



**100TH GENERAL ASSEMBLY**

**State of Illinois**

**2017 and 2018**

**HOUSE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**HC0046**

Introduced , by Rep. Peter Breen

**SYNOPSIS AS INTRODUCED:**

ILCON Art. IV, Sec. 1

ILCON Art. IV, Sec. 2

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Changes the number of Representative Districts from 118 to 119. Provides that the boundaries of Legislative and Representative Districts may be separate. Replaces the current method of redistricting of the Senate and House of Representatives with the following: a Legislative Redistricting Commission, appointed by the legislative leaders and in accordance with scoring criteria provided by law, shall evaluate separate Legislative District and Representative District maps submitted by the public; the Commission shall use specified formulas to determine quotas and split and compactness scores that are used to evaluate maps; the Commission shall follow a multi-step process that includes (1) voting to eliminate maps that do not comply with the law, (2) ranking and eliminating maps based on split scores, (3) ranking maps based on calculations of compactness, (4) voting to eliminate maps that are substantially the same but of equal or greater number rank, and (5) ranking the remaining maps; the Senate and House, each by a three-fifths vote, may adopt one of the 3 best-ranked maps; and the Secretary of State shall certify the map with the best rank if a chamber fails to adopt a map. Specifies the schedule for redistricting activities. Effective upon being declared adopted and applicable to redistricting beginning in 2021 and to the election of General Assembly members beginning in 2022.

LRB100 21601 MJP 38676 e

1                                   HOUSE JOINT RESOLUTION  
 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 amend Article IV of the  
 9 Illinois Constitution by changing Sections 1, 2, and 3 as  
 10 follows:

11                                   ARTICLE IV  
 12                                   THE LEGISLATURE

13           (ILCON Art. IV, Sec. 1)

14           SECTION 1. LEGISLATURE - POWER AND STRUCTURE

15           The legislative power is vested in a General Assembly  
 16 consisting of a Senate and a House of Representatives, elected  
 17 by the electors from 59 Legislative Districts and 119 ~~118~~  
 18 Representative Districts.

19           (Source: Amendment adopted at general election November 4,  
 20 1980.)

21           (ILCON Art. IV, Sec. 2)

22           SECTION 2. LEGISLATIVE COMPOSITION

1           (a) One Senator shall be elected from each Legislative  
2 District. Immediately following each decennial redistricting,  
3 the General Assembly by law shall divide the Legislative  
4 Districts as equally as possible into three groups. Senators  
5 from one group shall be elected for terms of four years, four  
6 years and two years; Senators from the second group, for terms  
7 of four years, two years and four years; and Senators from the  
8 third group, for terms of two years, four years and four years.  
9 The Legislative Districts in each group shall be distributed  
10 substantially equally over the State.

11           (b) ~~Each Legislative District shall be divided into two~~  
12 ~~Representative Districts.~~ In 2022 ~~1982~~ and every two years  
13 thereafter one Representative shall be elected from each  
14 Representative District for a term of two years.

15           (c) To be eligible to serve as a member of the General  
16 Assembly, a person must be a United States citizen, at least 21  
17 years old, and for the two years preceding his election or  
18 appointment a resident of the district which he is to  
19 represent. In the general election following a redistricting, a  
20 candidate for the General Assembly may be elected from any  
21 district which contains a part of the district in which he  
22 resided at the time of the redistricting and reelected if a  
23 resident of the new district he represents for 18 months prior  
24 to reelection.

25           (d) Within thirty days after a vacancy occurs, it shall be  
26 filled by appointment as provided by law. If the vacancy is in

1 a Senatorial office with more than twenty-eight months  
2 remaining in the term, the appointed Senator shall serve until  
3 the next general election, at which time a Senator shall be  
4 elected to serve for the remainder of the term. If the vacancy  
5 is in a Representative office or in any other Senatorial  
6 office, the appointment shall be for the remainder of the term.  
7 An appointee to fill a vacancy shall be a member of the same  
8 political party as the person he succeeds.

9 (e) No member of the General Assembly shall receive  
10 compensation as a public officer or employee from any other  
11 governmental entity for time during which he is in attendance  
12 as a member of the General Assembly.

13 No member of the General Assembly during the term for which  
14 he was elected or appointed shall be appointed to a public  
15 office which shall have been created or the compensation for  
16 which shall have been increased by the General Assembly during  
17 that term.

