agreement entered into in
7 accordance with IC 6-2.5-11-5;
8 (4) the Indiana state board of education established by
9 IC 20-19-2-2.1;
10 (5) the Indiana School for the Blind and Visually Impaired board
11 established by IC 20-21-3-1;
12 (6) the Indiana School for the Deaf board established by
13 IC 20-22-3-1;
14 (7) a county redistricting commission established under
15 IC 36-2-2-4 (**before its expiration on January 1, 2031**) or

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1 **IC 36-2-2-4.1 (after December 31, 2030);**
2 (8) an economic enhancement district board established under
3 IC 36-7-40-5; or
4 (9) the Indiana protection and advocacy services commission
5 established by IC 12-28-1-6.
6 (b) On or before July 1, 2027, and July 1 biennially thereafter, a
7 committee that:
8 (1) is established by the Indiana Code;
9 (2) contains at least one (1) member of the general assembly,
10 other than a legislative standing committee or an interim study
11 committee under IC 2-5;
12 (3) is authorized to exist for at least two (2) years; and
13 (4) does not have an annual reporting requirement, other than the
14 requirements provided in this section, to the executive branch,
15 judicial branch, or the general assembly;
16 shall submit a report to the executive director of the legislative services
17 agency in an electronic format under IC 5-14-6 for review by the
18 interim committee on government in accordance with IC 2-5-1.3-13(g).
19 (c) The report under subsection (b) shall describe:
20 (1) official action taken; and
21 (2) actionable items considered;
22 by the committee during the preceding two (2) years.
23 SECTION 2. IC 14-13-2-7, AS AMENDED BY P.L.104-2022,
24 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 7. (a) The commission has:
26 (1) before July 1, 2012, five (5) members appointed by the
27 governor; and
28 (2) after June 30, 2012, nine (9) members appointed by the
29 governor.
30 (b) The following requirements apply to the governor's
31 appointments under subsection (a)(1):
32 (1) One (1) member must be a representative of the department
33 of natural resources. The member may not be an employee or
34 elected official of a city, town, or county governmental unit.
35 (2) The remaining four (4) members must meet the following
36 requirements:
37 (A) Four (4) members must reside in a:
38 (i) city;
39 (ii) town; or
40 (iii) township (if the member resides in an
41 unincorporated area of the county);



that borders the Little Calumet River.

(B) At least three (3) of the members must have a background in:

(i) construction;

(ii) project management; or

(iii) flood control;

or a similar professional background.

(C) A member may not be an employee or elected official of a city, town, or county governmental unit.

(c) The following apply to the membership of the commission after June 30, 2012:

(1) Before August 1, 2012, the governor shall appoint four (4) additional members to the commission for four (4) year terms as follows:

(A) One (1) member nominated by the mayor of the city of Hammond.

(B) One (1) member nominated by the mayor of the city of Gary.

(C) Two (2) members nominated by the board of county commissioners of Lake County.

(2) Notwithstanding section 8 of this chapter, the term of the member described in subsection (b)(1) expires January 7, 2013. The governor shall appoint one (1) member nominated by the department of natural resources for a four (4) year term beginning January 7, 2013.

(3) Notwithstanding section 8 of this chapter, the terms of the members described in subsection (b)(2) expire January 1, 2014. The governor shall appoint for four (4) year terms beginning January 1, 2014, four (4) members, each of whom must have been nominated by the executive of a municipality located in the watershed other than a city described in subdivision (1).

(4) A member appointed to succeed a member appointed under subdivision (1) or (2) must be nominated by the nominating authority that nominated the member's predecessor, and a member appointed to succeed a member appointed under subdivision (3) must be nominated by the executive of a municipality located in the watershed other than a city described in subdivision (1).

(d) The following apply to a member appointed under subsection (c) and to any member appointed to succeed a member appointed under subsection (c):

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3 (2) Each member must have a background in:

4 (A) construction;

5 (B) project management;

6 (C) flood control; or

(D) a similar professional background.

(3) A member may not be an employee or elected official of a city, town, or county governmental unit.

10 (4) The members:

11 (A) appointed under subsection (c)(3); or

(B) appointed to succeed members appointed under subsection (c)(3);

14 must be from different municipalities.

