



# UNDERSTANDING.... *POLITICS, PROCESS AND POLICY AT THE INDIANA GENERAL ASSEMBLY*

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Presented by:  
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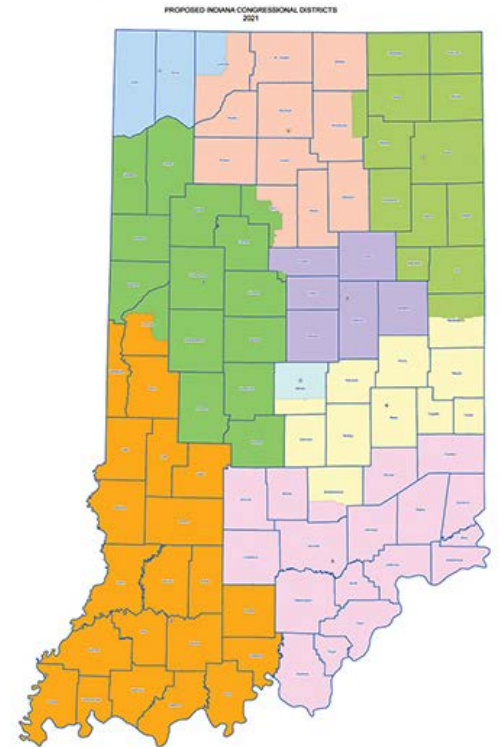
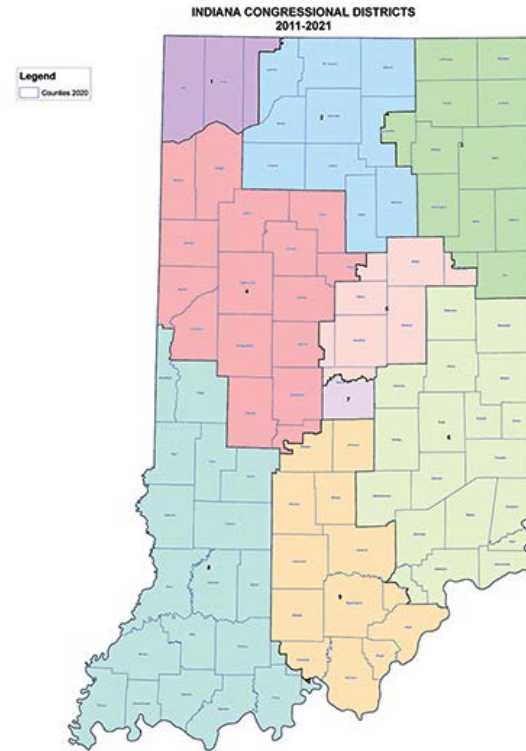
# POLITICS: *2022 GENERAL ELECTION*





# 2021 REDISTRICTING

- Redistricting is the process of redrawing state legislative and congressional district boundaries. The process occurs every 10 years following the decennial U.S. Census. The process used by Indiana is governed by the U.S. Constitution, our State Constitution, and other applicable laws.
- The Indiana General Assembly initially planned to address redistricting in March or April of 2021. Due to delays at the U.S. Census Bureau, the necessary data wasn't available at that time. The U.S. Census Bureau delivered the census data needed for states to complete the redistricting process Aug. 12.



# GENERAL ELECTION 2022

## VOTER REGISTRATION



- Last day to register to vote is October 11, 2022. There are three methods to register:
  - In person at your local election office
  - Online at [www.indianavoters.in.gov](http://www.indianavoters.in.gov)
  - By mail (post marked)

- Request ballot by October 27, 2022 at 11:59 pm
- Return ballot by mail – must be received by November 8, 2022 at 6:00 pm
- Return ballot in person by November 8, 2022 at 6:00 pm



## ABSENTEE VOTING

# ABSENTEE VOTING (BALLOT)

- Request ballot by October 27, 2022 at 11:59 PM
- Return ballot by mail – must be received by November 8, 2022 at 6:00 PM
- Return ballot in person by November 8, 2022 at 6:00 PM

*State law requires counties to make in-person absentee voting available for 28-days before the election, ending at noon (local prevailing time), the date before the election. In addition, all Indiana counties must make in-person absentee voting available the two Saturdays immediately before the election.*

# VOTER ID

Public Law 109-2005 requires Indiana residents to present a government-issued photo ID before casting a ballot at the polls on Election Day.

