

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.

HOUSE ENROLLED ACT No. 1003

AN ACT to amend the Indiana Code concerning elections.

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

SECTION 1. IC 2-5-39 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 39. Special Interim Study Committee on Redistricting

Sec. 1. As used in this chapter, "committee" refers to the special interim study committee on redistricting established by section 2 of this chapter.

Sec. 2. The special interim study committee on redistricting is established.

Sec. 3. (a) The committee has the following voting members:

(1) The following members appointed by the president pro tempore:

(A) Two (2) members of the senate.

(B) One (1) lay member who is not a member of the general assembly, is a resident of Indiana, and has experience, training, or education in matters related to state legislative or congressional office redistricting and reapportionment.

(2) The following members appointed by the minority leader of the senate:

(A) Two (2) members of the senate.

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(B) One (1) lay member who is not a member of the general assembly, is a resident of Indiana, and has experience, training, or education in matters related to state legislative or congressional office redistricting and reapportionment.

(3) The following members appointed by the speaker:

(A) Two (2) members of the house.

(B) One (1) lay member who is not a member of the general assembly, is a resident of Indiana, and has experience, training, or education in matters related to state legislative or congressional office redistricting and reapportionment.

(4) The following members appointed by the minority leader of the house:

(A) Two (2) members of the house.

(B) One (1) lay member who is not a member of the general assembly, is a resident of Indiana, and has experience, training, or education in matters related to state legislative or congressional office redistricting and reapportionment.

(b) A lay member appointed under subsection (a) may not be:

(1) an employee of Indiana state government;

(2) an Indiana statewide elected official; or

(3) an individual who is required to register as a lobbyist under IC 2-7-2 or who is employed by an individual or entity that is required to register as a lobbyist under IC 2-7-2.

Sec. 4. (a) The minority leader of the house and the minority leader of the senate may jointly select one (1) individual to provide consulting services on matters studied by the committee.

(b) The speaker and the president pro tempore may jointly select one (1) individual to provide consulting services on matters studied by the committee.

(c) An individual selected under this section is entitled to compensation and expense reimbursement in accordance with the policies and rules of the legislative council. All funds necessary for the services provided under this section shall be paid from appropriations to the legislative council and the legislative services agency.

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

(1) the speaker shall appoint the chair of the committee;

(2) the president pro tempore shall appoint the vice chair of



the committee;

(3) the chair of the committee, the vice chair of the committee, and each member of the committee serve at the will of the appointing authority; and

(4) if the chair of the committee establishes a subcommittee under section 6 of this chapter, the chair of the committee shall appoint the members of the subcommittee from among the members of the study committee and the chair of the subcommittee from among the members of the subcommittee.

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

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

Sec. 7. The committee shall do the following:

(1) Review state and federal laws and court cases related to state and federal laws governing the design and establishment of election districts.

(2) Study the manner in which each state establishes districts for the election of state legislators and members of Congress, including the following:

(A) What entities or individuals propose, take public testimony concerning, evaluate, and finally adopt redistricting plans.

(B) The manner in which individuals engaged in the redistricting process are selected.

(C) The required qualifications for individuals engaged in the redistricting process.

(D) The standards and guidelines used to develop and finally adopt redistricting plans.

(E) The process used to develop and finally adopt redistricting plans.

(F) The role of the state legislature and its committees in proposing, taking public testimony concerning, evaluating, and finally adopting redistricting plans and the manner in which the state legislature and its committees interact with other bodies (if any) established for the redistricting process.



(G) The required or typical schedule over which redistricting plans are developed and finally adopted.

(H) Any unique rights or procedures applicable to the review or appeal of an adopted redistricting plan or changes in a redistricting plan that has been found in an adjudication to be invalid.

(I) Costs incurred in the redistricting process.

(3) Review the experience (including litigation history) states have had with using redistricting commissions and other methods to establish redistricting plans after each decennial census, including approaches similar to the provisions in Indiana law (IC 3-3-2-1) that provide for a redistricting commission to establish congressional districts in Indiana if the general assembly fails to establish congressional districts within the time permitted by law.

(4) Evaluate (to the extent possible) the positive benefits and negative consequences in each state of the redistricting process and the criteria used to establish election districts on state legislative and congressional elections in that state, including the following:

(A) The extent to which campaigns for state legislative and congressional offices are competitive and the extent to which the redistricting process and the criteria used to establish election districts have contributed to furthering competitive elections.

(B) The extent to which women and minorities are elected to state legislative and congressional offices and the extent to which the redistricting process and the criteria used to establish election districts in each state have contributed to furthering diversity, relative to the population of the state as a whole.

(5) Evaluate:

(A) the potential positive benefits of;

(B) potentially negative consequences of;

(C) estimated costs of; and

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

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

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

Sec. 8. To the extent practicable, the committee shall solicit the receipt of expert testimony on the matters studied by the



committee, including testimony from the National Conference of State Legislatures, the Council of State Governments, and other nationally recognized experts.

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

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

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

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

(4) The:

(A) potential positive benefits of;

(B) potentially negative consequences of;

(C) estimated costs of; and

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

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

(5) A recommendation that describes:

(A) the details of a redistricting process; and

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

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

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

SECTION 2. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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