

# Association of Clerks of Circuit Courts of Indiana



2021 Redistricting and Reprecincting  
for County Election Officials

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**September 15-16, 2021**

# Process Has Already Begun

Some dates in the timeline are uncertain

- Precinct name change process is coming to an end.
- Precinct names will now be consistent in SVRS and census data.
- All of the census blocks from 2010 have been renumbered in 2020 census. However, Indiana law says renumbering does not affect boundary of already established precinct IC 3-11-1.5-10.9.



# — Some Dates in the Timeline are Uncertain

- On August 12 we received the legacy data from the Census Bureau. This is available at the state library.

**State Library Data Center**  
**Katie Springer**  
**317-232-3732**

- This data contains information available about possible discrepancies between precinct boundaries as shown by the Census Bureau and what is shown in SVRS. Information on this has been shared by the IED and SOS.
- This information will be helpful to you for reprecincting but will also be helpful for your county when doing redistricting.



# — Unknowns

- We do not know when the General Assembly will reconvene to adopt new Congressional, State Senate, and State House of Representative lines.
- Most recent information says State House of Representatives to convene September 20<sup>th</sup> and State Senate to convene September 27<sup>th</sup>.
- Legislation will be passed on to the Governor for signature.
- Governor has 7 days after receiving legislation to act on it.
- We may know lines by the week of October 4<sup>th</sup>.
- We do not know if these new lines will split existing precincts and require counties to change precincts as a result.



# What We Do Know

- In 2011, General Assembly passed one bill to establish State Senate and State House of Representative districts, which did not split any precinct lines in the state.
- In 2011, General Assembly passed one bill to establish Congressional districts and did split precincts in 8 counties -Blackford, Crawford, Howard, Kosciusko, La Porte, Marion, Morgan, and Scott.
- No guarantee for 2021 but some larger counties like Marion are at higher risk because congressional districts are subject to stricter requirements for equal population.
- On November 7, 2021, State Senate and House of Representatives district lines must be in place for candidates to meet residence requirements. Article 4 Section 7 of the Indiana Constitution requires candidates to be inhabitants of the district for 1 year before the November 2022 General Election.