18 (Source: Amendment adopted at general election November 4,  
19 1980.)

20 (ILCON Art. IV, Sec. 3)

21 SECTION 3. LEGISLATIVE REDISTRICTING

22 (a) Legislative Districts shall be compact, contiguous and  
23 substantially equal in population. Representative Districts  
24 shall be compact, contiguous, and substantially equal in  
25 population. A Representative District need not be entirely

1 within a single Legislative District.

2 (a-1) As used in this Section:

3 "Length-width compactness score" means the sum of the  
4 absolute value of the length-width compactness ratio of each  
5 district, calculated as the quotient of the distance from the  
6 northernmost point or portion of the boundary of a district to  
7 the southernmost point or portion of the boundary of the same  
8 district and the distance from the westernmost point or portion  
9 of the boundary of the district to the easternmost point or  
10 portion of the boundary of the same district.

11 "Perimeter compactness score" means the sum of the total  
12 perimeter distances computed for each district in a map.

13 "Quota" means (1) for Representative Districts, the  
14 quotient of the whole population of the State, as determined by  
15 the latest federal decennial census, divided by 119; and (2)  
16 for Legislative Districts, the quotient of the whole population  
17 of the State, as determined by the latest federal decennial  
18 census, divided by 59.

19 "Split" means the division of a unit or subunit or portion  
20 thereof smaller than a quota into more than one district.

21 "Subunit" means all contiguous unincorporated areas of a  
22 township located within counties having populations larger  
23 than a Representative District quota, the community areas of  
24 the City of Chicago, and any municipality, except the City of  
25 Chicago.

26 "Unit" means the City of Chicago, the part of Cook County

1 excluding the City of Chicago, and any county, except Cook  
2 County.

3 ~~(b) In the year following each Federal decennial census~~  
4 ~~year, the General Assembly by law shall redistrict the~~  
5 ~~Legislative Districts and the Representative Districts.~~

6 ~~A~~ If no redistricting plan becomes effective by June 30 of  
7 ~~that year,~~ a Legislative Redistricting Commission shall be  
8 constituted by March 1 of the year following each federal  
9 decennial census year not later than July 10. The Commission  
10 shall consist of eight members, no more than four of whom shall  
11 be members of the same political party.

12 The Speaker and Minority Leader of the House of  
13 Representatives shall each appoint two persons to the  
14 Commission ~~one Representative and one person who is not a~~  
15 ~~member of the General Assembly.~~ The President and Minority  
16 Leader of the Senate shall each appoint two persons to the  
17 Commission ~~one Senator and one person who is not a member of~~  
18 ~~the General Assembly.~~

19 The members shall be certified to the Secretary of State by  
20 the appointing authorities. A vacancy on the Commission shall  
21 be filled within five days by the authority that made the  
22 original appointment. A Chairman and Vice Chairman shall be  
23 chosen by a majority of all members of the Commission. The  
24 Commission shall provide to the public data and tools to create  
25 Legislative and Representative Districts not later than April  
26 7. The Commission shall accept maps for the redistricting of

1 Legislative and Representative Districts through May 7.

2 (c) Representative District maps shall be submitted,  
3 considered, and scored independent of Legislative District  
4 maps. Not later than May 22 the Commission shall give to the  
5 Senate the three best-ranked maps for Legislative Districts.  
6 Not later than May 22 the Commission shall give to the House of  
7 Representatives the three best-ranked maps for Representative  
8 Districts.

9 (d) The Commission shall calculate quotas for Legislative  
10 and Representative Districts. In no event shall any District  
11 contain a population of less than 99.5 percent nor more than  
12 100.5 percent of the applicable quota.

13 (e) For the purposes of this Section, the following rules  
14 apply:

15 (1) a subunit shall be considered to include any  
16 unincorporated areas fully enclosed by the subunit;

17 (2) if a subunit has territory in more than one unit,  
18 the contiguous portion of the subunit that lies in each  
19 unit shall be considered to be a separate subunit, unless  
20 the subunit has a population of greater than the quota of a  
21 Representative District, in that case the boundaries of the  
22 unit in which the largest portion of the population of the  
23 subunit resides shall be considered to include the entirety  
24 of the subunit and any unincorporated areas fully enclosed  
25 by the subunit; and

26 (3) the number of splits of a unit or subunit is the

1 number of districts that a unit or subunit is located in,  
2 minus the quotient, rounded up to the nearest whole number,  
3 of the population of the unit or subunit divided by the  
4 quota.

