

HOUSE BILL No. 1353

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-2-3-4.

Synopsis: Representation of rural areas on county councils. Provides that in certain counties, the county executive shall divide the county into at least four single member county fiscal body districts. (Under current law, the fiscal body has four single member districts.) Requires a county executive, in determining how many single member districts to have for the county fiscal body and in drawing those districts, to consider how communities of interest in the county can best be represented and to draw the districts to provide at least one representative to each distinct community of interest to the extent practicable and not inconsistent with other applicable law. Requires the county executive to consider rural and agricultural communities in the county to be a distinct community of interest. Provides that if a county executive converts an at large seat on the county fiscal body to a single member district seat, the first election under the new plan occurs at the first election at which at large members would have been elected under the previous plan.

Effective: July 1, 2010.

Ruppel, Cherry, Battles

January 13, 2010, read first time and referred to Committee on Government and Regulatory Reform.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1353



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

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

1 SECTION 1. IC 36-2-3-4, AS AMENDED BY P.L.230-2005,
2 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 4. (a) This subsection does not apply to a county
4 having a population of:
5 (1) more than four hundred thousand (400,000) but less than
6 seven hundred thousand (700,000); or
7 (2) more than two hundred thousand (200,000) but less than three
8 hundred thousand (300,000).
9 The county executive shall, by ordinance, divide the county into **at**
10 **least** four (4) contiguous, single-member districts that comply with
11 subsection ~~(d)~~: **(f)**. If necessary, the county auditor shall call a special
12 meeting of the executive to establish or revise districts. One (1)
13 member of the fiscal body shall be elected by the voters of each of the
14 ~~four (4)~~ **single-member** districts. ~~Three (3)~~ **The remaining** at-large
15 members of the fiscal body shall be elected by the voters of the whole
16 county.
17 **(b) In determining how many single member districts to have**



1 for the county fiscal body and in drawing those districts, the county
2 executive shall do the following:

3 (1) Consider how communities of interest within the county
4 can best be represented.

5 (2) Draw the districts to provide at least one (1) representative
6 to each distinct community of interest to the extent
7 practicable and not inconsistent with other applicable law.

8 The county executive shall consider rural and agricultural
9 communities in the county to be a distinct community of interest.

10 (c) If the county executive converts at large representation to
11 representation by a single member district under this section, the
12 first election under the new plan occurs at the first election at
13 which at large members of the fiscal body would have been elected
14 under the previous plan.

15 ~~(b)~~ (d) This subsection applies to a county having a population of
16 more than four hundred thousand (400,000) but less than seven
17 hundred thousand (700,000). The county redistricting commission
18 established under IC 36-2-2-4 shall divide the county into seven (7)
19 single-member districts that comply with subsection ~~(d)~~: (f). One (1)
20 member of the fiscal body shall be elected by the voters of each of
21 these seven (7) single-member districts.

22 ~~(c)~~ (e) This subsection applies to a county having a population of
23 more than two hundred thousand (200,000) but less than three hundred
24 thousand (300,000). The fiscal body shall divide the county into nine
25 (9) single-member districts that comply with subsection ~~(d)~~: (f). Three
26 (3) of these districts must be contained within each of the three (3)
27 districts established under IC 36-2-2-4(c). One (1) member of the fiscal
28 body shall be elected by the voters of each of these nine (9)
29 single-member districts.

30 ~~(d)~~ (f) Single-member districts established under ~~subsection (a); (b);~~
31 ~~or (c)~~ this section must:

- 32 (1) be compact, subject only to natural boundary lines (such as
- 33 railroads, major highways, rivers, creeks, parks, and major
- 34 industrial complexes);
- 35 (2) not cross precinct boundary lines;
- 36 (3) contain, as nearly as possible, equal population; and
- 37 (4) include whole townships, except when a division is clearly
- 38 necessary to accomplish redistricting under this section.

39 ~~(e)~~ (g) A division under ~~subsection (a); (b); or (c)~~ this section shall
40 be made:

- 41 (1) during the first year after a year in which a federal decennial
- 42 census is conducted; and

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1 (2) when the county executive adopts an order declaring a county
2 boundary to be changed under IC 36-2-1-2.
3 ~~(f)~~ **(h)** A division under ~~subsection (a), (b), or (c)~~ **this section** may
4 be made in any odd-numbered year not described in subsection ~~(e)~~; **(g)**.

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