

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
4 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
5 SENATE CONCURRING HEREIN, that there shall be submitted to
6 the electors of the State for adoption or rejection at the
7 general election next occurring at least 6 months after the
8 adoption of this resolution a proposition to amend Sections
9 1, 2, and 3 of Article IV and Section 1 of Article XIV of the
10 Illinois Constitution as follows:

11 ARTICLE IV
12 THE LEGISLATURE

13 (ILCON Art. IV, Sec. 1)

14 SECTION 1. LEGISLATURE - POWER AND STRUCTURE

15 The legislative power is vested in a General Assembly
16 consisting of a Senate and a House of Representatives,
17 elected by the electors from 59 Senatorial Legislative
18 Districts and 119 ~~118~~ Representative Districts.

19 (Source: Amendment adopted at general election November 4,
20 1980.)

21 (ILCON Art. IV, Sec. 2)

22 SECTION 2. LEGISLATIVE COMPOSITION

23 (a) One Senator shall be elected from each Senatorial
24 Legislative District. Immediately following each decennial
25 redistricting, the General Assembly by law shall divide the
26 Senatorial Legislative Districts as equally as possible into
27 three groups. Senators from one group shall be elected for
28 terms of four years, four years and two years; Senators from
29 the second group, for terms of four years, two years and four
30 years; and Senators from the third group, for terms of two
31 years, four years and four years. The Senatorial Legislative

1 Districts in each group shall be distributed substantially
2 equally over the State.

3 (b) ~~Each Legislative District shall be divided into two~~
4 ~~Representative Districts. In 1982 and every two years~~
5 thereafter One Representative shall be elected from each
6 Representative District for a term of two years.

7 (c) To be eligible to serve as a member of the General
8 Assembly, a person must be a United States citizen, at least
9 21 years old, and for the two years preceding his election or
10 appointment a resident of the district which he is to
11 represent. In the general election following a redistricting,
12 a candidate for the General Assembly may be elected from any
13 district which contains a part of the district in which he
14 resided at the time of the redistricting and reelected if a
15 resident of the new district he represents for 18 months
16 prior to reelection.

17 (d) Within thirty days after a vacancy occurs, it shall
18 be filled by appointment as provided by law. If the vacancy
19 is in a Senatorial office with more than twenty-eight months
20 remaining in the term, the appointed Senator shall serve
21 until the next general election, at which time a Senator
22 shall be elected to serve for the remainder of the term. If
23 the vacancy is in a Representative office or in any other
24 Senatorial office, the appointment shall be for the remainder
25 of the term. An appointee to fill a vacancy shall be a member
26 of the same political party as the person he succeeds.

27 (e) No member of the General Assembly shall receive
28 compensation as a public officer or employee from any other
29 governmental entity for time during which he is in attendance
30 as a member of the General Assembly.

31 No member of the General Assembly during the term for
32 which he was elected or appointed shall be appointed to a
33 public office which shall have been created or the
34 compensation for which shall have been increased by the

1 General Assembly during that term.

2 (Source: Amendment adopted at general election November 4,
3 1980.)

4 (ILCON Art. IV, Sec. 3)

5 SECTION 3. LEGISLATIVE REDISTRICTING

6 (a) Senatorial Legislative Districts shall be compact,
7 contiguous and substantially equal in population.
8 Representative Districts shall be compact, contiguous, and
9 substantially equal in population. A Representative District
10 need not be entirely within a single Senatorial District.

11 (b) By April 15 of the year following each Federal
12 decennial census year, the State Board of Elections, by a
13 record vote of a majority of the total number of members
14 authorized by law as provided in Section 5 of Article III,
15 shall designate a computer program for redistricting the
16 Senate and House of Representatives that meets the
17 requirements of this Section. The designation shall include
18 detailed specifications of the computer program.

19 Any computer program designated by the State Board of
20 Elections under this Section shall embody the following
21 standards and criteria, as defined by Common Law, in this
22 order of priority:

- 23 (1) contiguity;
- 24 (2) substantial equality of population;
- 25 (3) compactness;
- 26 (4) minimization of the number of districts that
27 cross county or municipal boundaries; and
- 28 (5) a fair reflection of minority voting strength.

29 Any computer program designated by the State Board of
30 Elections under this Section shall not consider the following
31 data:

- 32 (1) residency of incumbent legislators;
- 33 (2) political affiliations of registered voters;

1 (3) previous election results; and

2 (4) demographic information not required to be used
3 by this Section or by the United States Constitution or
4 federal law.

5 Except as specified in this Section, the computer program
6 shall produce districts in a random manner.

7 The Senate, by resolution adopted by a record vote of
8 three-fifths of the members elected, may by June 15 of that
9 year designate a different computer program for redistricting
10 the Senate. The House of Representatives, by a resolution
11 adopted by a record vote of three-fifths of the members
12 elected, may by June 15 of that year designate a different
13 computer program for redistricting the House of
14 Representatives.