15 (5) Neither the two (2) members appointed under subsection
16 (c)(1)(C) nor any two (2) members appointed to succeed them
17 may be from the same district created under IC 36-2-2-4(b)
18 **(before its expiration on January 1, 2031) or IC 36-2-2-4.1(c)**
19 **(after December 31, 2030).**

19 (After December 31, 2030).
20 SECTION 3. IC 36-2-1-2, AS AMENDED BY P.L.104-2022,
21 SECTION 145, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If the resident voters in a
23 specified territory in two (2) or more contiguous counties desire to
24 change the boundaries of their respective counties, they may file a
25 petition with the executives of their respective counties requesting that
26 the territory be transferred. The petition must:

27 (1) be signed by at least the number of voters resident in the
28 territory requested to be transferred required to place a candidate
29 on the ballot under IC 3-8-6-3;

29 on the ballot under IC 3-8-6-3;
30 (2) contain a clear, distinct description of the requested boundary
31 change; and

31 change, and
32 (3) not propose to decrease the area of any county
33 hundred (400) square miles in compliance with
34 Section 7 of the Constitution of the State of Indiana.

38 (1) whether the signatures on the petition are genuine; and
39 (2) whether the petition complies with subsection (a).



1 affected county. The county election boards shall jointly order a special
 2 election to be held, scheduling the election so that the election is held
 3 on the same date in each county interested in the change, but not later
 4 than thirty (30) days and not on the same date as a general election. The
 5 election shall be conducted under IC 3-10-8-6. All voters of each
 6 interested county are entitled to vote on the question. The question
 7 shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and
 8 must state "Shall the boundaries of _____ County and
 9 _____ County change?".

10 (d) After an election under subsection (c), the clerk of each county
 11 shall make a certified copy of the election returns and not later than
 12 five (5) days after the election file the copy with the auditor of the
 13 county. The auditor shall, not later than five (5) days after the filing of
 14 the returns in the auditor's office, make a true and complete copy of the
 15 returns, certified under the auditor's hand and seal, and deposit the copy
 16 with the auditor of every other county interested in the change.

17 (e) After copies have been filed under subsection (d), the auditor
 18 of each county shall call a meeting of the executive of the county,
 19 which shall examine the returns. If a majority of the voters of each
 20 interested county voted in favor of change, the executive shall:

21 (1) enter an order declaring their boundaries to be changed as
 22 described in the petition; and
 23 (2) if the county has received territory from the transfer, adopt
 24 revised descriptions of:

25 (A) county commissioner districts under IC 36-2-2-4
 26 **(before its expiration on January 1, 2031) or**
 27 **IC 36-2-2-4.1 (after December 31, 2030); and**
 28 (B) county council districts under IC 36-2-3-4;

29 so that the transferred territory is assigned to at least one (1) county
 30 commissioner district and at least one (1) county council district.

31 (f) The executive of each county shall file a copy of the order
 32 described in subsection (e)(1) with:

33 (1) the office of the secretary of state; and
 34 (2) the circuit court clerk of the county.

35 The transfer of territory becomes effective when the last county order
 36 is filed under this subsection.

37 (g) An election under this section may be held only once every
 38 three (3) years.

39 SECTION 4. IC 36-2-2-4, AS AMENDED BY P.L.230-2025,
 40 SECTION 139, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) This subsection does not



1 apply to the following counties:

2 (1) A county having a population of more than four hundred fifty
 3 thousand (450,000) and less than seven hundred thousand
 4 (700,000).

5 (2) A county having a population of more than one hundred
 6 eighty-five thousand (185,000) and less than three hundred
 7 thousand (300,000).

8 The executive shall divide the county into three (3) districts that are
 9 composed of contiguous territory and are reasonably compact. The
 10 district boundaries drawn by the executive must not cross precinct
 11 boundary lines and must divide townships only when a division is
 12 clearly necessary to accomplish redistricting under this section. If
 13 necessary, the county auditor shall call a special meeting of the
 14 executive to establish or revise districts.