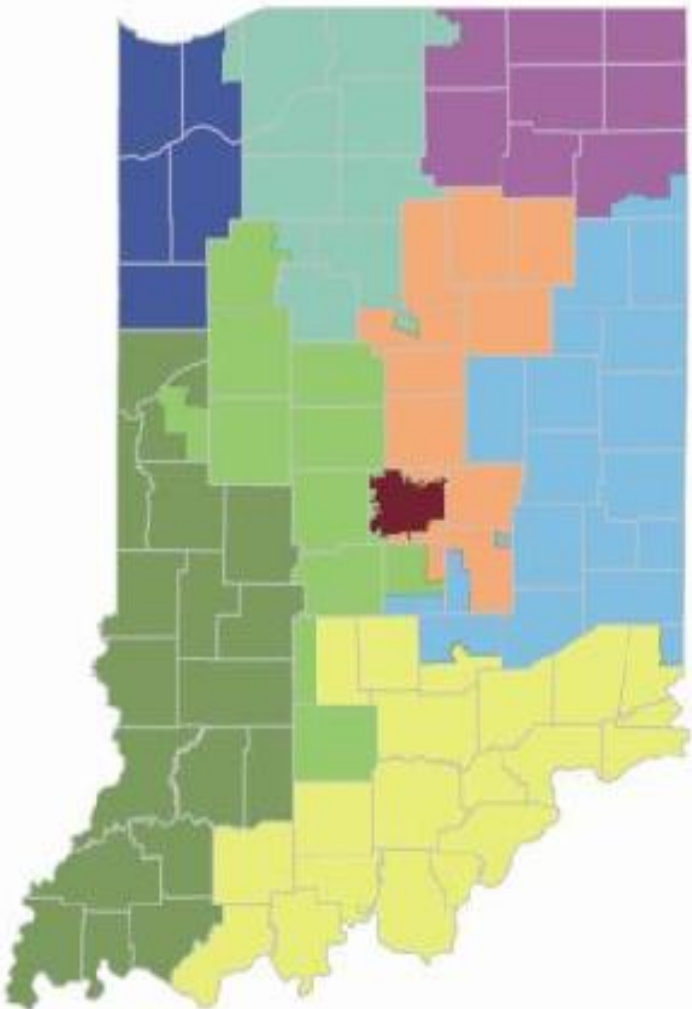
## — Things We Do Know

- The deadline for the county executive to submit corrections to the Election Division for precinct boundaries shown by the Census Bureau is January 1, 2022.
- All corrections or changes to precinct boundaries will become effective on January 1, 2022 – January 24, 2022.
- January 5, 2022 candidate filing begins. Precinct boundaries must be finalized because we will have Democrats filing for precinct committeeman and other candidates have to indicate which precinct they are a resident of when they file.

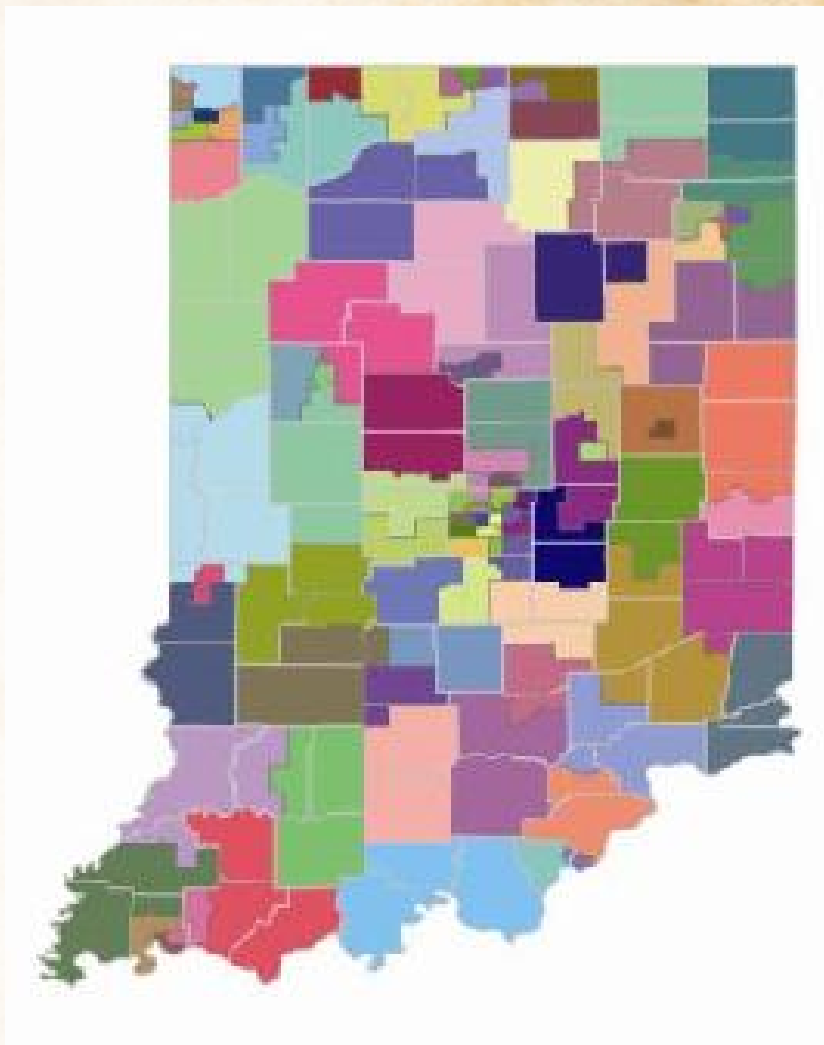
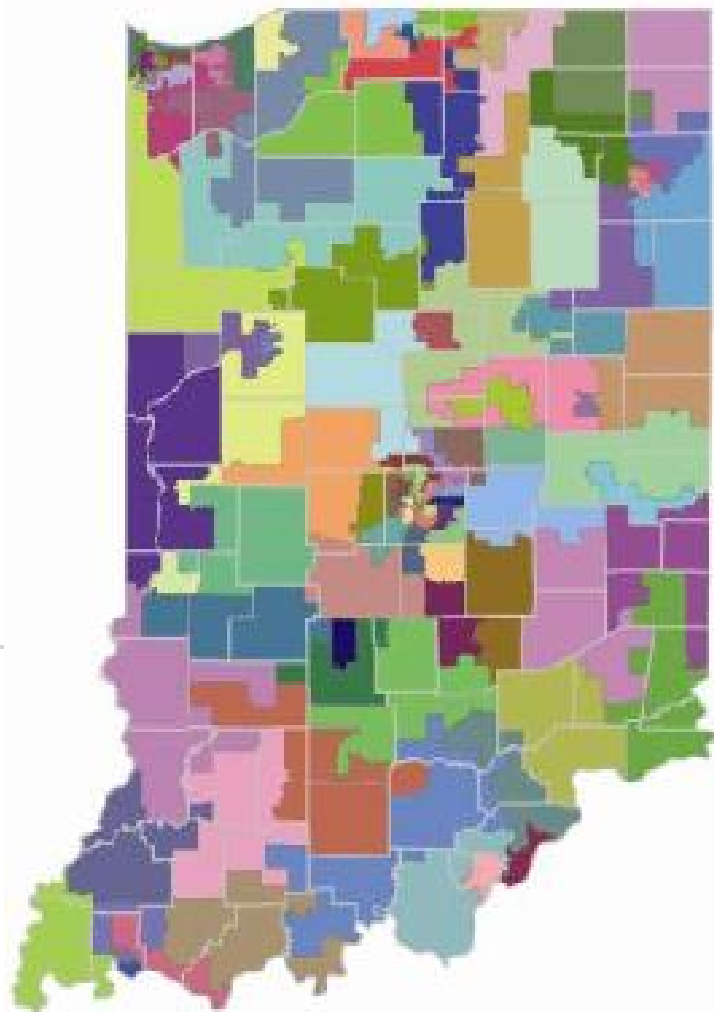




