



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**HOUSE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**HC0038**

Introduced 2/15/2008, by Rep. Mike Boland

**SYNOPSIS AS INTRODUCED:**

- ILCON Art. IV, Sec. 1
- ILCON Art. IV, Sec. 2
- ILCON Art. IV, Sec. 3
- ILCON Art. IV, Sec. 5
- ILCON Art. IV, Sec. 6
- ILCON Art. IV, Sec. 7
- ILCON Art. IV, Sec. 8
- ILCON Art. IV, Sec. 9
- ILCON Art. IV, Sec. 10
- ILCON Art. IV, Sec. 12
- ILCON Art. IV, Sec. 14
- ILCON Art. IV, Sec. 15 rep.
- ILCON Art. V, Sec. 9
- ILCON Art. V, Sec. 11
- ILCON Art. VII, Sec. 6
- ILCON Art. VIII, Sec. 3
- ILCON Art. IX, Sec. 9
- ILCON Art. XIII, Sec. 8
- ILCON Art. XIV, Sec. 1
- ILCON Art. XIV, Sec. 2
- ILCON Art. XIV, Sec. 4

Proposes to amend the Legislature Article of the Illinois Constitution. Changes the State's legislature to a unicameral General Assembly composed of 177 members. Provides that the members, beginning in 2012, are elected from single-member districts for staggered 4-year and 2-year terms. Provides for a Presiding Officer and a Minority Leader. Makes conforming changes in other Articles of the Illinois Constitution. Effective upon being declared adopted and applies beginning with the 96th General Assembly.

1 HOUSE JOINT RESOLUTION  
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
4 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
5 SENATE 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 the Illinois  
9 Constitution by changing Sections 1, 2, 3, 5, 6, 7, 8, 9, 10,  
10 12, 14, and 15 of Article IV, Sections 9 and 11 of Article V,  
11 Section 6 of Article VII, Section 3 of Article VIII, Section 9  
12 of Article IX, Section 8 of Article XIII, and Sections 1, 2,  
13 and 4 of Article XIV as follows:

14 ARTICLE IV  
15 THE LEGISLATURE

16 (ILCON Art. IV, Sec. 1)

17 SECTION 1. LEGISLATURE - POWER AND STRUCTURE

18 The legislative power is vested in a General Assembly  
19 consisting of 177 Lawmakers ~~a Senate and a House of~~  
20 ~~Representatives~~, elected by the electors from 59 Legislative  
21 Districts and 118 Representative Districts until 2012 and from

1 177 Legislative Districts beginning in 2012.

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

4 (ILCON Art. IV, Sec. 2)

5 SECTION 2. LEGISLATIVE COMPOSITION

6 (a) Until 2012, one Lawmaker shall be elected from each of  
7 59 Legislative Districts. Beginning in 2012, one Lawmaker ~~One~~  
8 Senator shall be elected from each of 177 Legislative Districts  
9 District. Immediately following each decennial redistricting,  
10 the General Assembly by law shall divide the Legislative  
11 Districts as equally as possible into three groups. Lawmakers  
12 Senators from one group shall be elected for terms of four  
13 years, four years and two years; Lawmakers Senators from the  
14 second group, for terms of four years, two years and four  
15 years; and Lawmakers Senators from the third group, for terms  
16 of two years, four years and four years. The Legislative  
17 Districts in each group shall be distributed substantially  
18 equally over the State.

19 (b) Until 2011, each ~~Each~~ Legislative District shall be  
20 divided into two Representative Districts. In 2008 and 2010,  
21 one Lawmaker ~~1982 and every two years thereafter one~~  
22 ~~Representative~~ shall be elected from each Representative  
23 District for a term of two years.

24 (c) To be eligible to serve as a member of the General

1 Assembly, a person must be a United States citizen, at least 21  
2 years old, and for the two years preceding his or her election  
3 or appointment a resident of the district which he or she is to  
4 represent. In the general election following a redistricting, a  
5 candidate for the General Assembly may be elected from any  
6 district which contains a part of the district in which he or  
7 she resided at the time of the redistricting and reelected if a  
8 resident of the new district he or she represents for 18 months  
9 prior to reelection.