15 (b) This subsection applies to a county having a population of
 16 more than four hundred fifty thousand (450,000) and less than seven
 17 hundred thousand (700,000). A county redistricting commission shall
 18 divide the county into three (3) single-member districts that comply
 19 with subsection (d). The commission is composed of:

20 (1) the members of the Indiana election commission;
 21 (2) two (2) members of the senate selected by the president pro
 22 tempore, one (1) from each political party; and
 23 (3) two (2) members of the house of representatives selected by
 24 the speaker, one (1) from each political party.

25 The legislative members of the commission have no vote and may act
 26 only in an advisory capacity. A majority vote of the voting members is
 27 required for the commission to take action. The commission may meet
 28 as frequently as necessary to perform its duty under this subsection.
 29 The commission's members serve without additional compensation
 30 above that provided for them as members of the Indiana election
 31 commission, the senate, or the house of representatives.

32 (c) This subsection applies to a county having a population of
 33 more than one hundred eighty-five thousand (185,000) and less than
 34 three hundred thousand (300,000) that opts in to the system of county
 35 government described in subsection (d), sections 4.7(c) and 5(d)(2) of
 36 this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and IC 36-2-3.5-1(2) by
 37 passing a resolution by a majority vote of its executive body not later
 38 than September 1, 2023. In the event the executive body of a county
 39 described in this subsection does not opt in by September 1, 2023, the
 40 county shall be governed by the general provisions of this chapter. The
 41 executive shall divide the county into three (3) single-member districts



1 that comply with subsection (d).

2 (d) Single-member districts established under subsection (b) or (c)
3 must:

4 (1) be compact, subject only to natural boundary lines (such as
5 railroads, major highways, rivers, creeks, parks, and major
6 industrial complexes);
7 (2) contain, as nearly as is possible, equal population; and
8 (3) not cross precinct lines.

9 (e) Except as provided by subsection (f), a division under
10 subsection (a), (b), or (c) shall be made only at times permitted under
11 IC 3-5-10.

12 (f) If the county executive or county redistricting commission
13 determines that a division under subsection (e) is not required, the
14 county executive or county redistricting commission shall adopt an
15 ordinance recertifying that the districts as drawn comply with this
16 section.

17 (g) Each time there is a division under subsection (e) or a
18 recertification under subsection (f), the county executive or county
19 redistricting commission shall file with the circuit court clerk of the
20 county, not later than thirty (30) days after the division or
21 recertification occurs, a map of the district boundaries:

22 (1) adopted under subsection (e); or
23 (2) recertified under subsection (f).

24 (h) The limitations set forth in this section are part of the
25 ordinance, but do not have to be specifically set forth in the ordinance.
26 The ordinance must be construed, if possible, to comply with this
27 chapter. If a provision of the ordinance or an application of the
28 ordinance violates this chapter, the invalidity does not affect the other
29 provisions or applications of the ordinance that can be given effect
30 without the invalid provision or application. The provisions of the
31 ordinance are severable.

32 (i) IC 3-5-10 applies to a plan established under this section.

33 (j) **This section expires January 1, 2031.**

34 SECTION 5. IC 36-2-2-4.1 IS ADDED TO THE INDIANA CODE
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
36 1, 2026]: Sec. 4.1. (a) **This section applies after December 31, 2030.**

37 (b) **This subsection does not apply to a county having a
38 population of more than four hundred fifty thousand (450,000) and
39 less than seven hundred thousand (700,000), or a county having a
40 population of more than one hundred eighty-five thousand
41 (185,000) and less than three hundred thousand (300,000). The
42 executive shall adopt an ordinance to divide the county into three**



1 **(3) districts. The following apply to districts established or revised**
 2 **under this subsection:**

3 **(1) The executive shall:**

4 **(A) publish proposed district boundaries; and**
 5 **(B) hold a public hearing concerning proposed district**
 6 **boundaries;**

7 **before adopting an ordinance to establish or revise districts.**

8 **(2) Districts must be:**

9 **(A) composed of contiguous territory; and**
 10 **(B) reasonably compact.**

11 **(3) District boundaries must:**

12 **(A) not cross precinct boundary lines; and**
 13 **(B) divide townships only when a division is clearly**
 14 **necessary to accomplish redistricting under this section.**

15 **(4) When dividing the county into districts, the executive may**
 16 **consider:**

17 **(A) geography; and**
 18 **(B) the differences in population between each district.**

