



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0036

Introduced 11/12/2019, by Rep. Jim Durkin - Terri Bryant - Dave Severin - Grant Wehrli - Thomas Morrison, et al.

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 2

Proposes to amend the Legislature Article of the Illinois Constitution. Provides that upon a vacancy in the General Assembly a special election shall occur no earlier than 45 days but no more than 90 days after the vacancy. Provides that if the vacancy occurs within 120 days before a general election or general primary election, the vacancy shall be filled by that election. Requires the candidates to fill the vacancy to be members of the same political party as the person who vacated the seat. Effective upon being declared adopted.

LRB101 15305 SMS 64484 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
4 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
5 SENATE 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 Section 2 as follows:

10 ARTICLE IV
11 THE LEGISLATURE

12 (IILCON Art. IV, Sec. 2)

13 SECTION 2. LEGISLATIVE COMPOSITION

14 (a) One Senator shall be elected from each Legislative
15 District. Immediately following each decennial redistricting,
16 the General Assembly by law shall divide the Legislative
17 Districts as equally as possible into three groups. Senators
18 from one group shall be elected for terms of four years, four
19 years and two years; Senators from the second group, for terms
20 of four years, two years and four years; and Senators from the
21 third group, for terms of two years, four years and four years.
22 The Legislative Districts in each group shall be distributed
23 substantially equally over the State.

1 (b) Each Legislative District shall be divided into two
2 Representative Districts. In 1982 and every two years
3 thereafter one Representative shall be elected from each
4 Representative District for a term of two years.

5 (c) To be eligible to serve as a member of the General
6 Assembly, a person must be a United States citizen, at least 21
7 years old, and for the two years preceding his election or
8 appointment a resident of the district which he is to
9 represent. In the general election following a redistricting, a
10 candidate for the General Assembly may be elected from any
11 district which contains a part of the district in which he
12 resided at the time of the redistricting and reelected if a
13 resident of the new district he represents for 18 months prior
14 to reelection.

15 (d) When a vacancy occurs, it shall be filled by a special
16 election held no earlier than 45 days but no more than 90 days
17 after the vacancy. However, if the vacancy occurs within 120
18 days before a general election or general primary election, the
19 vacancy shall be filled by that general election or general
20 primary election. The candidates to fill the vacancy shall be
21 members of the same political party as the person that vacated
22 the seat. Within thirty days after a vacancy occurs, it shall
23 be filled by appointment as provided by law. If the vacancy is
24 in a Senatorial office with more than twenty-eight months
25 remaining in the term, the appointed Senator shall serve until
26 the next general election, at which time a Senator shall be

1 ~~elected to serve for the remainder of the term. If the vacancy~~
2 ~~is in a Representative office or in any other Senatorial~~
3 ~~office, the appointment shall be for the remainder of the term.~~
4 ~~An appointee to fill a vacancy shall be a member of the same~~
5 ~~political party as the person he succeeds.~~

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

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

15 (Source: Amendment adopted at general election November 4,
16 1980.)

17 SCHEDULE

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