Some Congressional Maps May Go From This to This



A House of Representatives Map May Go From This to This





# Redistricting and Reprecincting

- The Legislature may change the congressional district or state legislative districts in your counties.
- New precincts may have to be established.
  - A precinct may not cross a congressional or state legislative district line.
- Voter registration records will have to be altered to reflect any change in a voter's election districts and precincts. This must be done by January 5, 2022 - First date for candidate filing.
- Other county district changes may also require changes in precincts and voter records.
- Redistricting will require changes in county precinct keys and the HAVA administrator will work with the counties to do this.



## County Council Redistricting (Most Counties)

- 4 single-member districts/ 3 at-large seats
- Single member districts are established by **Co. Commissioner Ordinance** (IC 36-2-3-4; IC 36-2-3-4.7)
  - Districts must be “compact” subject only to natural boundaries (roadways, railroads, waterways etc.)
  - Districts must contain, as nearly as possible, **equal population**.
  - District boundaries must not cross a precinct boundary.
  - Districts must include whole townships, except when division is clearly necessary to accomplishing redistricting.



# — Lake County Council

- Lake County Council Districts established by Indiana Election Commission Order acting as (“Lake County Redistricting Commission”), plus 4 state legislative advisory members.
  - 7 Single Member Districts.
  - Required to have equal population.
  - Subject to same standards as other county council districts in all other counties except Marion and St. Joseph.
  - Marion County has city-county council not a county council under a different law.