19 **(c) This subsection applies to a county having a population of**
 20 **more than four hundred fifty thousand (450,000) and less than**
 21 **seven hundred thousand (700,000). A county redistricting**
 22 **commission shall divide the county into three (3) single-member**
 23 **districts that comply with subsection (e). The commission is**
 24 **composed of:**

25 **(1) the members of the Indiana election commission;**
 26 **(2) two (2) members of the senate selected by the president**
 27 **pro tempore, one (1) from each political party; and**
 28 **(3) two (2) members of the house of representatives selected**
 29 **by the speaker, one (1) from each political party.**

30 The legislative members of the commission have no vote and may
 31 act only in an advisory capacity. A majority vote of the voting
 32 members is required for the commission to take action. The
 33 commission may meet as frequently as necessary to perform its
 34 duty under this subsection. The commission's members serve
 35 without additional compensation above that provided for them as
 36 members of the Indiana election commission, the senate, or the
 37 house of representatives.

38 **(d) This subsection applies to a county having a population of**
 39 **more than one hundred eighty-five thousand (185,000) and less**
 40 **than three hundred thousand (300,000) that opts in to the system**
 41 **of county government described in subsection (e), sections 4.7(c)**
 42 **and 5(d)(2) of this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and**



1 **IC 36-2-3.5-1(2) by passing a resolution by a majority vote of its**
 2 **executive body not later than September 1, 2023. In the event the**
 3 **executive body of a county described in this subsection does not opt**
 4 **in by September 1, 2023, the county shall be governed by the**
 5 **general provisions of this chapter. The executive shall divide the**
 6 **county into three (3) single-member districts that comply with**
 7 **subsection (e).**

8 **(e) Single-member districts established under subsection (c) or**
 9 **(d) must:**

- 10 **(1) be compact, subject only to natural boundary lines (such**
 11 **as railroads, major highways, rivers, creeks, parks, and**
 12 **major industrial complexes);**
- 13 **(2) contain, as nearly as is possible, equal population; and**
- 14 **(3) not cross precinct lines.**

15 **(f) Except as provided by subsection (g), a division under**
 16 **subsection (b), (c), or (d) shall be made only at times permitted**
 17 **under IC 3-5-10.**

18 **(g) If the county executive or county redistricting commission**
 19 **determines that a division under subsection (f) is not required, the**
 20 **county executive or county redistricting commission shall adopt an**
 21 **ordinance recertifying that the districts as drawn comply with this**
 22 **section.**

23 **(h) Each time there is a division under subsection (f) or a**
 24 **recertification under subsection (g), the county executive or county**
 25 **redistricting commission shall file with the circuit court clerk of the**
 26 **county, not later than thirty (30) days after the division or**
 27 **recertification occurs, a map of the district boundaries:**

- 28 **(1) adopted under subsection (f); or**
- 29 **(2) recertified under subsection (g).**

30 **(i) The limitations set forth in this section are part of the**
 31 **ordinance, but do not have to be specifically set forth in the**
 32 **ordinance. The ordinance must be construed, if possible, to comply**
 33 **with this chapter. If a provision of the ordinance or an application**
 34 **of the ordinance violates this chapter, the invalidity does not affect**
 35 **the other provisions or applications of the ordinance that can be**
 36 **given effect without the invalid provision or application. The**
 37 **provisions of the ordinance are severable.**

38 **(j) IC 3-5-10 applies to a plan established under this section.**

39 **SECTION 6. IC 36-2-2-4.7, AS AMENDED BY P.L.201-2023,**
 40 **SECTION 266, IS AMENDED TO READ AS FOLLOWS**
 41 **[EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Except as provided in**
 42 **subsection (c), whenever the executive divides the county into districts**



1 under section 4 (**before its expiration on January 1, 2031**) or 4.1
 2 (**after December 31, 2030**) of this chapter, the executive shall adopt
 3 an ordinance.

4 (b) The executive shall file a copy of an ordinance adopted under
 5 subsection (a) with the circuit court clerk.

