



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SENATE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

SC0001

Introduced 2/24/2023, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

ILCON Art. VI, Sec. 20 new

Proposes to amend the Judiciary Article of the Illinois Constitution. Provides that a Public Defender shall be appointed for each county in 2024 and every fourth year thereafter for a four-year term. Provides that in counties with a population of 1,000,000 or more the appointment shall be made by the president of the county's board of commissioners with the advice and consent of the county board. Provides that the appointing authorities in other counties are the Circuit Judges of the Circuit Court of the Judicial Circuit in which the county is located. Authorizes 2 or more adjoining counties in the same Judicial Circuit, by joint resolution, to create a common Public Defender's office for the counties joined. Requires individuals who are appointed as a Public Defender to be United States citizens who are licensed to practice law in the State. Specifies that the Public Defender's salary is to be set by law. Effective upon being declared adopted.

LRB103 31101 JDS 57761 e

1 SENATE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL
4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
5 REPRESENTATIVES CONCURRING HEREIN, that there shall be
6 submitted to the electors of the State for adoption or
7 rejection at the general election next occurring at least 6
8 months after the adoption of this resolution a proposition to
9 add Section 20 to Article VI of the Illinois Constitution as
10 follows:

11 ARTICLE VI
12 THE JUDICIARY

13 (ILCON Art. VI, Sec. 20 new)

14 SECTION 20. PUBLIC DEFENDERS - SELECTION, SALARY

15 A Public Defender shall be appointed for each county in
16 2024 and every fourth year thereafter for a four-year term. In
17 counties with a population of 1,000,000 or more, the president
18 of the county's board of commissioners shall appoint the
19 Public Defender with the advice and consent of the county
20 board. In a county with a population of less than 1,000,000,
21 the Circuit Judges of the Circuit Court of the Judicial
22 Circuit in which the county is located shall, by a majority
23 vote of the entire number of those judges, appoint the Public

1 Defender. Any 2 or more adjoining counties of this State that
2 are within the same Judicial Circuit may, by joint resolution
3 of the several county boards involved, create a common Public
4 Defender's office for the counties so joined. A person shall
5 not be eligible for the office of Public Defender unless the
6 person is a United States citizen and a licensed
7 attorney-at-law of this State. The Public Defender's salary
8 shall be provided by law.

9 SCHEDULE

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