



**103RD GENERAL ASSEMBLY**

**State of Illinois**

**2023 and 2024**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0005**

Introduced 2/27/2023, by Sen. Seth Lewis

**SYNOPSIS AS INTRODUCED:**

ILCON Art. VII, Sec. 6

Proposes to amend the Legislature Article of the Illinois Constitution. Reduces the minimum population for a home rule unit to 7,500 from 25,000. Effective upon being declared adopted.

LRB103 27236 DTM 53607 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 amend the Illinois Constitution by changing Section 6 of  
10 Article 7 as follows:

11                                   ARTICLE VII  
12                                   LOCAL GOVERNMENT

13                   (ILCON Art. VII, Sec. 6)

14           SECTION 6. POWERS OF HOME RULE UNITS

15                   (a) A County which has a chief executive officer elected  
16 by the electors of the county and any municipality which has a  
17 population of more than 7,500 ~~25,000~~ are home rule units.  
18 Other municipalities may elect by referendum to become home  
19 rule units. Except as limited by this Section, a home rule unit  
20 may exercise any power and perform any function pertaining to  
21 its government and affairs including, but not limited to, the  
22 power to regulate for the protection of the public health,  
23 safety, morals and welfare; to license; to tax; and to incur

1 debt.

2 (b) A home rule unit by referendum may elect not to be a  
3 home rule unit.

4 (c) If a home rule county ordinance conflicts with an  
5 ordinance of a municipality, the municipal ordinance shall  
6 prevail within its jurisdiction.

7 (d) A home rule unit does not have the power (1) to incur  
8 debt payable from ad valorem property tax receipts maturing  
9 more than 40 years from the time it is incurred or (2) to  
10 define and provide for the punishment of a felony.

11 (e) A home rule unit shall have only the power that the  
12 General Assembly may provide by law (1) to punish by  
13 imprisonment for more than six months or (2) to license for  
14 revenue or impose taxes upon or measured by income or earnings  
15 or upon occupations.

16 (f) A home rule unit shall have the power subject to  
17 approval by referendum to adopt, alter or repeal a form of  
18 government provided by law, except that the form of government  
19 of Cook County shall be subject to the provisions of Section 3  
20 of this Article. A home rule municipality shall have the power  
21 to provide for its officers, their manner of selection and  
22 terms of office only as approved by referendum or as otherwise  
23 authorized by law. A home rule county shall have the power to  
24 provide for its officers, their manner of selection and terms  
25 of office in the manner set forth in Section 4 of this Article.

26 (g) The General Assembly by a law approved by the vote of

1 three-fifths of the members elected to each house may deny or  
2 limit the power to tax and any other power or function of a  
3 home rule unit not exercised or performed by the State other  
4 than a power or function specified in subsection (l) of this  
5 section.

6 (h) The General Assembly may provide specifically by law  
7 for the exclusive exercise by the State of any power or  
8 function of a home rule unit other than a taxing power or a  
9 power or function specified in subsection (l) of this Section.

10 (i) Home rule units may exercise and perform concurrently  
11 with the State any power or function of a home rule unit to the  
12 extent that the General Assembly by law does not specifically  
13 limit the concurrent exercise or specifically declare the  
14 State's exercise to be exclusive.

15 (j) The General Assembly may limit by law the amount of  
16 debt which home rule counties may incur and may limit by law  
17 approved by three-fifths of the members elected to each house  
18 the amount of debt, other than debt payable from ad valorem  
19 property tax receipts, which home rule municipalities may  
20 incur.

21 (k) The General Assembly may limit by law the amount and  
22 require referendum approval of debt to be incurred by home  
23 rule municipalities, payable from ad valorem property tax  
24 receipts, only in excess of the following percentages of the  
25 assessed value of its taxable property: (1) if its population  
26 is 500,000 or more, an aggregate of three percent; (2) if its

1 population is more than 7,500 ~~25,000~~ and less than 500,000, an  
2 aggregate of one percent; and (3) if its population is 7,500  
3 ~~25,000~~ or less, an aggregate of one-half percent. Indebtedness  
4 which is outstanding on the effective date of this  
5 Constitution or which is thereafter approved by referendum or  
6 assumed from another unit of local government shall not be  
7 included in the foregoing percentage amounts.

8 (1) The General Assembly may not deny or limit the power of  
9 home rule units (1) to make local improvements by special  
10 assessment and to exercise this power jointly with other  
11 counties and municipalities, and other classes of units of  
12 local government having that power on the effective date of  
13 this Constitution unless that power is subsequently denied by  
14 law to any such other units of local government or (2) to levy  
15 or impose additional taxes upon areas within their boundaries  
16 in the manner provided by law for the provision of special  
17 services to those areas and for the payment of debt incurred in  
18 order to provide those special services.

19 (m) Powers and functions of home rule units shall be  
20 construed liberally.

21 (Source: Illinois Constitution.)

22 SCHEDULE

23 This Constitutional Amendment takes effect upon being  
24 declared adopted in accordance with Section 7 of the Illinois  
25 Constitutional Amendment Act.