6 (c) This subsection applies to a county having a population of
 7 more than one hundred eighty-five thousand (185,000) and less than
 8 three hundred thousand (300,000) that opts in to the system of county
 9 government as described in section 4(c) (**before its expiration on**
 10 **January 1, 2031**) or 4.1(d) (**after December 31, 2030**) of this chapter.
 11 Whenever the executive divides the county into districts under section
 12 4 (**before its expiration on January 1, 2031**) or 4.1 (**after December**
 13 **31, 2030**) of this chapter, the executive shall adopt a resolution at two
 14 (2) separate public meetings. The executive shall file a copy of the
 15 resolution adopted under this subsection with the circuit court clerk.

16 SECTION 7. IC 36-2-2-5, AS AMENDED BY P.L.230-2025,
 17 SECTION 140, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) To be eligible for election to
 19 the executive, a person must meet the qualifications prescribed by
 20 IC 3-8-1-21.

21 (b) A member of the executive must reside within:

22 (1) the county as provided in Article 6, Section 6 of the
 23 Constitution of the State of Indiana; and
 24 (2) the district from which the member was elected.

25 (c) If the person does not remain a resident of the county and
 26 district after taking office, the person forfeits the office. The county
 27 fiscal body shall declare the office vacant whenever a member of the
 28 executive forfeits office under this subsection.

29 (d) In a county having a population of:

30 (1) more than four hundred fifty thousand (450,000) and less
 31 than seven hundred thousand (700,000); or
 32 (2) more than one hundred eighty-five thousand (185,000) and
 33 less than three hundred thousand (300,000) that opts in to the
 34 system of county government as described in section 4(c)
 35 (**before its expiration on January 1, 2031**) or 4.1(d) (**after**
 36 **December 31, 2030**) of this chapter;

37 one (1) member of the executive shall be elected by the voters of each
 38 of the three (3) single-member districts established under section 4(b)
 39 or 4(c) of this chapter (**before its expiration on January 1, 2031**) or
 40 **4.1(c) or 4.1(d) of this chapter (after December 31, 2030)**. In other
 41 counties, all three (3) members of the executive shall be elected by the



1 voters of the whole county.

2 SECTION 8. IC 36-2-3-2, AS AMENDED BY P.L.201-2023,
 3 SECTION 268, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The seven (7) member county
 5 council elected under this chapter is the county fiscal body. The fiscal
 6 body shall act in the name of "The _____ County Council".

7 (b) Notwithstanding subsection (a), in a county having a
 8 population of more than one hundred eighty-five thousand (185,000)
 9 and less than three hundred thousand (300,000) that opts in to the
 10 system of county government as described in IC 36-2-2-4(c) (**before its**
 11 **expiration on January 1, 2031) or IC 36-2-2-4.1(d) (after December**
 12 **31, 2030**), the county council has nine (9) members.

13 SECTION 9. IC 36-2-3-4, AS AMENDED BY P.L.201-2023,
 14 SECTION 269, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) This subsection does not
 16 apply to the following counties:

17 (1) A county having a population of more than four hundred
 18 thousand (400,000) and less than seven hundred thousand
 19 (700,000).

20 (2) A county having a population of more than one hundred
 21 eighty-five thousand (185,000) and less than three hundred
 22 thousand (300,000) that opts in to the system of county
 23 government as described in IC 36-2-2-4(c) (**before its**
 24 **expiration on January 1, 2031) or IC 36-2-2-4.1(d) (after**
 25 **December 31, 2030**).

26 The county executive shall, by ordinance, divide the county into four
 27 (4) single-member districts that comply with subsection (d). If
 28 necessary, the county auditor shall call a special meeting of the
 29 executive to establish or revise districts. One (1) member of the fiscal
 30 body shall be elected by the voters of each of the four (4) districts.
 31 Three (3) at-large members of the fiscal body shall be elected by the
 32 voters of the whole county.

33 (b) This subsection applies to a county having a population of
 34 more than four hundred thousand (400,000) and less than seven
 35 hundred thousand (700,000). The county redistricting commission
 36 established under IC 36-2-2-4 (**before its expiration on January 1,**
 37 **2031) or IC 36-2-2-4.1 (after December 31, 2030**) shall divide the
 38 county into seven (7) single-member districts that comply with
 39 subsection (d). One (1) member of the fiscal body shall be elected by
 40 the voters of each of these seven (7) single-member districts.

