

## 100TH GENERAL ASSEMBLY State of Illinois 2017 and 2018

## HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT HC0024

Introduced , by Rep. Jim Durkin

## SYNOPSIS AS INTRODUCED:

ILCON Art. VII, Sec. 13 new

Proposes to amend the Local Government Article of the Illinois Constitution. Requires the State to reimburse units of local government for increased expenses resulting from activities mandated by the General Assembly or State executive action. Exempts mandates requested by a local government or predating the effective date. Makes unfunded mandates unenforceable unless passed by three-fourths of the members elected to each house of the General Assembly and specifically characterized as non-reimbursable. Effective upon being declared adopted.

LRB100 11063 AWJ 21304 e

| 1  | HOUSE JOINT RESOLUTION  |
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| 2  | CONSTITUTIONAL AMENDMENT  |
|    |   |
| 3  | RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE            |
| 4  | HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE |
| 5  | CONCURRING HEREIN, That there shall be submitted to the         |
| 6  | electors of the State for adoption or rejection at the general  |
| 7  | election next occurring at least 6 months after the adoption of |
| 8  | this resolution a proposition to add Section 13 to Article VII  |
| 9  | of the Illinois Constitution as follows:                        |
|    |   |
| 10 | ARTICLE VII   |
| 11 | LOCAL GOVERNMENT  |
|    |   |
| 12 | (ILCON Art. VII, Sec. 13 new)                                   |
| 13 | SECTION 13. UNFUNDED MANDATES                                   |
| 14 | (a) If the General Assembly or any State executive action       |
| 15 | requires a unit of local government to establish, expand, or    |
| 16 | modify its activities in such a way as to necessitate           |
| 17 | additional expenditures of revenue by the unit of local         |
| 18 | government, then the State must provide funds to reimburse the  |
| 19 | unit of local government for the costs necessary to carry out   |
| 20 | the mandated requirement, except that the General Assembly may, |
| 21 | but need not, provide funds for the following mandates:         |
| 22 | (1) legislatively mandated requirements requested by            |
| 23 | the unit of local government affected; and                      |

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| 1  | (2) legislatively mandated requirements that became           |
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| 2  | effective before the effective date of this Section or        |
| 3  | State executive actions initially implementing legislation    |
| 4  | that became effective before the effective date of this       |
| 5  | Section.  |
| 6  | (b) A mandated requirement that is not funded is not          |
| 7  | enforceable while not funded unless the bill implementing the |
| 8  | mandated requirement passed with the concurrence of at least  |
| 9  | three-fourths of the members elected to each house of the     |
| 10 | General Assembly and specifically states that it is a         |
| 11 | non-reimbursable mandate under this subsection.               |

12 SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.