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

21 (e) No member of the General Assembly shall receive  
22 compensation as a public officer or employee from any other  
23 governmental entity for time during which he or she is in  
24 attendance as a member of the General Assembly.

25 No member of the General Assembly during the term for which  
26 he or she was elected or appointed shall be appointed to a

1 public office which shall have been created or the compensation  
2 for which shall have been increased by the General Assembly  
3 during 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 the year following each Federal decennial census  
13 year, the General Assembly by law shall redistrict the  
14 Legislative Districts ~~and the Representative Districts.~~

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

20 The Presiding Officer ~~Speaker~~ and Minority Leader of the  
21 General Assembly ~~House of Representatives~~ shall each appoint to  
22 the Commission two Lawmakers and two persons who are not  
23 members ~~one Representative and one person who is not a member~~  
24 of the General Assembly. ~~The President and Minority Leader of~~

1 ~~the Senate shall each appoint to the Commission one Senator and~~  
2 ~~one person who is not a member of the General Assembly.~~

3 The members shall be certified to the Secretary of State by  
4 the appointing authorities. A vacancy on the Commission shall  
5 be filled within five days by the authority that made the  
6 original appointment. A Chairman and Vice Chairman shall be  
7 chosen by a majority of all members of the Commission.

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

11 If the Commission fails to file an approved redistricting  
12 plan, the Supreme Court shall submit the names of two persons,  
13 not of the same political party, to the Secretary of State not  
14 later than September 1.

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

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

21 An approved redistricting plan filed with the Secretary of  
22 State shall be presumed valid, shall have the force and effect  
23 of law and shall be published promptly by the Secretary of  
24 State.

25 The Supreme Court shall have original and exclusive  
26 jurisdiction over actions concerning redistricting the General

1 ~~Assembly House and Senate~~, which shall be initiated in the name  
2 of the People of the State by the Attorney General.

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

5 (ILCON Art. IV, Sec. 5)

6 SECTION 5. SESSIONS

7 (a) The General Assembly shall convene each year on the  
8 second Wednesday of January. The General Assembly shall be a  
9 continuous body during the period from the second Wednesday of  
10 January in an odd-numbered year through the Tuesday immediately  
11 preceding the second Wednesday of January in the next  
12 odd-numbered year ~~term for which members of the House of~~  
13 ~~Representatives are elected.~~

14 (b) The Governor may convene the General Assembly ~~or the~~  
15 ~~Senate alone~~ in special session by a proclamation stating the  
16 purpose of the session; and only business encompassed by such  
17 purpose, together with any impeachments or confirmation of  
18 appointments shall be transacted. Special sessions of the  
19 General Assembly may also be convened by ~~joint~~ proclamation of  
20 the Presiding Officer of the General Assembly ~~presiding~~  
21 ~~officers of both houses~~, issued as provided by law.

22 (c) Sessions of ~~each house of~~ the General Assembly and  
23 meetings of committees, ~~joint committees~~ and legislative  
24 commissions shall be open to the public. Sessions and committee

1 and legislative commission meetings ~~of a house~~ may be closed to  
2 the public if two-thirds of the members elected to the General  
3 Assembly ~~that house~~ determine that the public interest so  
4 requires; ~~and meetings of joint committees and legislative~~  
5 ~~commissions may be so closed if two thirds of the members~~  
6 ~~elected to each house so determine.~~

7 (Source: Illinois Constitution.)

8 (ILCON Art. IV, Sec. 6)

9 SECTION 6. ORGANIZATION

10 (a) A majority of the members elected to the General  
11 Assembly ~~each house~~ constitutes a quorum.