41 (c) This subsection applies to a county having a population of



1 more than one hundred eighty-five thousand (185,000) and less than
 2 three hundred thousand (300,000) that opts in to the system of county
 3 government described in IC 36-2-2-4(c) **(before its expiration on**
 4 **January 1, 2031) or IC 36-2-2-4.1(d) (after December 31, 2030).**
 5 The fiscal body shall divide the county into nine (9) single-member
 6 districts that comply with subsection (d). Three (3) of these districts
 7 must be contained within each of the three (3) districts established
 8 under IC 36-2-2-4(c) **(before its expiration on January 1, 2031) or**
 9 **IC 36-2-2-4.1(d) (after December 31, 2030).** One (1) member of the
 10 fiscal body shall be elected by the voters of each of these nine (9)
 11 single-member districts.

12 (d) Single-member districts established under subsection (a), (b),
 13 or (c) must:

- 14 (1) be compact and be composed of contiguous territory, subject
 15 only to natural boundary lines (such as railroads, major
 16 highways, rivers, creeks, parks, and major industrial complexes);
 17 (2) not cross precinct boundary lines;
 18 (3) contain, as nearly as possible, equal population; and
 19 (4) include whole townships, except when a division is clearly
 20 necessary to accomplish redistricting under this section.

21 (e) Except as provided by subsection (f), a division under
 22 subsection (a), (b), or (c) shall be made only at times permitted under
 23 IC 3-5-10.

24 (f) If the county executive, county redistricting commission, or
 25 county fiscal body determines that a division under subsection (e) is not
 26 required, the county executive, county redistricting commission, or
 27 county fiscal body shall adopt an ordinance recertifying that the
 28 districts as drawn comply with this section.

29 (g) Each time there is a division under subsection (e) or a
 30 recertification under subsection (f), the county executive, county
 31 redistricting commission, or county fiscal body shall file with the
 32 circuit court clerk of the county, not later than thirty (30) days after the
 33 division or recertification occurs, a map of the district boundaries:

- 34 (1) adopted under subsection (e); or
 35 (2) recertified under subsection (f).

36 (h) The limitations set forth in this section are part of the
 37 ordinance, but do not have to be specifically set forth in the ordinance.
 38 The ordinance must be construed, if possible, to comply with this
 39 chapter. If a provision of the ordinance or an application of the
 40 ordinance violates this chapter, the invalidity does not affect the other
 41 provisions or applications of the ordinance that can be given effect



1 without the invalid provision or application. The provisions of the
 2 ordinance are severable.

3 (i) IC 3-5-10 applies to a plan established under this section.

4 SECTION 10. IC 36-2-3.5-1, AS AMENDED BY P.L.230-2025,
 5 SECTION 141, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to the
 7 following counties:

8 (1) A county having a population of more than four hundred fifty
 9 thousand (450,000) and less than seven hundred thousand
 10 (700,000).

11 (2) A county having a population of more than one hundred
 12 eighty-five thousand (185,000) and less than three hundred
 13 thousand (300,000) that opts in to the system of county
 14 government as described in IC 36-2-2-4(c) **(before its**
 15 **expiration on January 1, 2031) or IC 36-2-2-4.1(d) (after**
 16 **December 31, 2030).**

17 (3) Any other county not having a consolidated city, if both the
 18 county executive and the county fiscal body adopt identical
 19 ordinances providing for the county to be governed by this
 20 chapter beginning on a specified effective date.

21 SECTION 11. IC 36-2-3.5-6 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A court may issue
 23 an order, before final hearing, to stay an election if there is sufficient
 24 evidence to withstand a motion for summary judgment that the county
 25 has not been divided into districts that comply with IC 36-2-2-4
 26 **(before its expiration on January 1, 2031), IC 36-2-2-4.1(d) (after**
 27 **December 31, 2030), or IC 36-2-3-4. A preliminary hearing on the**
 28 **question may be held upon the court's own motion.**

29 (b) Final judgment on the merits in such a case shall be made
 30 within thirty (30) days of the stay of election order. If the redistricting
 31 is found not to be in compliance with law, the court shall retain
 32 jurisdiction and shall order the proper officials to submit within thirty
 33 (30) days a redistricting plan complying with law. If the proper officials
 34 fail to comply with the order, the court shall order the Indiana election
 35 commission to divide the county into districts in compliance with law.

