



April 10, 2015

ENGROSSED HOUSE BILL No. 1003

DIGEST OF HB 1003 (Updated April 7, 2015 6:24 pm - DI 102)

Citations Affected: IC 2-5.

Synopsis: Redistricting plans. Establishes the special interim study committee on redistricting to evaluate the benefits of and the issues that would need to be addressed if a change in the method for establishing districts for the election of members of the general assembly and members of Congress from Indiana were made, including establishment of a redistricting commission.

Effective: Upon passage.

Bosma, Pelath, Torr, Moed

(SENATE SPONSORS — LONG, LANANE)

January 15, 2015, read first time and referred to Committee on Rules and Legislative Procedures.

February 10, 2015, reported — Do Pass.

February 12, 2015, read second time, ordered engrossed. Engrossed.

February 17, 2015, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Rules & Legislative Procedure.

March 19, 2015, reassigned to Committee on Elections pursuant to Rule 68(b).

April 9, 2015, reported favorably — Do Pass.

EH 1003—LS 7504/DI 51



April 10, 2015

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1003

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 2-5-39 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 39. Special Interim Study Committee on Redistricting**
5 **Sec. 1. As used in this chapter, "committee" refers to the special**
6 **interim study committee on redistricting established by section 2**
7 **of this chapter.**
8 **Sec. 2. The special interim study committee on redistricting is**
9 **established.**
10 **Sec. 3. (a) The committee has the following voting members:**
11 **(1) The following members appointed by the president pro**
12 **tempore:**
13 **(A) Two (2) members of the senate.**
14 **(B) One (1) lay member who is not a member of the**
15 **general assembly, is a resident of Indiana, and has**

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- 1 experience, training, or education in matters related to
 2 state legislative or congressional office redistricting and
 3 reapportionment.
- 4 **(2) The following members appointed by the minority leader
 5 of the senate:**
- 6 **(A) Two (2) members of the senate.**
- 7 **(B) One (1) lay member who is not a member of the
 8 general assembly, is a resident of Indiana, and has
 9 experience, training, or education in matters related to
 10 state legislative or congressional office redistricting and
 11 reapportionment.**
- 12 **(3) The following members appointed by the speaker:**
- 13 **(A) Two (2) members of the house.**
- 14 **(B) One (1) lay member who is not a member of the
 15 general assembly, is a resident of Indiana, and has
 16 experience, training, or education in matters related to
 17 state legislative or congressional office redistricting and
 18 reapportionment.**
- 19 **(4) The following members appointed by the minority leader
 20 of the house:**
- 21 **(A) Two (2) members of the house.**
- 22 **(B) One (1) lay member who is not a member of the
 23 general assembly, is a resident of Indiana, and has
 24 experience, training, or education in matters related to
 25 state legislative or congressional office redistricting and
 26 reapportionment.**
- 27 **(b) A lay member appointed under subsection (a) may not be:**
- 28 **(1) an employee of Indiana state government;**
- 29 **(2) an Indiana statewide elected official; or**
- 30 **(3) an individual who is required to register as a lobbyist
 31 under IC 2-7-2 or who is employed by an individual or entity
 32 that is required to register as a lobbyist under IC 2-7-2.**
- 33 **Sec. 4. (a) The minority leader of the house and the minority
 34 leader of the senate may jointly select one (1) individual to provide
 35 consulting services on matters studied by the committee.**
- 36 **(b) The speaker and the president pro tempore may jointly
 37 select one (1) individual to provide consulting services on matters
 38 studied by the committee.**
- 39 **(c) An individual selected under this section is entitled to
 40 compensation and expense reimbursement in accordance with the
 41 policies and rules of the legislative council. All funds necessary for
 42 the services provided under this section shall be paid from**



1 appropriations to the legislative council and the legislative services
2 agency.

3 Sec. 5. IC 2-5-1.2 applies to the operation of the committee.
4 However:

- 5 (1) the speaker shall appoint the chair of the committee;
6 (2) the president pro tempore shall appoint the vice chair of
7 the committee;
8 (3) the chair of the committee, the vice chair of the committee,
9 and each member of the committee serve at the will of the
10 appointing authority; and
11 (4) if the chair of the committee establishes a subcommittee
12 under section 6 of this chapter, the chair of the committee
13 shall appoint the members of the subcommittee from among
14 the members of the study committee and the chair of the
15 subcommittee from among the members of the subcommittee.

16 Sec. 6. (a) The chair of the committee may establish not more
17 than two (2) subcommittees to be in existence at the same time to
18 assist the committee.

19 (b) The expenses of a subcommittee, including per diem,
20 mileage, and travel allowances payable under IC 2-5-1.2-11, shall
21 be paid from money authorized by the legislative council for
22 operation of the committee. The amount authorized by the
23 legislative council for expenditures of the committee may not be
24 increased to pay for the operation of a subcommittee.