Under Indiana Code 3-5-2-40.5, which defines "proof of identification", your photo ID must meet 4 criteria to be acceptable for voting purposes. It Must:

1. Display your photo
2. Display your name, and the name must conform to your voter registration record. Conform does not mean identical. Below are examples of names that would conform to "Robert John Crew"
  - Robert John Crew
  - Robert J. Crew
  - Robert Crew
  - R. John Crew
  - R. J. Crew
  - Bob John Crew
  - Bob J. Crew
  - Bob Crew
  - John Crew



# VOTER ID CON'T

3. Display an expiration date and either be current or have expired sometime after the date of the last General Election (November 3, 2020)

- NOTE: An ID issued by the US Department of Defense, a branch of the uniformed services, the Merchant Marine, the U.S. Department of Veterans Affairs (or Veterans Administration), the Indiana National Guard or a Native American Indian tribe or band recognized by the United States government is not required to have an expiration date, or may state that the document has an "Indefinite" expiration date.

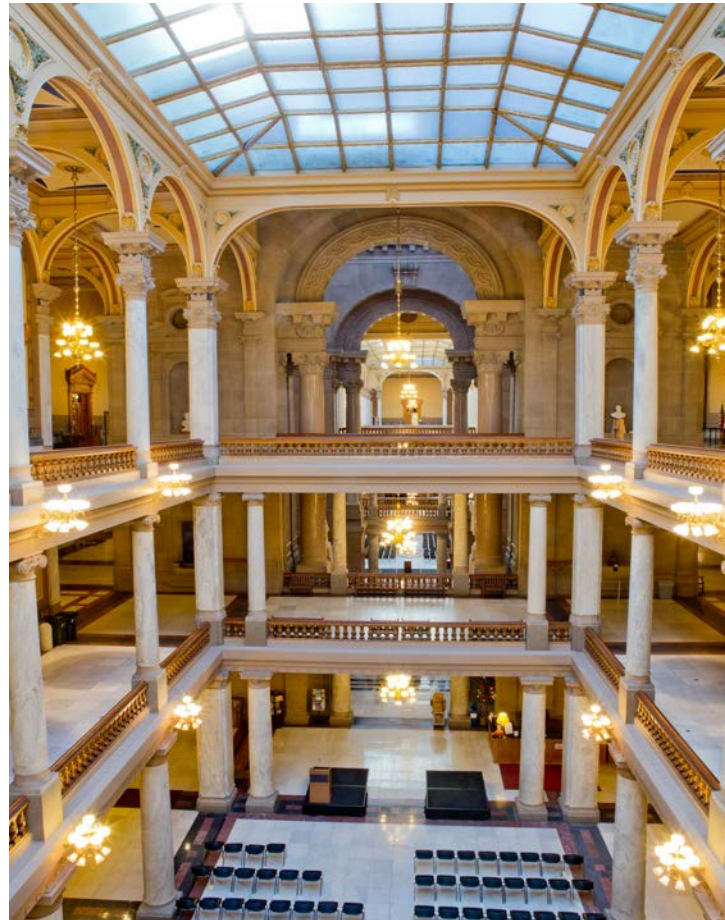
4. Be issued by the State of Indiana or the U.S. government

# GENERAL ASSEMBLY BREAKDOWN



## HOUSE

- There are 100 members in the House of Representatives
- There are 29 Democrats and 71 Republicans
- They are elected for a two (2) year term
- Represent approximately 65,000 people



## SENATE

- There are 50 members in the Senate
- There are 11 Democrats and 39 Republicans
- They are elected for a four (4) year term
- Their elections are staggered with half the body up for reelection every two (2) years
- Represent approximately 130,000 people



# GENERAL ASSEMBLY ELECTION DATA (MID-TERMS)

Senate Seats	8 of 25 are uncontested (16% vacancies)
House Seats	<u>42 of 100</u> are uncontested (56% vacancies) 50 of the 125 (40%) are uncontested

Because of restricting, retirements and primary defeats there will be at a minimum 30+ new members in the Senate and House in 2023.

In the mid-term elections, will the Republicans enjoy the traditional bounce expected? The political party in the White House usually loses seats in the federal House and Senate. It has happened every mid-term election since 1862, except 1902, 1934, 1998 and 2002. Most expect the same to happen this year for several reasons:

- 1) President's approval rating is low,
- 2) Lack of movement in Biden's legislative agenda, and
- 3) Top issues among voters were things like the economy, cost of gas and groceries.

However it might be one of those exceptions this year due to: special session abortion issue (Kansas defeated the constitutional amendment on August 2), President signed Inflation Reduction Act (August 16) and CPI dropped from June to July.

