



**103RD GENERAL ASSEMBLY**

**State of Illinois**

**2023 and 2024**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0013**

Introduced 3/30/2023, by Sen. Dan McConchie

**SYNOPSIS AS INTRODUCED:**

ILCON Art. III, Sec. 7  
ILCON Art. III, Sec. 9 new  
ILCON Art. III, Sec. 10 new

Proposes to amend the Suffrage and Elections Article of the Illinois Constitution. Establishes procedures for the recall of all State Executive Branch officers, members of the General Assembly, and local government officials. Currently, the Constitution only establishes procedures for the recall of the Governor. Effective upon being declared adopted.

LRB103 26934 AWJ 53298 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 Section 7 of Article III of the Illinois Constitution  
10 and to add Sections 9, 10, and 11 of Article III as follows:

11                                   ARTICLE III  
12                                   SUFFRAGE AND ELECTIONS

13                   (ILCON Art. III, Sec. 7)

14 SECTION 7. INITIATIVE TO RECALL EXECUTIVE OFFICERS ~~GOVERNOR~~

15           (a) To initiate the recall of any Executive Branch officer  
16 named in Section 1 of Article V, a petitioning elector shall  
17 file an affidavit with the State Board of Elections providing  
18 notice of intent to circulate a petition to recall an  
19 Executive Branch officer. The affidavit shall include: (1) a  
20 general statement of not more than 200 words naming the  
21 individual whose recall is sought and providing the grounds  
22 for which recall is sought; (2) a petition signed by a number  
23 of electors equal in number to at least 0.1% of the total votes

1 cast for Governor in the preceding gubernatorial election; and  
2 (3) the signature of the petitioning elector.

3 Upon acceptance of the petitioning elector's affidavit by  
4 the State Board of Elections, an additional ~~The recall of the~~  
5 ~~Governor may be proposed by a~~ petition signed by a number of  
6 electors equal in number to at least 12% ~~15%~~ of the total votes  
7 cast for Governor in the preceding gubernatorial election  
8 shall be completed. The, ~~with at least 100 signatures from~~  
9 ~~each of at least 25 separate counties. A~~ petition shall have  
10 been signed by the petitioning electors not more than 90 ~~150~~  
11 days after the ~~an~~ affidavit has been filed with the State Board  
12 of Elections providing notice of intent to circulate a  
13 petition to recall the Executive Branch officer ~~the Governor.~~  
14 The affidavit may be filed no sooner than 6 months after the  
15 beginning of the Executive Branch officer's ~~Governor's~~ term of  
16 office. If the State Board of Elections determines the  
17 petition is valid, the Executive Branch officer whose recall  
18 is sought may file a response of not more than 200 words with  
19 the State Board of Elections. The petitioning elector's  
20 general statement and the Executive Branch officer's response  
21 shall appear on the recall ballot. ~~The affidavit shall have~~  
22 ~~been signed by the proponent of the recall petition, at least~~  
23 ~~20 members of the House of Representatives, and at least 10~~  
24 ~~members of the Senate, with no more than half of the signatures~~  
25 ~~of members of each chamber from the same established political~~  
26 ~~party.~~

1           (b) The form of the affidavit, petitions, ~~petition,~~  
2           circulation, and procedure for determining the validity and  
3           sufficiency of a petition shall be as provided by law. If the  
4           petition is valid and sufficient, the State Board of Elections  
5           shall certify the petition not more than 100 days after the  
6           date the petition was filed, and the question "Shall (name) be  
7           recalled from the office of (office name) ~~Governor~~?" must be  
8           submitted to the electors at a special election called by the  
9           State Board of Elections, to occur not more than 90 ~~100~~ days  
10          after certification of the petition. ~~A recall petition~~  
11          ~~certified by the State Board of Elections may not be withdrawn~~  
12          ~~and another recall petition may not be initiated against the~~  
13          ~~Governor during the remainder of the current term of office.~~  
14          Any recall petition or recall election pending on the date of  
15          the next general election at which a candidate for the  
16          Executive Branch office for which recall is sought ~~Governor~~ is  
17          elected is moot.

