



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

**SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT**

SC0037

Introduced 4/13/2005, by Sen. Richard J. Winkel, Jr.

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 1
ILCON Art. IV, Sec. 2
ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Beginning with members elected in 2008, changes the House of Representatives from a 118-member body elected from 118 districts to a 117-member body elected from 39 districts of 3 members each. Prohibits a political party from limiting its nominations to less than 3 candidates in a Representative District. Permits a voter to cast 3 votes among one, 2, or 3 candidates for Representative. Requires the Representative Districts to be redistricted in 2007 in the same manner as decennial redistricting of Legislative and Representative Districts. Effective upon being declared adopted and applies to the election of Representatives in 2008 and thereafter.

LRB094 11643 JAM 42978 e

1 SENATE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

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

10 ARTICLE IV
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 1)

13 SECTION 1. LEGISLATURE - POWER AND STRUCTURE

14 The legislative power is vested in a General Assembly
15 consisting of a Senate and a House of Representatives, elected
16 by the electors from 59 Legislative Districts and 39 ~~418~~
17 Representative Districts.

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

20 (ILCON Art. IV, Sec. 2)

21 SECTION 2. LEGISLATIVE COMPOSITION

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

32 (b) In 2008 and every two years thereafter, three

1 ~~Representatives~~ ~~Each Legislative District shall be divided~~
2 ~~into two Representative Districts. In 1982 and every two years~~
3 ~~thereafter one Representative~~ shall be elected from each
4 Representative District for a term of two years. No political
5 party shall limit its nominations to less than three candidates
6 for Representatives in any Representative District. In
7 elections for Representatives, including those for nomination,
8 each elector may cast three votes for one candidate or
9 distribute them equally among no more than three candidates.
10 The candidates highest in votes shall be declared elected.

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

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

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

35 No member of the General Assembly during the term for which
36 he was elected or appointed shall be appointed to a public

1 office which shall have been created or the compensation for
2 which shall have been increased by the General Assembly during
3 that term.

4 (Source: Amendment adopted at general election November 4,
5 1980.)

6 (ILCON Art. IV, Sec. 3)

7 SECTION 3. LEGISLATIVE REDISTRICTING

8 (a) Legislative Districts shall be compact, contiguous and
9 substantially equal in population. Representative Districts
10 shall be compact, contiguous, and substantially equal in
11 population.

12 (b) In 2007, the General Assembly by law shall redistrict
13 the Representative Districts using the 2000 Federal decennial
14 census. Thereafter, in the year following each Federal
15 decennial census year, the General Assembly by law shall
16 redistrict the Legislative Districts and the Representative
17 Districts.

18 If no redistricting plan becomes effective by June 30 of
19 that year, a Legislative Redistricting Commission shall be
20 constituted not later than July 10. The Commission shall
21 consist of eight members, no more than four of whom shall be
22 members of the same political party.

23 The Speaker and Minority Leader of the House of
24 Representatives shall each appoint to the Commission one
25 Representative and one person who is not a member of the
26 General Assembly. The President and Minority Leader of the
27 Senate shall each appoint to the Commission one Senator and one
28 person who is not a member of the General Assembly.

29 The members shall be certified to the Secretary of State by
30 the appointing authorities. A vacancy on the Commission shall
31 be filled within five days by the authority that made the
32 original appointment. A Chairman and Vice Chairman shall be
33 chosen by a majority of all members of the Commission.

34 Not later than August 10, the Commission shall file with
35 the Secretary of State a redistricting plan approved by at

1 least five members.

2 If the Commission fails to file an approved redistricting
3 plan, the Supreme Court shall submit the names of two persons,
4 not of the same political party, to the Secretary of State not
5 later than September 1.

6 Not later than September 5, the Secretary of State publicly
7 shall draw by random selection the name of one of the two
8 persons to serve as the ninth member of the Commission.

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

12 An approved redistricting plan filed with the Secretary of
13 State shall be presumed valid, shall have the force and effect
14 of law and shall be published promptly by the Secretary of
15 State.

16 The Supreme Court shall have original and exclusive
17 jurisdiction over actions concerning redistricting the House
18 and Senate, which shall be initiated in the name of the People
19 of the State by the Attorney General.

20 (Source: Amendment adopted at general election November 4,
21 1980.)

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 and applies to the election of
26 Representatives in 2008 and thereafter.