



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5873

by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

10 ILCS 125/10-10 new
10 ILCS 125/10-5 rep.

Amends the Redistricting Transparency and Public Participation Act. Creates the Independent Redistricting Commission to adopt and file with the Secretary of State a redistricting plan for Legislative and Representative Districts (rather than requiring the Senate and House of Representatives to each establish a committee, or the Senate and House of Representatives may create by joint resolution a joint committee of both chambers, to consider proposals to redistrict the Legislative Districts or Representative Districts). Provides the commissioner selection process and meeting and voting requirements to adopt a plan. Makes conforming changes in the Act. Effective immediately.

LRB101 23339 SMS 74513 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Redistricting Transparency and Public
5 Participation Act is amended by adding Section 10-10 as
6 follows:

7 (10 ILCS 125/10-10 new)

8 Sec. 10-10. Independent Redistricting Commission.

9 (a) The Independent Redistricting Commission comprised of
10 11 commissioners shall adopt and file with the Secretary of
11 State a redistricting plan for Legislative Districts and
12 Representative Districts by June 30 of the year following each
13 federal decennial census. Legislative districts shall be
14 contiguous and substantially equal in population.
15 Representative Districts shall be contiguous and substantially
16 equal in population. The redistricting plan shall comply with
17 federal law. Subject to the foregoing, the Commission shall
18 apply the following criteria: (1) the redistricting plan shall
19 not dilute or diminish the ability of a racial or language
20 minority community to elect the candidates of its choice,
21 including when voting in concert with other persons; (2) the
22 redistricting plan shall respect the geographic integrity of
23 units of local government; and (3) the redistricting plan shall

1 respect the geographic integrity of communities sharing common
2 social and economic interests, which do not include
3 relationships with political parties or candidates for office.
4 The redistricting plan shall not either intentionally or unduly
5 discriminate against or intentionally or unduly favor any
6 political party, political group, or particular person. In
7 designing the redistricting plan, the Commission shall
8 consider party registration and voting history data only to
9 assess compliance with the requirements in this subsection (a).

10 (b) For the purpose of conducting the commissioner
11 selection process, an applicant review panel comprising of 3
12 reviewers shall be chosen in the manner set forth in this
13 subsection (b). Beginning not later than February 1 and ending
14 not later than February 8 following the year in which the
15 federal decennial census occurs, the Auditor General shall
16 request and accept applications to serve as a reviewer. The
17 Auditor General shall review all applications and select a pool
18 of 30 potential reviewers. The Auditor General should select
19 applicants for the pool of potential reviewers who would
20 operate in an ethical and non-partisan manner by considering
21 whether each applicant is a resident and registered voter of
22 the State and has been for the 4 years preceding his or her
23 application, has demonstrated understanding of and adherence
24 to standards of ethical conduct, and has been unaffiliated with
25 any political party for the 3 years preceding appointment. By
26 February 15 following the year in which the federal decennial

1 census occurs, the Auditor General shall publicly select by
2 random draw the applicant review panel of 3 reviewers from the
3 pool of potential reviewers.

4 (c) Beginning not later than February 1 and ending not
5 later than February 15 following the year in which the federal
6 decennial census occurs, the Auditor General shall request and
7 accept applications to serve as a commissioner on the
8 Independent Redistricting Commission. By March 15 following
9 the year in which the federal decennial census occurs, the
10 applicant review panel shall select a pool of 100 potential
11 commissioners. The applicant review panel should select
12 applicants for the pool of potential commissioners who would be
13 diverse and unaffected by conflicts of interest by considering
14 whether each applicant is a resident and registered voter of
15 the State and has been for the 4 years preceding his or her
16 application, as well as each applicant's prior political
17 experience, relevant analytical skills, ability to contribute
18 to a fair redistricting process, and ability to represent the
19 demographic and geographic diversity of the State. The
20 applicant review panel shall act by affirmative vote of 2
21 reviewers. All records of the applicant review panel, including
22 applications to serve on the applicant review panel, shall be
23 open for public inspection, except private information about
24 applicants for which there is no compelling public interest in
25 disclosure.

26 (d) Not later than April 1 following the year in which the

1 federal decennial census occurs, the Speaker and Minority
2 Leader of the House of Representatives and the President and
3 Minority Leader of the Senate each may remove up to 5 of those
4 potential commissioners. Thereafter, but not later than April
5 15 following the year in which the federal decennial census
6 occurs, the applicant review panel shall publicly select 7
7 commissioners by random draw from the remaining pool of
8 potential commissioners; of those 7 commissioners, including
9 any replacements, (1) the 7 commissioners shall reside among
10 the judicial districts in the same proportion as the number of
11 judges elected therefrom under Section 3 of Article VI of the
12 Illinois Constitution, (2) 2 commissioners shall be affiliated
13 with the political party whose candidate for Governor received
14 the most votes cast in the last general election for Governor,
15 2 commissioners shall be affiliated with the political party
16 whose candidate for Governor received the second-most votes
17 cast in such election and the remaining 3 commissioners shall
18 not be affiliated with either such political party, and (3) no
19 more than 2 commissioners may be affiliated with the same
20 political party. The Speaker and Minority Leader of the House
21 of Representatives and the President and Minority Leader of the
22 Senate each shall appoint one commissioner from among the
23 remaining applicants in the pool of potential commissioners on
24 the basis of the appointee's contribution to the demographic
25 and geographic diversity of the Commission. A vacancy on the
26 applicant review panel or Commission shall be filled within 5

1 days by a potential reviewer or potential commissioner from
2 among the applicants remaining in the pool of potential
3 reviewers or potential commissioners, respectively, in the
4 manner in which the office was previously filled.

5 (e) The Commission shall act in public meetings by
6 affirmative vote of 6 commissioners, except that approval of
7 any redistricting plan shall require the affirmative vote of at
8 least (1) 7 commissioners total, (2) 2 commissioners from each
9 political party whose candidate for Governor received the most
10 and second-most votes cast in the last general election for
11 Governor, and (3) 2 commissioners not affiliated with either
12 such political party. The Commission shall elect its
13 chairperson and vice chairperson, who shall not be affiliated
14 with the same political party. Six commissioners shall
15 constitute a quorum. All meetings of the Commission attended by
16 a quorum, except for meetings qualified under attorney-client
17 privilege, shall be open to the public and publicly noticed at
18 least 2 days before the meeting. All records of the Commission,
19 including communications between commissioners regarding the
20 Commission's work, shall be open for public inspection, except
21 for records qualified under attorney-client privilege. The
22 Commission shall adopt rules governing its procedure, public
23 hearings, and the implementation of matters under this Section.
24 The Commission shall hold public hearings throughout the State
25 both before and after releasing the initial proposed
26 redistricting plan. The Commission may not adopt a final

1 redistricting plan unless the plan to be adopted without
2 further amendment, and a report explaining its compliance with
3 the Illinois Constitution, have been publicly noticed at least
4 7 days before the final vote on the redistricting plan.

5 (f) If the Independent Redistricting Commission does not
6 adopt a redistricting plan by June 30 of that year, pursuant to
7 Section 3 of Article IV of the Illinois Constitution, a
8 Legislative Redistricting Commission shall be constituted not
9 later than July 10.

10 (g) An adopted redistricting plan filed with the Secretary
11 of State shall be presumed valid and shall be published
12 promptly by the Secretary of State.

13 (h) The Supreme Court shall have original jurisdiction in
14 cases relating to matters under this Section.

15 (10 ILCS 125/10-5 rep.)

16 Section 10. The Redistricting Transparency and Public
17 Participation Act is amended by repealing Section 10-5.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.