15 (c) ~~(b)~~ In the year following each Federal decennial
16 census year, (i) the Senate, by resolution adopted by a
17 record vote of three-fifths of the members elected, General
18 Assembly-by-law shall redistrict the Senatorial Legislative
19 Districts and (ii) the House of Representatives, by
20 resolution adopted by a record vote of three-fifths of the
21 members elected, shall redistrict the Representative
22 Districts. Each adopted redistricting resolution shall be
23 filed with the Secretary of State by the presiding officer of
24 the house that adopted the resolution.

25 (d) If a Senatorial or Representative redistricting
26 resolution is not adopted and effective by June 15 of that
27 year, the State Board of Elections, as soon thereafter as is
28 practicable, shall produce a Senatorial or Representative
29 redistricting plan, or both as the case may be, through the
30 use of the computer program designated by the affected
31 chamber, if it made a designation under subsection (b), or
32 else through the use of the computer program designated by
33 the State Board of Elections under that subsection. The
34 State Board of Elections shall file the redistricting plan

1 with the Secretary of State.

2 If no redistricting plan becomes effective by June 30 of
3 that year, a Legislative Redistricting Commission shall be
4 constituted not later than July 10. The Commission shall
5 consist of eight members, no more than four of whom shall be
6 members of the same political party. The Speaker and Minority
7 Leader of the House of Representatives shall each appoint to
8 the Commission one Representative and one person who is not a
9 member of the General Assembly. The President and Minority
10 Leader of the Senate shall each appoint to the Commission one
11 Senator and one person who is not a member of the General
12 Assembly. The members shall be certified to the Secretary of
13 State by the appointing authorities. A vacancy on the
14 Commission shall be filled within five days by the authority
15 that made the original appointment. A Chairman and Vice
16 Chairman shall be chosen by a majority of all members of the
17 Commission. Not later than August 10, the Commission shall
18 file with the Secretary of State a redistricting plan
19 approved by at least five members.

20 If the Commission fails to file an approved redistricting
21 plan, the Supreme Court shall submit the names of two
22 persons, not of the same political party, to the Secretary of
23 State not later than September 1.

24 Not later than September 5, the Secretary of State
25 publicly shall draw by random selection the name of one of
26 the two persons to serve as the ninth member of the
27 Commission.

28 Not later than October 5, the Commission shall file with
29 the Secretary of State a redistricting plan approved by at
30 least five members.

31 (e) A An approved redistricting plan, adopted by
32 redistricting resolution or produced by the State Board of
33 Elections, that is filed with the Secretary of State shall be
34 presumed valid, shall have the same force and effect as a of

1 law, and shall be published promptly by the Secretary of
2 State.

3 (f) The Supreme Court shall have original and exclusive
4 jurisdiction over actions concerning redistricting the House
5 and Senate, ~~which shall be initiated in the name of the~~
6 ~~People of the State by the Attorney General.~~

7 (Source: Amendment adopted at general election November 4,
8 1980.)

9 ARTICLE XIV

10 CONSTITUTIONAL REVISION

11 (ILCON Art. XIV, Sec. 1)

12 SECTION 1. CONSTITUTIONAL CONVENTION

13 (a) Whenever three-fifths of the members elected to each
14 house of the General Assembly so direct, the question of
15 whether a Constitutional Convention should be called shall be
16 submitted to the electors at the general election next
17 occurring at least six months after such legislative
18 direction.

19 (b) If the question of whether a Convention should be
20 called is not submitted during any twenty-year period, the
21 Secretary of State shall submit such question at the general
22 election in the twentieth year following the last submission.

23 (c) The vote on whether to call a Convention shall be on
24 a separate ballot. A Convention shall be called if approved
25 by three-fifths of those voting on the question or a majority
26 of those voting in the election.

27 (d) The General Assembly, at the session following
28 approval by the electors, by law shall provide for the
29 Convention and for the election of two delegates from each
30 Senatorial Legislative District; designate the time and place
31 of the Convention's first meeting which shall be within three
32 months after the election of delegates; fix and provide for

1 the pay of delegates and officers; and provide for expenses
2 necessarily incurred by the Convention.

3 (e) To be eligible to be a delegate a person must meet
4 the same eligibility requirements as a member of the General
5 Assembly. Vacancies shall be filled as provided by law.

6 (f) The Convention shall prepare such revision of or
7 amendments to the Constitution as it deems necessary. Any
8 proposed revision or amendments approved by a majority of the
9 delegates elected shall be submitted to the electors in such
10 manner as the Convention determines, at an election
11 designated or called by the Convention occurring not less
12 than two nor more than six months after the Convention's
13 adjournment. Any revision or amendments proposed by the
14 Convention shall be published with explanations, as the
15 Convention provides, at least one month preceding the
16 election.

17 (g) The vote on the proposed revision or amendments
18 shall be on a separate ballot. Any proposed revision or
19 amendments shall become effective, as the Convention
20 provides, if approved by a majority of those voting on the
21 question.

22 (Source: Illinois Constitution.)

23 SCHEDULE

24 This Constitutional Amendment takes effect beginning with
25 redistricting in 2011 and applies to the election of members
26 of the General Assembly in 2012 and thereafter.