# GENERAL ASSEMBLY OVERVIEW

- The Indiana General Assembly is a part-time citizen legislature
- Long sessions are held in odd-numbered years and must be finished before April 29<sup>th</sup>. This is when the biennial budget is discussed
- Short sessions are held in even-numbered years and must be finished before March 14<sup>th</sup>

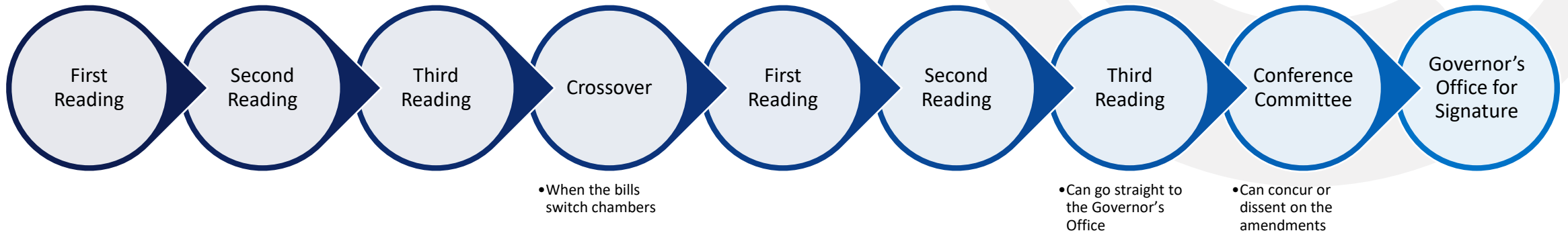


# PROCESS: *GENERAL ASSEMBLY*





# OVERALL PROCESS





# FIRST READING

- When a bill has been assigned to a committee and is read on a bill list.
- Bills are assigned to a Committee by the Speaker of the House or the President Pro Tem.
- After a bill has been published on a bill list, it is eligible for a committee hearing.



# COMMITTEE PROCESS



- The Committee Chair decides whether a bill will be heard
- The committee hearing is where there will be public testimony
- The bill may be amended by any committee members by a majority vote of the members present

# SECOND READING

- If the bill is voted out of the Committee, it is read on the Floor of the Chamber (House or Senate) where it started (called the Second Reading)
- A bill can now be amended by any of the members of that Chamber with the approval of the rest of the Chamber.



