# SENATE BILL No. 87

DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-1-9.5; IC 3-3-4.5.

**Synopsis:** Redistricting standards. Establishes redistricting standards for congressional and state legislative districts. Provides that the initial proposed plans for congressional and state legislative districts must comply with the redistricting standards. Allows the general assembly, during the process by which the initial proposed plans become effective by being enacted as a law, to consider and adopt modifications to the initial proposed plans that deviate from the redistricting standards as long as the reason or reasons for each deviation are publicly explained and documented. Provides that as much as feasibly possible no district may be created so as to unduly favor any person or political party. Provides that the general assembly shall: (1) take all steps necessary to ensure that the procedures are in place to provide the public with redistricting data and computer software for drawing maps; and (2) create a process for the public to submit maps to the general assembly for consideration.

**Effective:** July 1, 2020.

**Taylor G**

January 6, 2020, read first time and referred to Committee on Elections.

Introduced

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

# SENATE BILL No. 87

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

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

SECTION 1. IC 2-1-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

**Chapter 9.5. Redistricting Standards Relating to Establishing Legislative Districts**

**Sec. 1. Except as provided in section 17 of this chapter, districts created for the house of representatives and the senate must comply with the standards set forth in this chapter.**

**Sec. 2. As used in this chapter, "federal decennial census" refers to the federal decennial census conducted under 13 U.S.C. 141.**

**Sec. 3. As used in this chapter, "house of representatives" refers to the house of representatives of the general assembly.**

**Sec. 4. As used in this chapter, "ideal district population" for a plan refers to the number equal to the quotient of the following, rounded to the nearest whole number:**

**(1) The numerator is the population of Indiana as reported by the most recent federal decennial census.**

**(2) The denominator is the number of districts required by this chapter for the plan.**

**Sec. 5. (a) As used in this chapter, "plan" refers to either of the following:**

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

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

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

**Sec. 6. As used in this chapter, "political subdivision" means a city, county, town, or township.**

**Sec. 7. As used in this chapter, "senate" refers to the senate of the general assembly.**

**Sec. 8. (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.**

**Sec. 9. Districts must be established on the basis of population.**

**Sec. 10. The population of a district of the house of representatives or the senate may not deviate from the ideal district population by more than two percent (2%) of the ideal district population.**

**Sec. 11. Districts must be as compact as possible to the extent practicable while considering other provisions of this chapter and the federal Voting Rights Act.**

**Sec. 12. (a) Districts must be composed of contiguous territory.**

**(b) Areas that meet only at the point of adjoining corners are not considered contiguous.**

**Sec. 13. Districts must not breach precinct boundaries.**

**Sec. 14. To the extent possible consistent with sections 9 through 13 of this chapter, district boundaries must seek to coincide with the boundaries of Indiana political subdivisions as follows:**

**(1) The number of counties and cities divided among more than one (1) district shall be minimized.**

**(2) Except as provided in subdivision (3), if there is a choice between political subdivisions to be divided, a more populous political subdivision shall be divided before a less populous political subdivision is divided.**

**(3) Subdivision (2) does not apply to a district boundary drawn along a county line that passes through a municipality that lies in more than one (1) county.**

**Sec. 15. (a) To the extent practicable, a plan must seek to**

**minimize the division among more than one (1) district of geographical areas, such as neighborhoods of a city, public school corporation attendance districts, or regions of Indiana, where the residents have common cultural, ethnic, political, or socioeconomic interests that do not necessarily coincide with the boundaries of a political subdivision, such as a city or county.**

**(b) In establishing districts for a plan, consideration must be given to the effect that the plan has on language minority groups and racial minority groups as required by the federal Voting Rights Act.**

**Sec. 16. (a) In establishing a plan for house of representative districts, the residential address of an incumbent representative may not be identified or considered.**

**(b) In establishing a plan for senate districts, the residential address of an incumbent senator may not be identified or considered.**