12 (b) On the first day of the January session of the General  
13 Assembly in odd-numbered years, ~~the Secretary of State shall~~  
14 ~~convene the House of Representatives to elect from its~~  
15 ~~membership a Speaker of the House of Representatives as~~  
16 ~~presiding officer, and the Governor shall convene the General~~  
17 Assembly ~~Senate~~ to elect from its membership a Presiding  
18 Officer ~~President of the Senate as presiding officer.~~

19 (c) For purposes of powers of appointment conferred by this  
20 Constitution, the Minority Leader of the General Assembly  
21 ~~either house~~ is a member of the numerically strongest political  
22 party other than the party to which the Presiding Officer  
23 ~~Speaker or the President~~ belongs, ~~as the case may be.~~

24 (d) The General Assembly ~~Each house~~ shall determine the



1 rules of its proceedings, judge the elections, returns and  
2 qualifications of its members and choose its officers. No  
3 member shall be expelled by the General Assembly ~~either house,~~  
4 except by a vote of two-thirds of the members elected ~~to that~~  
5 ~~house~~. A member may be expelled only once for the same offense.  
6 The General Assembly ~~Each house~~ may punish by imprisonment any  
7 person, not a member, guilty of disrespect to the General  
8 Assembly ~~house~~ by disorderly or contemptuous behavior in its  
9 presence. Imprisonment shall not extend beyond twenty-four  
10 hours at one time unless the person persists in disorderly or  
11 contemptuous behavior.

12 (Source: Illinois Constitution.)

13 (ILCON Art. IV, Sec. 7)

14 SECTION 7. TRANSACTION OF BUSINESS

15 (a) Committees of the General Assembly ~~each house, joint~~  
16 ~~committees of the two houses~~ and legislative commissions shall  
17 give reasonable public notice of meetings, including a  
18 statement of subjects to be considered.

19 (b) The General Assembly ~~Each house~~ shall keep a journal of  
20 its proceedings and a transcript of its debates. The journal  
21 shall be published and the transcript shall be available to the  
22 public.

23 (c) The General Assembly ~~Either house~~ or any committee  
24 thereof as provided by law may compel by subpoena the

1 attendance and testimony of witnesses and the production of  
2 books, records and papers.

3 (Source: Illinois Constitution.)

4 (ILCON Art. IV, Sec. 8)

5 SECTION 8. PASSAGE OF BILLS

6 (a) The enacting clause of the laws of this State shall be:  
7 "Be it enacted by the People of the State of Illinois,  
8 represented in the General Assembly."

9 (b) The General Assembly shall enact laws only by bill.  
10 ~~Bills may originate in either house, but may be amended or~~  
11 ~~rejected by the other.~~

12 (c) No bill shall become a law without the concurrence of a  
13 majority of the members elected ~~to each house~~. Final passage of  
14 a bill shall be by record vote. ~~At In the Senate at the request~~  
15 ~~of two members, and in the House at the request of seven ~~five~~~~  
16 members, a record vote may be taken on any other occasion. A  
17 record vote is a vote by yeas and nays entered on the journal.

18 (d) A bill shall be read by title on three different days  
19 in the General Assembly ~~each house~~. A bill and each amendment  
20 thereto shall be reproduced and placed on the desk of each  
21 member before final passage.

22 Bills, except bills for appropriations and for the  
23 codification, revision or rearrangement of laws, shall be  
24 confined to one subject. Appropriation bills shall be limited

1 to the subject of appropriations.

2 A bill expressly amending a law shall set forth completely  
3 the sections amended.

4 The Presiding Officer ~~Speaker of the House of~~  
5 ~~Representatives and the President of the Senate~~ shall sign each  
6 bill that passes the General Assembly ~~both houses~~ to certify  
7 that the procedural requirements for passage have been met.

8 (Source: Illinois Constitution.)

9 (ILCON Art. IV, Sec. 9)

10 SECTION 9. VETO PROCEDURE

11 (a) Every bill passed by the General Assembly shall be  
12 presented to the Governor within 30 calendar days after its  
13 passage. The foregoing requirement shall be judicially  
14 enforceable. If the Governor approves the bill, he or she shall  
15 sign it and it shall become law.