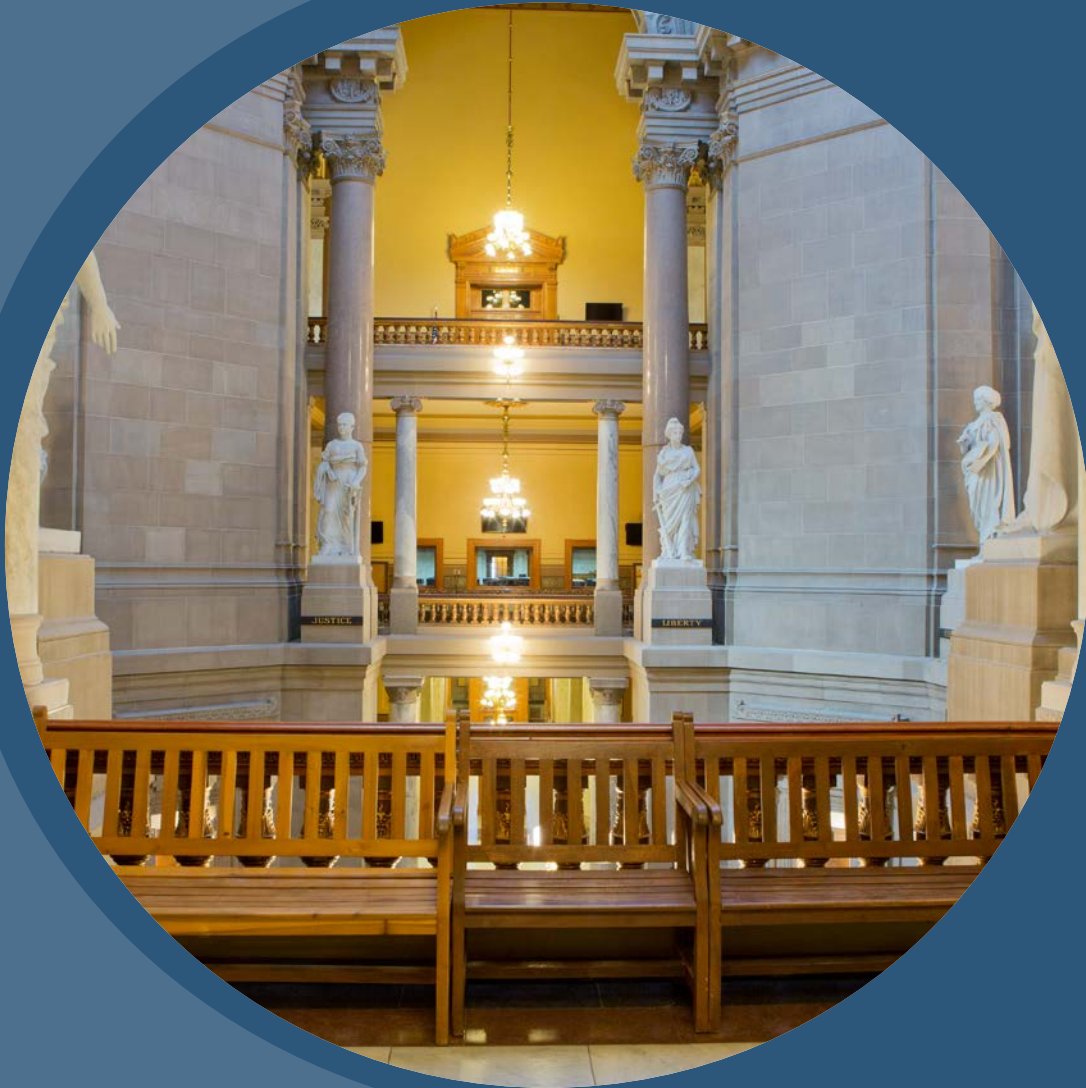


# THIRD READING

- The bill (amended or not) is then ready for the Third Reading or a vote by the members of that Chamber.
- If the bill is passed, it is then sent to the other Chamber where the process starts over. The bill must have a legislator in the 2<sup>nd</sup> Chamber to be the sponsor of the proposal.







# CROSSOVER

- IF the bill is passed, it is sent to the other chamber where the process starts over.
- The bill must have a legislator in the 2nd chamber to sponsor the proposal.

# AFTER THIRD READING

## CONCUR



- If the bill is amended in the Second Chamber, the author of the bill can agree with the changes and concur or disagree and dissent.
- If the author concurs, the bill needs a constitutional majority vote by the chamber of origin
- If it passes, then the bill goes to the Governor for his action.

- If the author dissents with the amendments from the other Chamber, the bill is assigned to a Conference Committee
- Conference Committees are made up of 2 Representatives and 2 Senators - who try to come to a consensus
- If a consensus is reached by the Conference Committee, both Chambers get an opportunity to vote on the re-worked bill.
- If accepted, the bill goes to the Governor for action.



## DISSENT

# POLICY: *SEA 1 SPECIAL SESSION*





# SEA 1 OVERVIEW

Special Session of the 122nd General Assembly (2022)(ss)

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 *that style type* reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 1(ss)

AN ACT to amend the Indiana Code concerning health.

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

SECTION 1. IC 16-18-2-1.5 IS REPEALED [EFFECTIVE SEPTEMBER 15, 2022]. Sec: 1-5: (a) "Abortion clinic"; for purposes of IC 16-21-2; IC 16-34-2-4.7; IC 16-34-3; and IC 16-41-16; means a health care provider (as defined in section 163(c)(1) of this chapter) that:

- (1) performs surgical abortion procedures; or
- (2) beginning January 1, 2014; provides an abortion inducing drug for the purpose of inducing an abortion.

(b) The term does not include the following:

- (1) A hospital that is licensed as a hospital under IC 16-21-2;
- (2) An ambulatory outpatient surgical center that is licensed as an ambulatory outpatient surgical center under IC 16-21-2;
- (3) A health care provider that provides, prescribes, administers, or dispenses an abortion inducing drug to fewer than five (5) patients per year for the purposes of inducing an abortion.

## Lawful Abortions

- Going forward, lawful abortions may only be provided in hospitals licensed under IC 16-21 or ambulatory outpatient surgical centers that have a majority ownership by a hospital.
- The definition of abortion was tweaked multiple times throughout the special session, however the version that made it into the final bill is what's already in Indiana code.
- The language in SEA1 does not apply to in vitro fertilization, nor does it change the regulations around miscarriage management.

