

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 621 be amended to read as follows:

1           Page 7, between lines 39 and 40, begin a new paragraph and insert:  
2           "SECTION 9. IC 36-3-4-3, AS AMENDED BY P.L.141-2007,  
3           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2013]: Sec. 3. (a) The ~~city-county legislative body~~ **county**  
5           **redistricting commission established by section 3.7 of this chapter**  
6           shall ~~by ordinance~~, divide the whole county into twenty-five (25)  
7           districts that:  
8               (1) are compact, subject only to natural boundary lines (such as  
9               railroads, major highways, rivers, creeks, parks, and major  
10              industrial complexes);  
11              (2) contain, as nearly as is possible, equal population; and  
12              (3) do not cross precinct boundary lines.  
13           This division shall be made during the second year after a year in  
14           which a federal decennial census is conducted and may also be made  
15           at any other time, subject to IC 3-11-1.5-32.  
16           (b) The legislative body is composed of twenty-five (25) members  
17           elected from the districts established under subsection (a) and four (4)  
18           members elected from an at-large district containing the whole county.  
19           (c) Each voter of the county may vote for four (4) candidates for  
20           at-large membership and one (1) candidate from the district in which  
21           the voter resides. The four (4) at-large candidates receiving the most  
22           votes from the whole county and the district candidates receiving the  
23           most votes from their respective districts are elected to the legislative  
24           body.

1 (d) If the ~~legislative body~~ **county redistricting commission** fails to  
 2 make the division before the date prescribed by subsection (a) or the  
 3 division is alleged to violate subsection (a) or other law, a taxpayer or  
 4 registered voter of the county may petition the superior court of the  
 5 county to hear and determine the matter. The court shall hear and  
 6 determine the matter as a five (5) member panel of judges from the  
 7 superior court. The clerk of the court shall select the judges  
 8 electronically and randomly. Not more than three (3) members of the  
 9 five (5) member panel of judges may be of the same political party. The  
 10 first judge selected shall maintain the case file and preside over the  
 11 proceedings. There may not be a change of venue from the court or  
 12 from the county. The court may appoint a master to assist in its  
 13 determination and may draw proper district boundaries if necessary. An  
 14 appeal from the court's judgment must be taken within thirty (30) days,  
 15 directly to the supreme court, in the same manner as appeals from other  
 16 actions.

17 (e) An election of the legislative body held under ~~the ordinance or~~  
 18 ~~court judgment determining~~ districts ~~that is~~ in effect on the date of the  
 19 election is valid, regardless of whether the ~~ordinance or judgment is~~  
 20 **districts are** later determined to be invalid.

21 SECTION 10. IC 36-3-4-3.7 IS ADDED TO THE INDIANA CODE  
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 23 1, 2013]: **Sec. 3.7. (a) A county redistricting commission is**  
 24 **established.**

25 **(b) The commission consists of two (2) individuals appointed**  
 26 **jointly by the:**

- 27 **(1) mayor of the consolidated city; and**
- 28 **(2) city-county council.**

29 **(c) The commission members shall be appointed:**

- 30 **(1) after January 1 of the year following a year in which a**  
 31 **federal decennial census is conducted; and**
- 32 **(2) not later than January 1 of the second year following a**  
 33 **year in which a federal decennial census is conducted.**

34 **(d) The commission members may not be members of the same**  
 35 **political party.**

36 **(e) Commission members serve a term of four (4) years.**

37 **(f) The commission shall divide the county into legislative body**  
 38 **districts as provided in section 3 of this chapter.**

39 **(g) The city-county council may adopt an ordinance to provide**  
 40 **for the following:**

- 41 **(1) Compensation for commission members.**

- 1           **(2) Staff, office expenses, supplies, and other necessary**
- 2           **expenses of the commission."**
- 3           Renumber all SECTIONS consecutively.  
(Reference is to ESB 621 as printed April 2, 2013.)

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Representative Moed