**(c) As much as feasibly possible, no district may be created so as to unduly favor any person or political party.**

**Sec. 17. The initial proposed plans of districts for the house of representatives and the senate must comply with the standards set forth in this chapter. However, during the process by which the initial proposed plans become effective by being enacted as a law as provided in the Constitution of the State of Indiana, the general assembly may consider and adopt modifications to the initial proposed plans that deviate from the standards set forth in this chapter as long as the reason or reasons for each deviation are publicly explained and documented.**

**Sec. 18. The general assembly shall:**

**(1) take all steps necessary to ensure that procedures are in place to provide the public with redistricting data and computer software for drawing maps; and**

**(2) create a process for the public to submit maps to the general assembly for consideration.**

SECTION 2. IC 3-3-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

**Chapter 4.5. Redistricting Standards Relating to Establishing Congressional Districts**

**Sec. 1. Except as provided in section 15 of this chapter, districts created for the United States House of Representatives must comply with the standards of this chapter.**

**Sec. 2. As used in this chapter, "federal decennial census" refers**

**to the federal decennial census conducted under 13 U.S.C. 141.**

**Sec. 3. As used in this chapter, "ideal district population" for a plan refers to the number equal to the quotient of the following, rounded to the nearest whole number:**

**(1) The numerator is the population of Indiana as reported by the most recent federal decennial census.**

**(2) The denominator is the number of districts required by this chapter for the plan.**

**Sec. 4. (a) As used in this chapter, "plan" refers to a plan for congressional districts.**

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

**Sec. 5. As used in this chapter, "political subdivision" means a city, county, town, or township.**

**Sec. 6. A plan for congressional districts must provide for as many districts as are allocated to Indiana under 2 U.S.C. 2a.**

**Sec. 7. Districts must be established on the basis of population.**

**Sec. 8. The population of a district must be as equal as practicable to the ideal district population.**

**Sec. 9. Districts must be as compact as possible to the extent practicable while considering other provisions of this chapter and the federal Voting Rights Act.**

**Sec. 10. (a) Districts must be composed of contiguous territory.**

**(b) Areas that meet only at the point of adjoining corners are not considered contiguous.**

**Sec. 11. Districts must not breach precinct boundaries.**

**Sec. 12. To the extent possible consistent with sections 7 through 11 of this chapter, district boundaries must seek to coincide with the boundaries of Indiana political subdivisions as follows:**

**(1) The number of counties and cities divided among more than one (1) district shall be minimized.**

**(2) Except as provided in subdivision (3), if there is a choice between political subdivisions to be divided, a more populous political subdivision shall be divided before a less populous political subdivision is divided.**

**(3) Subdivision (2) does not apply to a district boundary drawn along a county line that passes through a municipality that lies in more than one (1) county.**

**Sec. 13. (a) To the extent practicable, a plan must seek to minimize the division among more than one (1) district of geographical areas, such as neighborhoods of a city, public school**

**corporation attendance districts, or regions of Indiana, where the residents have common cultural, ethnic, political, or socioeconomic interests that do not necessarily coincide with the boundaries of a political subdivision, such as a city or county.**

**(b) In establishing districts for a plan, consideration must be given to the effect that the plan has on language minority groups and racial minority groups as required by the federal Voting Rights Act.**

**Sec. 14. (a) In establishing a plan for congressional districts, the residential address of an incumbent United States Representative may not be identified or considered.**

**(b) As much as feasibly possible, no district may be created so as to unduly favor any person or political party.**

**Sec. 15. The initial proposed plan for congressional districts must comply with the standards set forth in this chapter. However, during the process by which the initial proposed plans become effective by being enacted as a law as provided by IC 3-3-2-1, the general assembly may consider and adopt modifications to the initial proposed plans that deviate from the standards set forth in this chapter as long as the reason or reasons for each deviation are publicly explained and documented.**

**Sec. 16. The general assembly shall:**

**(1) take all steps necessary to ensure that the procedures are in place to provide the public with redistricting data and computer software for drawing maps; and**

**(2) create a process for the public to submit maps to the general assembly for consideration.**