## Serious health risk or life of pregnant woman:

- At any point during a woman's pregnancy, an abortion is lawful if a physician determines, based on reasonable medical judgement, that the abortion is necessary to prevent any serious health risk to the woman or save the woman's life.
- The term "serious health risk" means that in reasonable judgement, a condition exists that has complicated the mother's medical condition and necessitates an abortion.
- The term does not include psychological or emotional conditions.
- An abortion performed *before* the earlier of viability of the fetus or 20 weeks can be performed in a hospital or ASC.
  - An abortion performed *after* the viability of the fetus or 20 weeks may only be performed in a hospital.



# SB 1 CONTINUED

- **Lethal fetal anomaly:**
  - An abortion is lawful if based on the professional, medical judgement of the physician , that the fetus is diagnosed with a lethal fetal anomaly. Lethal fetal anomaly is defined as a condition that, if the pregnancy results in live birth, the child would not survive more than 3 months after birth.
  - The abortion must be performed before the earlier of the viability of the fetus or 20 weeks postfertilization.
  - An abortion may only be provided *after* viability of the fetus or 20 weeks if the lethal fetal anomaly poses a serious health risk to the pregnant woman.
- **Rape and incest:**
  - An abortion is lawful during the first 10 weeks postfertilization if the pregnancy is a product of rape or incest.
  - The woman submitting to the abortion must file her consent with the physician, however consent is not required if the physician deems an abortion necessary to save the life of the pregnant woman.
- Consent is required for a pregnant woman under 18 years of age *unless* the pregnancy is the result of rape or incest by the minor's parent/legal guardian/custodian.
- **Abortion-inducing drugs:**
  - The general framework for providing abortion-inducing drugs remains the same. However, these must also now only be administered in hospitals or ASCs. The requirement for physicians to have admitting privileges to perform abortions is now also required for abortion-inducing drugs.
  - Pregnant women taking abortion-inducing drugs must do so under the supervision of a physician *in person* at a hospital or ASC.

# SB<sub>1</sub> CONTINUED

- **Reports under SEA1:**

- Going forward, any physician who performs an abortion or administers abortion-inducing drugs will be required to include the reason for the abortion in the report required under IC 16-34-2-5.
- The IN Dept. of Health's reporting on the statistics from the above reports will now be compiled on a quarterly basis rather than yearly.
- The Statewide Maternal Mortality Review Committee will be required to study how the changes in the state's abortion statute affects maternal mortality in Indiana.