16 (b) If the Governor does not approve the bill, he or she  
17 shall veto it by returning it with his or her objections to the  
18 General Assembly ~~house in which it originated~~. Any bill not so  
19 returned by the Governor within 60 calendar days after it is  
20 presented to him or her shall become law. If recess or  
21 adjournment of the General Assembly prevents the return of a  
22 bill, the bill and the Governor's objections shall be filed  
23 with the Secretary of State within such 60 calendar days. The  
24 Secretary of State shall return the bill and objections to the

1 General Assembly ~~originating house~~ promptly upon the next  
2 meeting of the same General Assembly at which the bill can be  
3 considered.

4 (c) When ~~The house to which~~ a bill is returned, the General  
5 Assembly shall immediately enter the Governor's objections  
6 upon its journal. If within 15 calendar days after such entry  
7 the General Assembly ~~that house~~ by a record vote of  
8 three-fifths of the members elected passes the bill, it shall  
9 ~~be delivered immediately to the second house. If within 15~~  
10 ~~calendar days after such delivery the second house by a record~~  
11 ~~vote of three-fifths of the members elected passes the bill, it~~  
12 ~~shall~~ become law.

13 (d) The Governor may reduce or veto any item of  
14 appropriations in a bill presented to him or her. Portions of a  
15 bill not reduced or vetoed shall become law. An item vetoed  
16 shall be returned to the General Assembly ~~house in which it~~  
17 ~~originated~~ and may become law in the same manner as a vetoed  
18 bill. An item reduced in amount shall be returned to the  
19 General Assembly ~~house in which it originated~~ and may be  
20 restored to its original amount in the same manner as a vetoed  
21 bill except that the required record vote shall be a majority  
22 of the members elected ~~to each house~~. If a reduced item is not  
23 so restored, it shall become law in the reduced amount.

24 (e) The Governor may return a bill together with specific  
25 recommendations for change to the General Assembly ~~house in~~  
26 ~~which it originated~~. The bill shall be considered in the same

1 manner as a vetoed bill but the specific recommendations may be  
2 accepted by a record vote of a majority of the members elected  
3 ~~to each house~~. Such bill shall be presented again to the  
4 Governor and if he or she certifies that such acceptance  
5 conforms to his or her specific recommendations, the bill shall  
6 become law. If the Governor ~~he~~ does not so certify, he or she  
7 shall return it as a vetoed bill to the General Assembly ~~house~~  
8 ~~in which it originated~~.

9 (Source: Illinois Constitution.)

10 (ILCON Art. IV, Sec. 10)

11 SECTION 10. EFFECTIVE DATE OF LAWS

12 The General Assembly shall provide by law for a uniform  
13 effective date for laws passed prior to June 1 of a calendar  
14 year. The General Assembly may provide for a different  
15 effective date in any law passed prior to June 1. A bill passed  
16 after May 31 shall not become effective prior to June 1 of the  
17 next calendar year unless the General Assembly by the vote of  
18 three-fifths of the members elected ~~to each house~~ provides for  
19 an earlier effective date.

20 (Source: Amendment adopted at general election November 8,  
21 1994.)

22 (ILCON Art. IV, Sec. 12)

## 1 SECTION 12. LEGISLATIVE IMMUNITY

2 Except in cases of treason, felony or breach of peace, a  
3 member shall be privileged from arrest going to, during, and  
4 returning from sessions of the General Assembly. A member shall  
5 not be held to answer before any other tribunal for any speech  
6 or debate, written or oral, in the General Assembly ~~either~~  
7 ~~house~~. These immunities shall apply to committee and  
8 legislative commission proceedings.

9 (Source: Illinois Constitution.)

10 (ILCON Art. IV, Sec. 14)

## 11 SECTION 14. IMPEACHMENT

12 The General Assembly ~~House of Representatives~~ has the sole  
13 power to conduct legislative investigations to determine the  
14 existence of cause for impeachment and, by the vote of a  
15 majority of the members elected, to impeach Executive and  
16 Judicial officers. Impeachments shall be tried by the General  
17 Assembly ~~Senate~~. When sitting for that purpose, Lawmakers  
18 ~~Senators~~ shall be upon oath, or affirmation, to do justice  
19 according to law. If the Governor is tried, the Chief Justice  
20 of the Supreme Court shall preside. No person shall be  
21 convicted without the concurrence of two-thirds of the  
22 Lawmakers ~~Senators~~ elected. Judgment shall not extend beyond  
23 removal from office and disqualification to hold any public  
24 office of this State. An impeached officer, whether convicted

1 or acquitted, shall be liable to prosecution, trial, judgment  
2 and punishment according to law.