18          ~~(c) If a petition to recall the Governor has been filed~~  
19          ~~with the State Board of Elections, a person eligible to serve~~  
20          ~~as Governor may propose his or her candidacy by a petition~~  
21          ~~signed by a number of electors equal in number to the~~  
22          ~~requirement for petitions for an established party candidate~~  
23          ~~for the office of Governor, signed by petitioning electors not~~  
24          ~~more than 50 days after a recall petition has been filed with~~  
25          ~~the State Board of Elections. The form of a successor election~~  
26          ~~petition, circulation, and procedure for determining the~~

1 ~~validity and sufficiency of a petition shall be as provided by~~  
2 ~~law. If the successor election petition is valid and~~  
3 ~~sufficient, the State Board of Elections shall certify the~~  
4 ~~petition not more than 100 days after the date the petition to~~  
5 ~~recall the Governor was filed. Names of candidates for~~  
6 ~~nomination to serve as the candidate of an established~~  
7 ~~political party must be submitted to the electors at a special~~  
8 ~~primary election, if necessary, called by the State Board of~~  
9 ~~Elections to be held at the same time as the special election~~  
10 ~~on the question of recall established under subsection (b).~~  
11 ~~Names of candidates for the successor election must be~~  
12 ~~submitted to the electors at a special successor election~~  
13 ~~called by the State Board of Elections, to occur not more than~~  
14 ~~60 days after the date of the special primary election or on a~~  
15 ~~date established by law.~~

16 (c) ~~(d)~~ The Executive Branch officer ~~Governor~~ is  
17 immediately removed upon certification of the recall election  
18 results if a three-fifths majority of the electors voting on  
19 the question vote to recall the Executive Branch officer  
20 ~~Governor~~. If the Executive Branch officer ~~Governor~~ is removed,  
21 the vacancy shall be filled as provided in Article V ~~then (i)~~  
22 ~~an Acting Governor determined under subsection (a) of Section~~  
23 ~~6 of Article V shall serve until the Governor elected at the~~  
24 ~~special successor election is qualified and (ii) the candidate~~  
25 ~~who receives the highest number of votes in the special~~  
26 ~~successor election is elected Governor for the balance of the~~

1 ~~term.~~

2 (d) An Executive Branch officer recalled under this  
3 Section is ineligible to serve in public office for 10 years  
4 following certification of the recall election.

5 (Source: Amendment adopted at general election November 2,  
6 2010.)

7 (ILCON Art. III, Sec. 9 new)

8 SECTION 9. INITIATIVE TO RECALL MEMBERS OF THE GENERAL  
9 ASSEMBLY

10 (a) To initiate the recall of a member of the General  
11 Assembly, a petitioning elector shall file an affidavit with  
12 the State Board of Elections providing notice of intent to  
13 circulate a petition to recall the member. The affidavit shall  
14 include: (1) a general statement of not more than 200 words  
15 naming the individual whose recall is sought and providing the  
16 grounds for which recall is sought; (2) a petition signed by a  
17 number of electors equal in number to at least 0.1% of the  
18 total votes cast for Governor in the preceding gubernatorial  
19 election within the Legislative District or Representative  
20 District in which the member of the General Assembly  
21 represents; and (3) the signature of the petitioning elector.  
22 The affidavit may be filed no sooner than 6 months after the  
23 beginning of the member's term of office.

24 Upon acceptance of the petitioning elector's affidavit by  
25 the State Board of Elections, an additional petition signed by

1 a number of electors equal in number to at least 12% of the  
2 total votes cast for Governor in the preceding gubernatorial  
3 election in the Legislative District or Representative  
4 District in which the member of the General Assembly  
5 represents shall be completed. The petition shall have been  
6 signed by the petitioning electors not more than 90 days after  
7 the affidavit has been filed with the State Board of Elections  
8 providing notice of intent to circulate a petition to recall  
9 the member. If the State Board of Elections determines the  
10 petition is valid, the member whose recall is sought may file a  
11 response of not more than 200 words with the State Board of  
12 Elections. The petitioning elector's general statement and the  
13 member's response shall appear on the recall ballot.

14 (b) The form of the affidavit, petitions, circulation, and  
15 procedure for determining the validity and sufficiency of a  
16 petition shall be as provided by law. If the petition is valid  
17 and sufficient, the State Board of Elections shall certify the  
18 petition not more than 100 days after the date the petition was  
19 filed, and the question "Shall (name) be recalled from the  
20 office of (office name)?" must be submitted, to the electors  
21 of the Legislative District or Representative District  
22 represented by the member of the General Assembly, at a  
23 special election called by the State Board of Elections to  
24 occur not more than 90 days after certification of the  
25 petition. Any recall petition or recall election pending on  
26 the date of the next general election at which a member of the

1 General Assembly for which recall is sought is elected is  
2 moot.

3 (c) The member of the General Assembly is immediately  
4 removed upon certification of the recall election results if a  
5 three-fifths majority of the electors voting on the question  
6 vote to recall the member. If the member is removed, the  
7 vacancy shall be filled as provided by Section 2 of Article IV.