5 (f) The Commission shall evaluate submitted maps as  
6 follows:

7 (1) First, the Commission shall, by a majority vote of  
8 the members appointed, eliminate maps that fail to meet all  
9 applicable federal laws, including the federal Voting  
10 Rights Act, and State constitutional provisions.

11 (2) Second, the Commission shall determine a split  
12 score for all maps, which shall be the sum of (i) three  
13 times the number of splits of units and (ii) the number of  
14 splits of subunits. The Commission shall calculate a split  
15 score cutoff that shall be the greater of 110 percent of  
16 the split score of the map with the lowest split score and  
17 the split score necessary to retain at least the three maps  
18 with the lowest split scores. The Commission shall then  
19 eliminate all maps with split scores greater than the split  
20 score cutoff.

21 (3) Third, the Commission shall calculate a final rank  
22 for each of the remaining maps by averaging the  
23 length-width compactness ranking and the perimeter  
24 compactness ranking of each district, in accordance with  
25 the following:

26 (A) A length-width compactness ranking for each



1 map shall be assigned, in whole numbers from one to  
2 however many maps remain, from the lowest length-width  
3 compactness score to the highest.

4 (B) A perimeter compactness ranking for each map  
5 shall be assigned, in whole numbers from one to however  
6 many maps remain, from the lowest perimeter  
7 compactness score to the highest.

8 (4) Fourth, the Commission shall, by a majority vote of  
9 the members appointed, eliminate any map that the  
10 Commission believes is substantially the same as, but of  
11 equal or greater number rank than, another map that  
12 remains.

13 (5) Fifth, the Commission shall rank the remaining maps  
14 from lowest final rank to highest, and the three with the  
15 lowest final rank shall be considered the best-ranked, the  
16 second best-ranked, and the third best-ranked maps. The  
17 Commission shall break any ties by a majority vote or, if  
18 no majority agreement can be reached, by random selection.

19 (g) The Senate may, by a record vote of three-fifths of the  
20 members elected, adopt a redistricting resolution selecting a  
21 redistricting map from among the three best-ranked maps for  
22 Legislative Districts submitted by the Commission. If the  
23 Senate has failed to file a redistricting resolution with the  
24 Secretary of State by May 31, the Secretary of State shall  
25 certify the best-ranked redistricting map for Legislative  
26 Districts from the Commission.

1        The House may, by a record vote of three-fifths of the  
2 members elected, adopt a redistricting resolution selecting a  
3 redistricting map from among the three best-ranked maps for  
4 Representative Districts submitted by the Commission. If the  
5 House has failed to file a redistricting resolution with the  
6 Secretary of State by May 31, the Secretary of State shall  
7 certify the best-ranked redistricting map for Representative  
8 Districts from the Commission.

9        ~~Not later than August 10, the Commission shall file with~~  
10 ~~the Secretary of State a redistricting plan approved by at~~  
11 ~~least five members.~~

12        ~~If the Commission fails to file an approved redistricting~~  
13 ~~plan, the Supreme Court shall submit the names of two persons,~~  
14 ~~not of the same political party, to the Secretary of State not~~  
15 ~~later than September 1.~~

16        ~~Not later than September 5, the Secretary of State publicly~~  
17 ~~shall draw by random selection the name of one of the two~~  
18 ~~persons to serve as the ninth member of the Commission.~~

19        ~~Not later than October 5, the Commission shall file with~~  
20 ~~the Secretary of State a redistricting plan approved by at~~  
21 ~~least five members.~~

22        (h) A ~~An~~ approved redistricting resolution or  
23 redistricting map plan filed with the Secretary of State shall  
24 be presumed valid, shall have the force and effect of law and  
25 shall be published promptly by the Secretary of State.

26        The Supreme Court shall have original and exclusive

1 jurisdiction over actions concerning redistricting the House  
2 and Senate, which shall be initiated in the name of the People  
3 of the State by the Attorney General.

4 (Source: Amendment adopted at general election November 4,  
5 1980.)

6 SCHEDULE

7 This Constitutional Amendment takes effect upon being  
8 declared adopted in accordance with Section 7 of the Illinois  
9 Constitutional Amendment Act and applies to redistricting  
10 beginning in 2021 and to the election of General Assembly  
11 members beginning in 2022.