3 (Source: Illinois Constitution.)

4 (ILCON Art. IV, Sec. 15 rep.)

5 SECTION 15. ADJOURNMENT (REPEALED)

6 ~~(a) When the General Assembly is in session, neither house~~  
7 ~~without the consent of the other shall adjourn for more than~~  
8 ~~three days or to a place other than where the two houses are~~  
9 ~~sitting.~~

10 ~~(b) If either house certifies that a disagreement exists~~  
11 ~~between the houses as to the time for adjourning a session, the~~  
12 ~~Governor may adjourn the General Assembly to a time not later~~  
13 ~~than the first day of the next annual session.~~

14 (Source: Illinois Constitution.)

15

ARTICLE V

16

THE EXECUTIVE

17 (ILCON Art. V, Sec. 9)

18 SECTION 9. GOVERNOR - APPOINTING POWER

19 (a) The Governor shall nominate and, by and with the advice  
20 and consent of the General Assembly ~~Senate~~, a majority of the  
21 members elected concurring by record vote, shall appoint all

1 officers whose election or appointment is not otherwise  
2 provided for. Any nomination not acted upon by the General  
3 Assembly ~~Senate~~ within 60 session days after the receipt  
4 thereof shall be deemed to have received the advice and consent  
5 of the General Assembly ~~Senate~~. The General Assembly shall have  
6 no power to elect or appoint officers of the Executive Branch.

7 (b) If, during a recess of the General Assembly ~~Senate~~,  
8 there is a vacancy in an office filled by appointment by the  
9 Governor by and with the advice and consent of the General  
10 Assembly ~~Senate~~, the Governor shall make a temporary  
11 appointment until the next meeting of the General Assembly  
12 ~~Senate~~, when he or she shall make a nomination to fill such  
13 office.

14 (c) No person rejected by the General Assembly ~~Senate~~ for  
15 an office shall, except at the General Assembly's ~~Senate's~~  
16 request, be nominated again for that office at the same session  
17 or be appointed to that office during a recess of that General  
18 Assembly ~~Senate~~.

19 (Source: Illinois Constitution.)

20 (ILCON Art. V, Sec. 11)

21 SECTION 11. GOVERNOR - AGENCY REORGANIZATION

22 The Governor, by Executive Order, may reassign functions  
23 among or reorganize executive agencies which are directly  
24 responsible to him or her. If such a reassignment or



1 reorganization would contravene a statute, the Executive Order  
2 shall be delivered to the General Assembly. If the General  
3 Assembly is in annual session and if the Executive Order is  
4 delivered on or before April 1, the General Assembly shall  
5 consider the Executive Order at that annual session. If the  
6 General Assembly is not in annual session or if the Executive  
7 Order is delivered after April 1, the General Assembly shall  
8 consider the Executive Order at its next annual session, in  
9 which case the Executive Order shall be deemed to have been  
10 delivered on the first day of that annual session. Such an  
11 Executive Order shall not become effective if, within 60  
12 calendar days after its delivery to the General Assembly, the  
13 General Assembly ~~either house~~ disapproves the Executive Order  
14 by the record vote of a majority of the members elected. An  
15 Executive Order not so disapproved shall become effective by  
16 its terms but not less than 60 calendar days after its delivery  
17 to the General Assembly.

18 (Source: Illinois Constitution.)

19 ARTICLE VII

20 LOCAL GOVERNMENT

21 (ILCON Art. VII, Sec. 6)

22 SECTION 6. POWERS OF HOME RULE UNITS

1           (a) A County which has a chief executive officer elected by  
2 the electors of the county and any municipality which has a  
3 population of more than 25,000 are home rule units. Other  
4 municipalities may elect by referendum to become home rule  
5 units. Except as limited by this Section, a home rule unit may  
6 exercise any power and perform any function pertaining to its  
7 government and affairs including, but not limited to, the power  
8 to regulate for the protection of the public health, safety,  
9 morals and welfare; to license; to tax; and to incur debt.

