



Sen. Dale A. Righter

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10000SB1040sam001

LRB100 07624 MLM 23682 a

1 AMENDMENT TO SENATE BILL 1040

2 AMENDMENT NO. _____. Amend Senate Bill 1040 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Voting Rights Act of 2011 is
5 amended by changing Section 5-5 and by adding Section 5-15 as
6 follows:

7 (10 ILCS 120/5-5)

8 Sec. 5-5. Redistricting.

9 (a) In any redistricting plan pursuant to Article IV,
10 Section 3 of the Illinois Constitution, Legislative Districts
11 and Representative Districts shall be drawn, subject to
12 subsection (d) of this Section, to create crossover districts,
13 coalition districts, or influence districts. Legislative
14 Districts and Representative Districts shall not be drawn to
15 discriminate against or in favor of any political party or
16 individual. The requirements imposed by this Article are in

1 addition and subordinate to any requirements or obligations
2 imposed by the United States Constitution, any federal law
3 regarding redistricting Legislative Districts or
4 Representative Districts, including but not limited to the
5 federal Voting Rights Act, and the Illinois Constitution.

6 (b) The phrase "crossover district" means a district where
7 a racial minority or language minority constitutes less than a
8 majority of the voting-age population but where this minority,
9 at least potentially, is large enough to elect the candidate of
10 its choice with help from voters who are members of the
11 majority and who cross over to support the minority's preferred
12 candidate. The phrase "coalition district" means a district
13 where more than one group of racial minorities or language
14 minorities may form a coalition to elect the candidate of the
15 coalition's choice. The phrase "influence district" means a
16 district where a racial minority or language minority can
17 influence the outcome of an election even if its preferred
18 candidate cannot be elected.

19 (c) For purposes of this Act, the phrase "racial minorities
20 or language minorities", in either the singular or the plural,
21 means the same class of voters who are members of a race,
22 color, or language minority group receiving protection under
23 the federal Voting Rights Act, 42 U.S.C. § 1973; 42 U.S.C. §
24 1973b(f) (2); 42 U.S.C. § 1973aa-1a(e).

25 (d) Nothing in this Act shall be construed, applied, or
26 implemented in a way that imposes any requirement or obligation

1 that conflicts with the United States Constitution, any federal
2 law regarding redistricting Legislative Districts or
3 Representative Districts, including but not limited to the
4 federal Voting Rights Act, or the Illinois Constitution.

5 (e) In the event of a violation of this Act, the
6 redistricting plan shall be redrawn to the least extent
7 necessary to remedy the violation.

8 (Source: P.A. 96-1541, eff. 3-7-11.)

9 (10 ILCS 120/5-15 new)

10 Sec. 5-15. County board redistricting.

11 (a) In any redistricting plan of county board districts
12 pursuant to the Counties Code, county board districts shall be
13 drawn, subject to subsection (d) of this Section, to create
14 crossover districts, coalition districts, or influence
15 districts. County board districts shall not be drawn to
16 discriminate against or in favor of any political party or
17 individual. The requirements imposed by this Article are in
18 addition and subordinate to any requirements or obligations
19 imposed by the United States Constitution; any federal law
20 regarding redistricting county board districts, including, but
21 not limited to, the federal Voting Rights Act; and the Illinois
22 Constitution.

23 (b) The phrase "crossover district" means a district where
24 a racial minority or language minority constitutes less than a
25 majority of the voting-age population but where this minority,

1 at least potentially, is large enough to elect the candidate of
2 its choice with help from voters who are members of the
3 majority and who cross over to support the minority's preferred
4 candidate. The phrase "coalition district" means a district
5 where more than one group of racial minorities or language
6 minorities may form a coalition to elect the candidate of the
7 coalition's choice. The phrase "influence district" means a
8 district where a racial minority or language minority can
9 influence the outcome of an election even if its preferred
10 candidate cannot be elected.

11 (c) For purposes of this Section, the phrase "racial
12 minorities or language minorities", in either the singular or
13 the plural, means the same class of voters who are members of a
14 race, color, or language minority group receiving protection
15 under the federal Voting Rights Act, 42 U.S.C. § 1973; 42
16 U.S.C. § 1973b(f) (2); 42 U.S.C. § 1973aa-1a(e).

17 (d) Nothing in this Section shall be construed, applied, or
18 implemented in a way that imposes any requirement or obligation
19 that conflicts with the United States Constitution; any federal
20 law regarding redistricting county board districts, including,
21 but not limited to, the federal Voting Rights Act; or the
22 Illinois Constitution.

23 (e) In the event of a violation of this Act, the
24 redistricting plan shall be redrawn to the least extent
25 necessary to remedy the violation."