



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5112

by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

10 ILCS 5/28-6

from Ch. 46, par. 28-6

Amends the Election Code. Makes the minimum petition signature requirement for local public questions 6% of the total votes cast for all gubernatorial candidates at the most recent gubernatorial election by the voters of the political subdivision (now, 8% of such votes with respect to questions at elections in 2008 and, with respect to questions at elections in 2009 and later, 11% of the total ballots cast by voters in the political subdivision at the most recent regular election).

LRB095 17249 JAM 43309 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 ~~(i) through the general election in 2008,~~ at least 6%
10 ~~8%~~ of the total votes cast for candidates for Governor in the
11 preceding gubernatorial election by the registered voters of
12 the municipality, township, county or school district ~~and (ii)~~
13 ~~beginning with elections in 2009 and thereafter, at least 11%~~
14 ~~of the total ballots cast by the registered voters of the~~
15 ~~municipality, township, county, or school district in the last~~
16 ~~regular election conducted in the municipality, township,~~
17 ~~county, or school district,~~ it shall be the duty of the proper
18 election officers to submit any question of public policy so
19 petitioned for, to the electors of such political subdivision
20 at any regular election named in the petition at which an
21 election is scheduled to be held throughout such political
22 subdivision under Article 2A. Such petitions shall be filed
23 with the local election official of the political subdivision

1 or election authority, as the case may be. Where such a
2 question is to be submitted to the voters of a municipality
3 which has adopted Article 6, or a township or school district
4 located entirely within the jurisdiction of a municipal board
5 of election commissioners, such petitions shall be filed with
6 the board of election commissioners having jurisdiction over
7 the political subdivision.

8 (b) In a municipality with more than 1,000,000 inhabitants,
9 when a question of public policy exclusively concerning a
10 contiguous territory included entirely within but not
11 coextensive with the municipality is initiated by resolution or
12 ordinance of the corporate authorities of the municipality, or
13 by a petition which may be signed by registered voters who
14 reside in any part of any precinct all or part of which
15 includes all or part of the territory and who equal in number
16 ~~(i) through the general election in 2008~~ at least 6% ~~8%~~ of the
17 total votes cast for candidates for Governor in the preceding
18 gubernatorial election by the voters of the precinct or
19 precincts in the territory where the question is to be
20 submitted to the voters ~~and (ii) beginning with elections in~~
21 ~~2009 and thereafter, at least 11% of the total ballots cast at~~
22 ~~the last regular election conducted in the precinct or~~
23 ~~precincts in the territory where the question is to be~~
24 ~~submitted to the voters,~~ it shall be the duty of the election
25 authority having jurisdiction over such municipality to submit
26 such question to the electors throughout each precinct all or

1 part of which includes all or part of the territory at the
2 regular election specified in the resolution, ordinance or
3 petition initiating the public question. A petition initiating
4 a public question described in this subsection shall be filed
5 with the election authority having jurisdiction over the
6 municipality. A resolution, ordinance or petition initiating a
7 public question described in this subsection shall specify the
8 election at which the question is to be submitted.

9 (c) Local questions of public policy authorized by this
10 Section and statewide questions of public policy authorized by
11 Section 28-9 shall be advisory public questions, and no legal
12 effects shall result from the adoption or rejection of such
13 propositions.

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

16 (Source: P.A. 95-699, eff. 11-9-07.)