## — St. Joseph County Council

- St. Joseph County Council established by county council ordinance.
  - 9 single member districts.
  - Required to have equal population.
  - 3 of county council districts must be contained within 3 county commissioner districts “nesting”.
- Subject to same standards as county council districts in all other counties except Marion and Lake.



## County Commissioner Redistricting (Most Counties)

- 3 districts are established by **Co. Commissioner Ordinance** (IC 36-2-2-4 and 36-2-2-4.7)
  - Districts must contain “contiguous” territory.
  - Districts must be reasonably “compact”.
  - **Not** required to have equal population in most counties.
  - District boundaries must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting. (IC 36-2-2-4)



## Lake County Council

- Lake County Commissioner Districts Established by Indiana Election Commission Order acting as (“Lake County Redistricting Commission”), plus 4 state legislative advisory members.
  - 3 Single Member Districts.
  - Required to have equal population.
  - Subject to same standards as other county commissioner districts in all other counties except Marion and St. Joseph.



## — St. Joseph County

- St. Joseph County Commissioners established by commissioners resolution.
- 3 single member districts.
- **Required** to have equal population.
- Subject to same standards as county commissioner districts in all other counties except Marion and Lake.
- Marion County does not have separately elected commissioners. Mayor of Indianapolis is Marion County executive under Unigov.



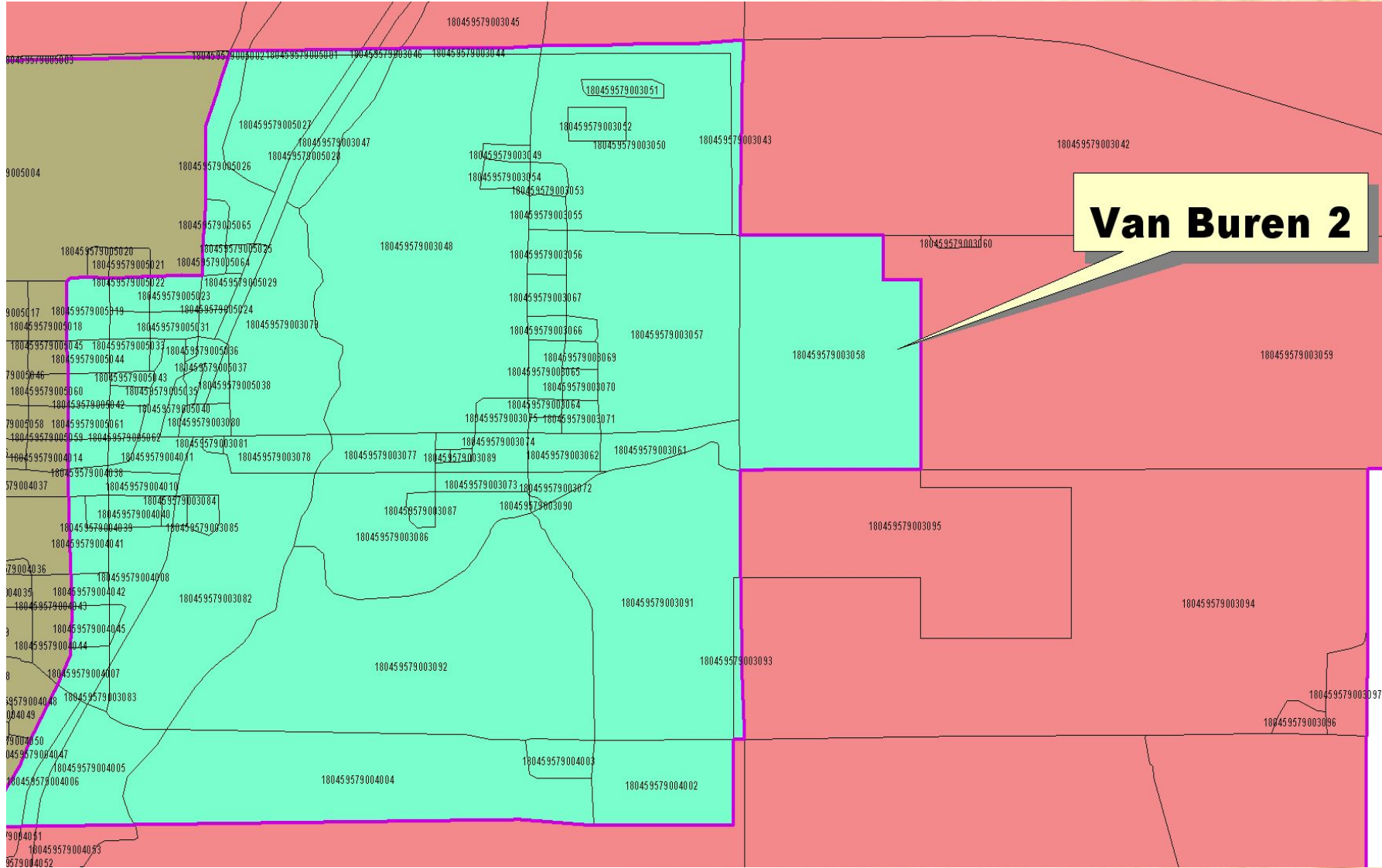
## — Vacancies; District Descriptions in Ordinances

