



INDIANA  
(status quo)

**KEY POINTS:**

The state legislature currently draws both congressional and state legislative districts, subject to a few self-imposed constraints and subject to federal constitutional and statutory limitations. The Governor has veto power over any proposed congressional or legislative redistricting plan. Congressional redistricting is controlled by statute. *See I.C. 3-3-2-1, 3-3-2-2.* Legislative redistricting is controlled by Article 4 §5 of the Indiana Constitution. Deadlines for completion are subject to the Indiana Assembly calendar. Municipal and county redistricting are controlled by statute. *See I.C. 36-3-4-3.*

If the state legislature is unable to complete federal congressional redistricting within the first session following the decennial census then the redistricting is done by a 5-member redistricting commission that meets 30 days after the close of session. The redistricting commission is made up of: (1) Speaker of the House; (2) President pro tem of the Senate; (3) Chair of the Senate Committee on Elections; (4) Chair of the House Committee on Elections and Reapportionment; and (5) a gubernatorial appointment. Once the work of the commission is complete, the map is sent to the Governor for implementation as an executive order. *See I.C. 3-3-2-2.*

Congressional and legislative redistricting is expressly permitted once per decade by the Indiana Constitution and statute.

**PROCESS:**

Congressional and state legislative districts are currently drawn by the state legislature. April 29, 2011 is the deadline for the General Assembly to pass bills adopting plans during the regular session. Indiana's governor must sign or veto legislation within 7 days of transmittal, or it becomes law without signature, or no later than Friday, May 6, 2011, absent an extension of the legislative session.

- **Independence from Legislators:** None, assuming the legislature completes congressional redistricting by the end of the regular legislative session; if not, a special redistricting commission is convened to create the congressional districts.
- **Partisan Balance:** The process has only as much partisan balance as the legislature itself; based upon the November 2010 elections, the Indiana legislature and governor are under unified party control.
- **Minority Participation:** The process will feature as much diversity as the legislature itself.
- **Public Input:** There are no specific provisions for the public to present or comment on plans outside of the usual hearing process for every bill.
- **Timing:** State legislative and Congressional districts may not be drawn more than once per decade.

BRENNAN  
CENTER  
FOR JUSTICE

Redistricting in Indiana



INDIANA  
(status quo)

**CRITERIA:**

Congressional districts and legislative districts are subject to federal constitutional and statutory limitations. Indiana's constitution requires that all districts be contiguous. Redistricting principles for compactness, respecting political boundaries and equal population are not found in Indiana's constitution or statutes except as they apply to city and county redistricting.

State legislative districts must follow the federal standard of equal population and be consistent with the Voting Rights Act. The standard set by the Indiana Assembly is obligated only to its own good-faith efforts to adhere to nonpartisan redistricting principles.

- **Population Equality:** The current legislative aim is to remove population disparity where possible. As a result, it is more likely that residents' votes will be of equivalent weight around the state. However, the tight population limits may make it more difficult to preserve political boundaries, and may limit flexibility to create minority opportunity districts pursuant to the Voting Rights Act. There is no express provision to determine whether the state must rely on the count conducted by the federal census (which counts incarcerated persons where they are incarcerated).
- **Minority Rights:** There are no provisions for minority rights other than federal law.
- **Compactness:** Indiana has no compactness requirement.
- **District Competition:** Indiana has no requirement to create competitive districts.
- **Statewide Partisan Balance:** Indiana has no provision encouraging or discouraging statewide partisan balance.
- **Preservation of Political Boundaries:** Indiana has no requirement for preservation of political boundaries.
- **Communities of Interest:** Indiana has no requirement for preservation of communities of interest.
- **Nesting:** Indiana has no nesting requirement.
- **Incumbent Residence:** The current criteria do not prohibit those drawing the lines from considering the residences of incumbents.