



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1451

Introduced 2/21/2007, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

10 ILCS 5/28-6

from Ch. 46, par. 28-6

Amends the Election Code. Authorizes the submission of public questions to voters in less than all precincts of a municipality of any size (now, more than 1,000,000 population).

LRB095 04396 JAM 24441 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 28-6 as follows:

6 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)
7 Sec. 28-6. Petitions; filing.

8 (a) On a written petition signed by a number of voters
9 equal to at least 8% of the votes cast for candidates for
10 Governor in the preceding gubernatorial election by the
11 registered voters of the municipality, township, county or
12 school district it shall be the duty of the proper election
13 officers to submit any question of public policy so petitioned
14 for, to the electors of such political subdivision at any
15 regular election named in the petition at which an election is
16 scheduled to be held throughout such political subdivision
17 under Article 2A. Such petitions shall be filed with the local
18 election official of the political subdivision or election
19 authority, as the case may be. Where such a question is to be
20 submitted to the voters of a municipality which has adopted
21 Article 6, or a township or school district located entirely
22 within the jurisdiction of a municipal board of election
23 commissioners, such petitions shall be filed with the board of

1 election commissioners having jurisdiction over the political
2 subdivision.

3 (b) In a municipality ~~with more than 1,000,000 inhabitants,~~
4 when a question of public policy exclusively concerning a
5 contiguous territory included entirely within but not
6 coextensive with the municipality is initiated by resolution or
7 ordinance of the corporate authorities of the municipality, or
8 by a petition which may be signed by registered voters who
9 reside in any part of any precinct all or part of which
10 includes all or part of the territory and who equal in number
11 at least 8% of the total votes cast for candidates for Governor
12 in the preceding gubernatorial election by the total number of
13 registered voters of the precinct or precincts the registered
14 voters of which are eligible to sign the petition, it shall be
15 the duty of the election authority having jurisdiction over
16 such municipality to submit such question to the electors
17 throughout each precinct all or part of which includes all or
18 part of the territory at the regular election specified in the
19 resolution, ordinance or petition initiating the public
20 question. A petition initiating a public question described in
21 this subsection shall be filed with the election authority
22 having jurisdiction over the municipality. A resolution,
23 ordinance or petition initiating a public question described in
24 this subsection shall specify the election at which the
25 question is to be submitted.

26 (c) Local questions of public policy authorized by this

1 Section and statewide questions of public policy authorized by
2 Section 28-9 shall be advisory public questions, and no legal
3 effects shall result from the adoption or rejection of such
4 propositions.

5 (d) This Section does not apply to a petition filed
6 pursuant to Article IX of the Liquor Control Act of 1934.

7 (Source: P.A. 93-574, eff. 8-21-03.)