



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0059

Introduced 1/14/2021, 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.

LRB102 02795 SMS 12803 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

1 shall respect the geographic integrity of communities sharing
2 common 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
5 unduly discriminate against or intentionally or unduly favor
6 any 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
10 (a).

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

1 for the 3 years preceding appointment. By February 15
2 following the year in which the federal decennial census
3 occurs, the Auditor General shall publicly select by random
4 draw the applicant review panel of 3 reviewers from the pool of
5 potential reviewers.

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

1 compelling public interest in disclosure.

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

1 and geographic diversity of the Commission. A vacancy on the
2 applicant review panel or Commission shall be filled within 5
3 days by a potential reviewer or potential commissioner from
4 among the applicants remaining in the pool of potential
5 reviewers or potential commissioners, respectively, in the
6 manner in which the office was previously filled.

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

1 shall hold public hearings throughout the State both before
2 and after releasing the initial proposed redistricting plan.
3 The Commission may not adopt a final redistricting plan unless
4 the plan to be adopted without further amendment, and a report
5 explaining its compliance with the Illinois Constitution, have
6 been publicly noticed at least 7 days before the final vote on
7 the redistricting plan.

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

13 (g) An adopted redistricting plan filed with the Secretary
14 of State shall be presumed valid and shall be published
15 promptly by the Secretary of State.

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

18 (10 ILCS 125/10-5 rep.)

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.