- Previously adopted ordinance establishing districts remains in effect for the purpose of filling a vacancy in office until the expiration of the term of that office. (36-1-6-10)
- A reference in the ordinance to an existing boundary (a precinct, for example) refers to the precinct as it existed on the date of adoption of the ordinance. A change in the precinct boundary after adoption of the ordinance does not alter the boundaries of the election districts established by the ordinance. (IC 36-1-6-10)





# Sample Census Block Map in One Precinct



# Sample Block Report with Population Data

## Van Buren Township Precincts

2/1/2010

### PRECINCT 0

### STFID

### TAPERSONS

#### Van Buren 1

Van Buren 1	180459576003028	2
Van Buren 1	180459576003029	2
Van Buren 1	180459576003030	0
Van Buren 1	180459576003082	3
Van Buren 1	180459576003083	44
Van Buren 1	180459576003084	8
Van Buren 1	180459576003086	12
Van Buren 1	180459576003087	4
Van Buren 1	180459576003099	3
Van Buren 1	180459576003100	12



## Reprecincting and Voter Records

- Some changes to precincts may be required by law if new election districts split precincts.
  - A precinct may not cross a congressional, state senate or state house district boundary.
  - If the 2021 redistricting of these boundaries split your precincts, then you will be *required* to establish new precinct to avoid the split.
  - A county will be required to modify voter registrations to account for district & precinct changes.



## Who Establishes Precincts?

- Precincts are established by the following people:
  - The County Commissioners.
  - Combined Boards of Election and Registration in Lake, Porter, and Tippecanoe Counties.
  - In rare cases, the Indiana Election Commission, if precinct boundary crossing election district line in violation of state law not corrected by county.



## — What is the Process for Establishing Precincts

- The County Commissioners propose a precinct establishment order. Templates available from IED.
- IED performs technical review of precinct proposals after Office of Census Data (OCD) review.
  - If a county voter files a timely objection after publication of legal notice of IED approval by the county, Indiana Election Commission (IEC) will determine whether to approve precincts.
  - IEC may approve precinct changes if there is not sufficient time for a 10 day objection period.



## — What is the Process for Establishing Precincts

- Establishing precincts requires the proper paperwork or data entry in SVRS.
  - Order from the County Commissioners.
  - Completed IEC-8s describing precinct changes.
  - Precinct GIS “shape files” are laid over census “Tiger Files” that allow census block listing to be printed for each precinct.
  - State plans to implement optional paperless county precinct change module in SVRS this year.



## — What is the Process for Establishing Precincts?

- Establishing precincts involves several steps but the IED can help with sample forms and technical assistance.
  - IED has assigned a precinct coordinator (Lori or Stephanie) to help guide a county through the process.