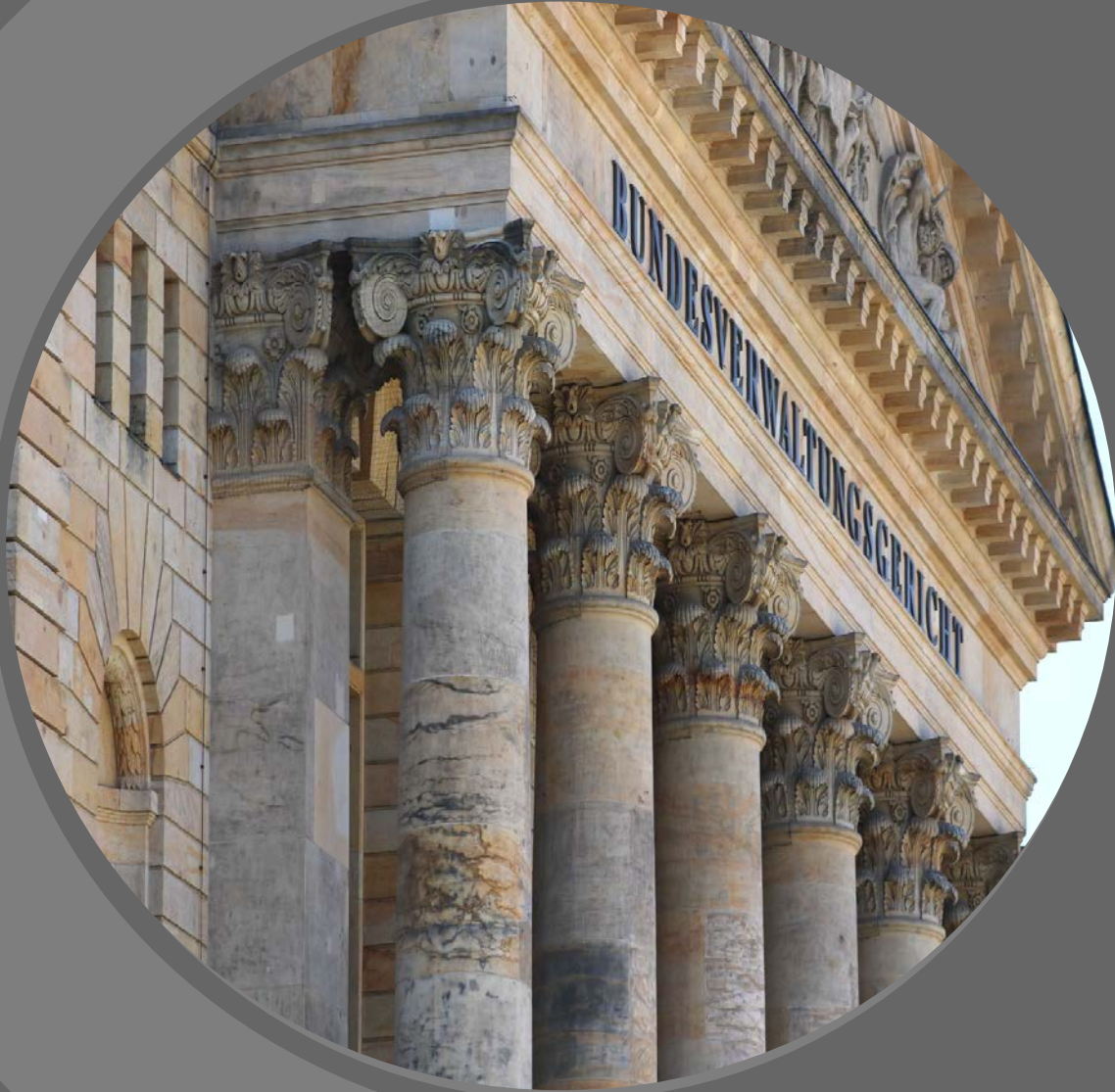
- **Enforcement of SEA1:**

- SEA1 did not increase criminal penalties for physicians who perform unlawful abortions. It is still a Level 5 felony to perform an unlawful abortion.
- SEA1 does however now require the Medical Licensing Board to revoke a physician's license if, after the appropriate notice and an opportunity for a hearing, the Attorney General proves by a preponderance of the evidence that the physician performed an unlawful abortion.
- SEA1 makes clear that under no circumstances will the pregnant mother be criminalized for having an abortion.

## PENDING LEGAL CHALLENGES

ACLU of Indiana has filed two lawsuits to stop Indiana's abortion ban:

- The first is filed with partners, argues SB 1 violates the Indiana Constitution's right to privacy and equal privileges protections.
- The second argues SB1 violates the state's Religious Freedom Restoration Act.





# RESOURCES



**House Phone Center:** (317) 232-9600

**House Switchboard:** (800) 382-9467

**Senate Phone Center:** (317) 232-9400

**Senate Switchboard:** (800) 382-9467



**c/o Legislator's Name**  
Indiana Statehouse  
200 W. Washington Street  
Indianapolis, IN 46204



## **House E-Mail**

h(insert District #)[@iga.in.gov](mailto:h(insert District #)@iga.in.gov)

## **Senate E-Mail**

s(insert District #)[@iga.in.gov](mailto:s(insert District #)@iga.in.gov)

**OR**

senator.(last name)[@iga.in.gov](mailto:senator.(last name)@iga.in.gov)

# RESOURCES

The screenshot shows the Indiana General Assembly website for the 2021 Session. The main navigation bar includes 'Information', 'Session', 'Committees', 'Legislation', 'Laws', and 'Publications'. A search bar is located at the top right, with tabs for 'Code', 'Bills', and 'Legislators'. Below the navigation bar, there is a section for 'About the IGA' and 'Archives'. The 'Find Your Legislator' form is the central focus, featuring a search bar for legislators, radio buttons for 'All', 'Senators', and 'Representatives', and a sidebar with various links. The form itself has fields for 'Street Address', 'City', 'State', and 'Zip', each with a 'Search' button. A map of Indiana is shown on the right side of the form, with a person icon indicating the user's location. The form also includes a 'Search' button and a note that asterisks indicate required fields.

- Find your legislator:  
<http://iga.in.gov/legislative/find-legislators/>
- Caucus websites:
  - House Republicans  
<https://www.indianahouserepublicans.com/>
  - House Democrats  
<https://www.indianahousedemocrats.org/>
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QUESTIONS?

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