8 (d) A member of the General Assembly recalled under this  
9 Section is ineligible to serve in public office for 10 years  
10 following certification of the recall election.

11 (ILCON Art. III, Sec. 10 new)

12 SECTION 10. INITIATIVE TO RECALL LOCAL GOVERNMENT OFFICIALS

13 (a) As used in this Section, "local government official"  
14 means an elected or appointed public official of a unit of  
15 local government, school district, or community college  
16 district.

17 (b) To initiate the recall of a local government official,  
18 a petitioning elector shall file an affidavit with the State  
19 Board of Elections providing notice of intent to circulate a  
20 petition to recall the official. The affidavit shall include:

21 (1) a general statement of not more than 200 words naming the  
22 individual whose recall is sought and providing the grounds  
23 for which recall is sought; (2) a petition signed by a number  
24 of electors equal in number to at least 0.1% of the total votes  
25 cast for Governor in the preceding gubernatorial election



1 within the unit of local government, school district, or  
2 community college district in which the official represents;  
3 and (3) the signature of the petitioning elector. The  
4 affidavit may be filed no sooner than 6 months after the  
5 beginning of the local government official's term of office.

6 Upon acceptance of the petitioning elector's affidavit by  
7 the State Board of Elections, an additional petition signed by  
8 a number of electors equal to a percentage of the total votes  
9 cast for Governor in the preceding gubernatorial election as  
10 determined by the population of the unit of local government,  
11 school district, or community college district in which the  
12 local government official represents as follows: for a  
13 jurisdiction of not more than 1,000 qualified electors, 30%;  
14 for a jurisdiction of more than 1,000 qualified electors but  
15 not more than 10,000 qualified electors, 25%; for a  
16 jurisdiction of more than 10,000 qualified electors but not  
17 more than 50,000 qualified electors, 20%; for a jurisdiction  
18 of more than 50,000 qualified electors but not more than  
19 100,000 qualified electors, 15%; for a jurisdiction of more  
20 than 100,000 qualified voters, 10%. The petition shall have  
21 been signed by the petitioning electors not more than 90 days  
22 after the affidavit has been filed with the State Board of  
23 Elections providing notice of intent to circulate a petition  
24 to recall the local government official. If the State Board of  
25 Elections determines the petition is valid, the local  
26 government official whose recall is sought may file a response

1 of not more than 200 words with the State Board of Elections.  
2 The petitioning elector's general statement and the local  
3 government official's response shall appear on the recall  
4 ballot.

5 (c) The form of the affidavit, petitions, circulation, and  
6 procedure for determining the validity and sufficiency of a  
7 petition shall be as provided by law. If the petition is valid  
8 and sufficient, the State Board of Elections shall certify the  
9 petition not more than 100 days after the date the petition was  
10 filed, and the question must be submitted to the electors of  
11 the unit of local government, school district, or community  
12 college district at a special election called by the State  
13 Board of Elections, to occur not more than 90 days after  
14 certification of the petition in substantially the following  
15 form:

16 "Should (official's name) be recalled from the position of  
17 (title of position)?

18 If (official's name) is recalled, which of the following  
19 candidates should replace (official's name)?  
20 (candidate or candidates to succeed the recalled official)."

21 Any recall petition or recall election pending on the date  
22 of the next general election at which a local government  
23 official for which recall is sought is elected is moot. The

1 form of the affidavit, petition, circulation, and procedure  
2 for candidates to replace the recalled official shall be  
3 provided by law.

4 (d) The local government official is immediately removed  
5 upon certification of the recall election results if a  
6 three-fifths majority of the electors voting on the question  
7 vote to recall the local government official. If the local  
8 government official is removed, the vacancy shall be filled as  
9 provided by law.

10 (e) A local government official recalled under this  
11 Section is ineligible to serve in public office for 10 years  
12 following certification of the recall election.

13

## SCHEDULE

14 This Constitutional Amendment takes effect upon being  
15 declared adopted in accordance with Section 7 of the Illinois  
16 Constitutional Amendment Act.