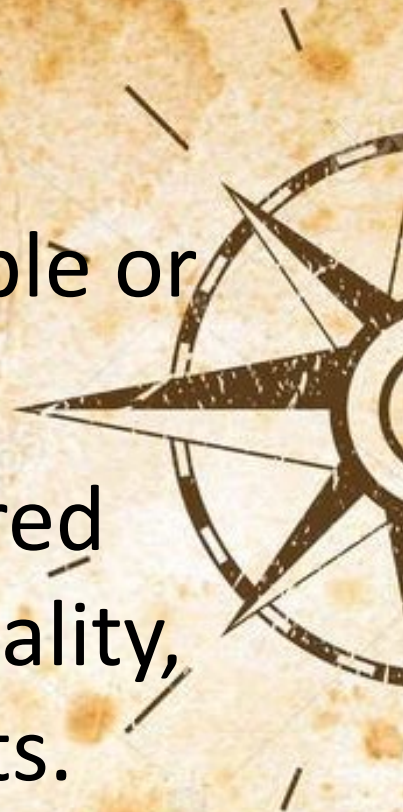
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- IED will issue memos along the way (For example, IED will provide specific instructions upon approval of precincts regarding follow-up procedures).



## — Are Any Precinct Changes Automatic?

- Precincts may not be established by any other people or by any other process.
  - Precinct boundaries are not “automatically” altered when the General Assembly or a county, municipality, or school district establishes new election districts.
  - Precincts are not “automatically” altered when a city or town annexes new territory.





# Additional Precinct Technical Standards

- Active Voter limits (IC 3-11-1.5) see “active voter” definitions IC 3-5-2-1.7(1)
- Minimum of 600 active voters with some exceptions and grandfathering.
- Not less than 600 active voters.
  - Grandfathered if established before July 1, 2019.
  - Exempted if precinct is entire county commissioner, county council district, or city or town council district, or entire township, city or town.
- Not more than 2,000 active voters. Report available from IED listing current precincts.
  - Exceptions are if it is the entire township or entire city or town council district or one residential structure with more than 2,000 active voters then limit is raised to 2,300 active voters.
  - Precincts in certain university campuses, if less than 40% of active voters voted in the last primary, then there is no limit.
- When establishing precincts your precincts **MUST** follow these boundaries and may **NEVER** cross these boundaries:
  - No precinct may cross a congressional, state legislative or township boundary.
  - No precinct may cross the state boundary or a county boundary or a township boundary.



## Related Topic: Municipal Annexation

- A city or town may annex unincorporated territory at any time by adopting an ordinance.
    - In general, an annexation is final 90 days after legal publication of the ordinance, if no court challenge (remonstrance) is filed.
      - If remonstrance is filed, the court will determine if and when annexation is final. (IC 36-4-3-11)
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- Annexation ordinances must be filed with the circuit court clerk and board of registration, Secretary of State, and state Dept. of Local Government Finance. (IC 6-1.1-17-0.7, 36-4-3-22)



## — Municipal Annexation

- Annexation ordinance must assign annexed area to council district in a city or town (if any).
- Voters in annexed area are eligible to vote in city or town elections once the annexation is final. (IC 3-11-1.5-33)
- However, an annexation by a city or town does not “automatically” change any of your precincts.

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  - Remember- Only county commissioners or IEC can change precinct boundaries.



## Impact of Municipal Annexation on Elections

- Your county may consider changing precincts in response to an annexation to help with administering elections for city or town (no split precincts) but county is not legally required to change precincts.
- Either way, an annexation will change the way a county administers the election for the city or town because the annexed voters are entitled to a city or town ballot.



## — Batch Changes to Voter Registration Records

- Counties are responsible for making changes in individual voter records but can authorize the state to make batch changes to all voter registration records in a specific township or precinct or the entire county to reflect new district lines rather than county make changes one record at a time.
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Questions?

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