



January 23, 2024

SENATE BILL No. 135

DIGEST OF SB 135 (Updated January 22, 2024 10:35 am - DI 140)

Citations Affected: IC 3-5.

Synopsis: Redistricting deadline. Requires certain redistricting authorities to redistrict or recertify election districts before June 30, 2025. Assesses a penalty if a redistricting authority fails to redistrict or recertify election districts. Provides a residency exception for certain candidates. Makes conforming changes.

Effective: Upon passage.

Gaskill, Crane

January 8, 2024, read first time and referred to Committee on Elections.
January 22, 2024, reported favorably — Do Pass.

SB 135—LS 6278/DI 149



January 23, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 135

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 3-5-10-7, AS AMENDED BY P.L.227-2023,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 7. (a) Subject to **subsection (c) and** section
4 8 of this chapter, a redistricting authority shall redistrict election
5 districts at the following times:
6 (1) If the census event is a federal decennial census, the
7 following:
8 (A) For a county executive or county fiscal body, only during
9 the first year after the federal decennial census is conducted.
10 (B) For a school corporation, only during the first year after
11 the federal decennial census is conducted.
12 (C) For a municipality that conducts its municipal elections in
13 an odd-numbered year, only during the second year after the
14 federal decennial census is conducted.
15 (D) For a municipality that conducts its municipal elections in:
16 (i) an even-numbered year; or
17 (ii) both an even-numbered year and an odd-numbered year;

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- 1 only during the first year after the federal decennial census is
2 conducted.
- 3 (E) For the legislative body of a township in a county having
4 a consolidated city, only during the first year after the federal
5 decennial census is conducted.
- 6 (2) For a census event other than a federal decennial census, only
7 during the first year after the year the census event becomes
8 effective with respect to the political subdivision, as provided in
9 IC 1-1-3.5-3.
- 10 (3) Whenever a county adopts an order declaring a county
11 boundary to be changed under IC 36-2-1-2 that affects the
12 boundaries of the political subdivision.
- 13 (4) Whenever required to assign annexed territory to a district,
14 subject to the provisions of IC 36-4-3.
- 15 (5) Whenever the boundary of the political subdivision is
16 changed.
- 17 (6) As provided in the order of a court that has found the current
18 redistricting plan unconstitutional or otherwise unlawful.
- 19 **(b) Except as provided in subsection (c), a redistricting authority**
20 **may not redistrict at a time other than is provided in subsection (a).**
- 21 **(c) A redistricting authority described in subsection (a)(1) that**
22 **did not redistrict election districts or did not recertify existing**
23 **districts following the 2020 census, shall:**
- 24 (1) redistrict election districts; or
- 25 (2) recertify existing districts under section 8 of this chapter;
26 **before June 30, 2025. Redistricting or recertifying under this**
27 **subsection must be based on the 2020 decennial census. This**
28 **subsection expires July 1, 2025.**
- 29 **(d) A candidate for:**
- 30 (1) membership on common council of a second or third class
31 city that redistricts the election district of the second or third
32 class city under subsection (c) is not required to satisfy the
33 residency requirements under IC 3-8-1-27; or
- 34 (2) a school board office that redistricts the election district of
35 the school board office under subsection (c) is not required to
36 satisfy the residency requirements under IC 3-8-1-34;
37 **if the candidate resided in the new election district at the time the**
38 **redistricting authority completes the redistricting of the election**
39 **district. This subsection applies only to a candidate for election in**
40 **2024. This subsection expires July 1, 2025.**
- 41 **(e) A member of a redistricting authority that fails to:**
- 42 (1) redistrict election districts; or



1 **(2) recertify existing districts under section 8 of this chapter;**
2 **before June 30, 2025, shall not be entitled to receive payment of**
3 **any salary or fees, as fixed by law, until the redistricting authority**
4 **complies with subsection (c).**
5 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 135, 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 SB 135 as introduced.)

GASKILL, Chairperson

Committee Vote: Yeas 7, Nays 0

