

# SENATE BILL No. 87

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## 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.

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

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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:*

1 SECTION 1. IC 2-1-9.5 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2020]:

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

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

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

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

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

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



- 1           (2) The denominator is the number of districts required by  
2           this chapter for the plan.
- 3           **Sec. 5. (a) As used in this chapter, "plan" refers to either of the**  
4 **following:**
- 5           (1) A plan for districts for the house of representatives.  
6           (2) A plan for districts for the senate.
- 7           (b) A plan includes maps and written descriptions of the maps  
8 that define all the districts that a plan is required to have under  
9 this chapter.
- 10          **Sec. 6. As used in this chapter, "political subdivision" means a**  
11 **city, county, town, or township.**
- 12          **Sec. 7. As used in this chapter, "senate" refers to the senate of**  
13 **the general assembly.**
- 14          **Sec. 8. (a) A plan for house of representatives districts must**  
15 **provide for one hundred (100) districts.**
- 16          (b) A plan for senate districts must provide for fifty (50)  
17 districts.
- 18          **Sec. 9. Districts must be established on the basis of population.**
- 19          **Sec. 10. The population of a district of the house of**  
20 **representatives or the senate may not deviate from the ideal**  
21 **district population by more than two percent (2%) of the ideal**  
22 **district population.**
- 23          **Sec. 11. Districts must be as compact as possible to the extent**  
24 **practicable while considering other provisions of this chapter and**  
25 **the federal Voting Rights Act.**
- 26          **Sec. 12. (a) Districts must be composed of contiguous territory.**  
27          (b) Areas that meet only at the point of adjoining corners are  
28 not considered contiguous.
- 29          **Sec. 13. Districts must not breach precinct boundaries.**
- 30          **Sec. 14. To the extent possible consistent with sections 9 through**  
31 **13 of this chapter, district boundaries must seek to coincide with**  
32 **the boundaries of Indiana political subdivisions as follows:**
- 33          (1) The number of counties and cities divided among more  
34 than one (1) district shall be minimized.
- 35          (2) Except as provided in subdivision (3), if there is a choice  
36 between political subdivisions to be divided, a more populous  
37 political subdivision shall be divided before a less populous  
38 political subdivision is divided.
- 39          (3) Subdivision (2) does not apply to a district boundary  
40 drawn along a county line that passes through a municipality  
41 that lies in more than one (1) county.
- 42          **Sec. 15. (a) To the extent practicable, a plan must seek to**



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

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

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

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

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

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

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

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

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

34 SECTION 2. IC 3-3-4.5 IS ADDED TO THE INDIANA CODE AS  
 35 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 36 1, 2020]:

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 Sec. 12. To the extent possible consistent with sections 7 through  
29 11 of this chapter, district boundaries must seek to coincide with  
30 the boundaries of Indiana political subdivisions as follows:

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

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

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

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



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

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

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

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

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

22 Sec. 16. The general assembly shall:

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

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

