



Rep. Arthur L. Turner

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09300HB5818ham002

LRB093 17074 RAS 49999 a

1 AMENDMENT TO HOUSE BILL 5818

2 AMENDMENT NO. _____. Amend House Bill 5818 by replacing
3 the title with the following:

4 "AN ACT concerning elections."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Election Code is amended by changing
8 Section 28-1 and by adding Section 28-14 as follows:

9 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

10 Sec. 28-1. The initiation and submission of all public
11 questions to be voted upon by the electors of the State or of
12 any political subdivision or district or precinct or
13 combination of precincts shall be subject to the provisions of
14 this Article.

15 Questions of public policy which have any legal effect
16 shall be submitted to referendum only as authorized by a
17 statute which so provides or by the Constitution. Advisory
18 questions of public policy shall be submitted to referendum
19 pursuant to Section 28-5 or pursuant to a statute which so
20 provides.

21 The method of initiating the submission of a public
22 question shall be as provided by the statute authorizing such

1 public question, or as provided by the Constitution.

2 All public questions shall be initiated, submitted and
3 printed on the ballot in the form required by Section 16-7 of
4 this Act, except as may otherwise be specified in the statute
5 authorizing a public question.

6 Whenever a statute provides for the initiation of a public
7 question by a petition of electors, the provisions of such
8 statute shall govern with respect to the number of signatures
9 required, the qualifications of persons entitled to sign the
10 petition, the contents of the petition, the officer with whom
11 the petition must be filed, and the form of the question to be
12 submitted. If such statute does not specify any of the
13 foregoing petition requirements, the corresponding petition
14 requirements of Section 28-6 shall govern such petition.

15 Irrespective of the method of initiation, not more than 3
16 public questions other than (a) back door referenda, (b)
17 referenda to determine whether a disconnection may take place
18 where a city coterminous with a township is proposing to annex
19 territory from an adjacent township, (c) referenda held under
20 the provisions of the Property Tax Extension Limitation Law in
21 the Property Tax Code, or (d) referenda held under Section
22 2-3002 of the Counties Code may be submitted to referendum with
23 respect to a political subdivision at the same election.

24 If more than 3 propositions are timely initiated or
25 certified for submission at an election with respect to a
26 political subdivision, the first 3 validly initiated, by the
27 filing of a petition or by the adoption of a resolution or
28 ordinance of a political subdivision, as the case may be, shall
29 be printed on the ballot and submitted at that election.
30 However, except as expressly authorized by law not more than
31 one proposition to change the form of government of a
32 municipality pursuant to Article VII of the Constitution may be
33 submitted at an election. If more than one such proposition is
34 timely initiated or certified for submission at an election

1 with respect to a municipality, the first validly initiated
2 shall be the one printed on the ballot and submitted at that
3 election.

4 No public question shall be submitted to the voters of a
5 political subdivision at any regularly scheduled election at
6 which such voters are not scheduled to cast votes for any
7 candidates for nomination for, election to or retention in
8 public office, except that if, in any existing or proposed
9 political subdivision in which the submission of a public
10 question at a regularly scheduled election is desired, the
11 voters of only a portion of such existing or proposed political
12 subdivision are not scheduled to cast votes for nomination for,
13 election to or retention in public office at such election, but
14 the voters in one or more other portions of such existing or
15 proposed political subdivision are scheduled to cast votes for
16 nomination for, election to or retention in public office at
17 such election, the public question shall be voted upon by all
18 the qualified voters of the entire existing or proposed
19 political subdivision at the election.

20 Not more than 3 advisory public questions may be submitted
21 to the voters of the entire state at a general election. If
22 more than 3 such advisory propositions are initiated, the first
23 3 timely and validly initiated shall be the questions printed
24 on the ballot and submitted at that election; provided however,
25 that a question for a proposed amendment to Article IV of the
26 Constitution pursuant to Section 3, Article XIV of the
27 Constitution, ~~or for~~ a question submitted under the Property
28 Tax Cap Referendum Law, or a question submitted under Section
29 28-14 of this Code shall not be included in the foregoing
30 limitation.

31 (Source: P.A. 93-308, eff. 7-23-03.)

32 (10 ILCS 5/28-14 new)

33 Sec. 28-14. Treatment-on-demand referendum.

1 (a) An advisory referendum on the following question shall
2 be held in every county at the general election in 2004:

3 "Shall the Illinois State Government provide adequate
4 funding for comprehensive and appropriate substance abuse
5 treatment for any Illinois State resident requesting services
6 from a licensed provider, community-based organization, or
7 medical care facility within the State?".

8 Votes shall be recorded as "Yes" or "No".

9 (b) The State Board of Elections shall certify the question
10 to the proper election officials who shall submit the question
11 in accordance with the general election law.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.".