25 Sec. 7. The committee shall do the following:

- 26 (1) Review state and federal laws and court cases related to
27 state and federal laws governing the design and establishment
28 of election districts.
29 (2) Study the manner in which each state establishes districts
30 for the election of state legislators and members of Congress,
31 including the following:
32 (A) What entities or individuals propose, take public
33 testimony concerning, evaluate, and finally adopt
34 redistricting plans.
35 (B) The manner in which individuals engaged in the
36 redistricting process are selected.
37 (C) The required qualifications for individuals engaged in
38 the redistricting process.
39 (D) The standards and guidelines used to develop and
40 finally adopt redistricting plans.
41 (E) The process used to develop and finally adopt
42 redistricting plans.



- 1 **(F) The role of the state legislature and its committees in**
 2 **proposing, taking public testimony concerning, evaluating,**
 3 **and finally adopting redistricting plans and the manner in**
 4 **which the state legislature and its committees interact with**
 5 **other bodies (if any) established for the redistricting**
 6 **process.**
- 7 **(G) The required or typical schedule over which**
 8 **redistricting plans are developed and finally adopted.**
- 9 **(H) Any unique rights or procedures applicable to the**
 10 **review or appeal of an adopted redistricting plan or**
 11 **changes in a redistricting plan that has been found in an**
 12 **adjudication to be invalid.**
- 13 **(I) Costs incurred in the redistricting process.**
- 14 **(3) Review the experience (including litigation history) states**
 15 **have had with using redistricting commissions and other**
 16 **methods to establish redistricting plans after each decennial**
 17 **census, including approaches similar to the provisions in**
 18 **Indiana law (IC 3-3-2-1) that provide for a redistricting**
 19 **commission to establish congressional districts in Indiana if**
 20 **the general assembly fails to establish congressional districts**
 21 **within the time permitted by law.**
- 22 **(4) Evaluate (to the extent possible) the positive benefits and**
 23 **negative consequences in each state of the redistricting**
 24 **process and the criteria used to establish election districts on**
 25 **state legislative and congressional elections in that state,**
 26 **including the following:**
- 27 **(A) The extent to which campaigns for state legislative and**
 28 **congressional offices are competitive and the extent to**
 29 **which the redistricting process and the criteria used to**
 30 **establish election districts have contributed to furthering**
 31 **competitive elections.**
- 32 **(B) The extent to which women and minorities are elected**
 33 **to state legislative and congressional offices and the extent**
 34 **to which the redistricting process and the criteria used to**
 35 **establish election districts in each state have contributed to**
 36 **furthering diversity, relative to the population of the state**
 37 **as a whole.**
- 38 **(5) Evaluate:**
- 39 **(A) the potential positive benefits of;**
 40 **(B) potentially negative consequences of;**
 41 **(C) estimated costs of; and**
 42 **(D) the issues that would need to be addressed for;**



1 a change in the method for establishing districts for the
 2 election of members of the general assembly and members of
 3 Congress from Indiana if the change were made.

4 (6) Study any other matter assigned by the legislative council.

5 Sec. 8. To the extent practicable, the committee shall solicit the
 6 receipt of expert testimony on the matters studied by the
 7 committee, including testimony from the National Conference of
 8 State Legislatures, the Council of State Governments, and other
 9 nationally recognized experts.

10 Sec. 9. The committee shall submit a final report to the
 11 legislative council before December 1, 2016, and the interim
 12 reports requested by the legislative council. The final report must
 13 include at least the following:

14 (1) A description of the alternative approaches that could be
 15 used in Indiana to establish districts for the election of
 16 members of the general assembly and members of Congress
 17 from Indiana.

18 (2) A description of the types of standards and guidelines that
 19 could be used in Indiana to establish districts for the election
 20 of members of the general assembly and members of Congress
 21 from Indiana.

22 (3) An evaluation of what (if any) changes to the Constitution
 23 of the State of Indiana and state statutory law would be
 24 necessary or desirable to implement each of the approaches
 25 described in subdivisions (1) and (2).

26 (4) The:

27 (A) potential positive benefits of;

28 (B) potentially negative consequences of;

29 (C) estimated costs of; and

30 (D) issues that would need to be addressed for;

31 the implementation and use of each of the approaches
 32 described in subdivisions (1) and (2).

33 (5) A recommendation that describes:

34 (A) the details of a redistricting process; and

35 (B) standards and guidelines for the establishment of
 36 districts;

37 for the election of members of the general assembly and
 38 members of Congress from Indiana that, in the opinion of the
 39 committee, would best serve the citizens of Indiana.

40 Sec. 10. This chapter expires January 1, 2017.

41 SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred House Bill 1003, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1003 as introduced.)

TORR

Committee Vote: Yeas 8, Nays 0

Report of the President
Pro Tempore

Madam President: Pursuant to Senate Rule 68(b), I hereby report that HB 1003, currently assigned to the Committee on Rules & Legislative Procedure, be reassigned to the Committee on Elections.

LONG

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred House Bill No. 1003, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1003 as printed February 10, 2015.)

WALKER, Chairperson

Committee Vote: Yeas 8, Nays 2