10          (b) A home rule unit by referendum may elect not to be a  
11 home rule unit.

12          (c) If a home rule county ordinance conflicts with an  
13 ordinance of a municipality, the municipal ordinance shall  
14 prevail within its jurisdiction.

15          (d) A home rule unit does not have the power (1) to incur  
16 debt payable from ad valorem property tax receipts maturing  
17 more than 40 years from the time it is incurred or (2) to  
18 define and provide for the punishment of a felony.

19          (e) A home rule unit shall have only the power that the  
20 General Assembly may provide by law (1) to punish by  
21 imprisonment for more than six months or (2) to license for  
22 revenue or impose taxes upon or measured by income or earnings  
23 or upon occupations.

24          (f) A home rule unit shall have the power subject to  
25 approval by referendum to adopt, alter or repeal a form of  
26 government provided by law, except that the form of government

1 of Cook County shall be subject to the provisions of Section 3  
2 of this Article. A home rule municipality shall have the power  
3 to provide for its officers, their manner of selection and  
4 terms of office only as approved by referendum or as otherwise  
5 authorized by law. A home rule county shall have the power to  
6 provide for its officers, their manner of selection and terms  
7 of office in the manner set forth in Section 4 of this Article.

8 (g) The General Assembly by a law approved by the vote of  
9 three-fifths of the members elected ~~to each house~~ may deny or  
10 limit the power to tax and any other power or function of a  
11 home rule unit not exercised or performed by the State other  
12 than a power or function specified in subsection (1) of this  
13 section.

14 (h) The General Assembly may provide specifically by law  
15 for the exclusive exercise by the State of any power or  
16 function of a home rule unit other than a taxing power or a  
17 power or function specified in subsection (1) of this Section.

18 (i) Home rule units may exercise and perform concurrently  
19 with the State any power or function of a home rule unit to the  
20 extent that the General Assembly by law does not specifically  
21 limit the concurrent exercise or specifically declare the  
22 State's exercise to be exclusive.

23 (j) The General Assembly may limit by law the amount of  
24 debt which home rule counties may incur and may limit by law  
25 approved by three-fifths of the members elected ~~to each house~~  
26 the amount of debt, other than debt payable from ad valorem

1 property tax receipts, which home rule municipalities may  
2 incur.

3 (k) The General Assembly may limit by law the amount and  
4 require referendum approval of debt to be incurred by home rule  
5 municipalities, payable from ad valorem property tax receipts,  
6 only in excess of the following percentages of the assessed  
7 value of its taxable property: (1) if its population is 500,000  
8 or more, an aggregate of three percent; (2) if its population  
9 is more than 25,000 and less than 500,000, an aggregate of one  
10 percent; and (3) if its population is 25,000 or less, an  
11 aggregate of one-half percent. Indebtedness which is  
12 outstanding on the effective date of this Constitution or which  
13 is thereafter approved by referendum or assumed from another  
14 unit of local government shall not be included in the foregoing  
15 percentage amounts.

16 (l) The General Assembly may not deny or limit the power of  
17 home rule units (1) to make local improvements by special  
18 assessment and to exercise this power jointly with other  
19 counties and municipalities, and other classes of units of  
20 local government having that power on the effective date of  
21 this Constitution unless that power is subsequently denied by  
22 law to any such other units of local government or (2) to levy  
23 or impose additional taxes upon areas within their boundaries  
24 in the manner provided by law for the provision of special  
25 services to those areas and for the payment of debt incurred in  
26 order to provide those special services.

1 (m) Powers and functions of home rule units shall be  
2 construed liberally.

3 (Source: Illinois Constitution.)

4 ARTICLE VIII

5 FINANCE

6 (ILCON Art. VIII, Sec. 3)

7 SECTION 3. STATE AUDIT AND AUDITOR GENERAL

8 (a) The General Assembly shall provide by law for the audit  
9 of the obligation, receipt and use of public funds of the  
10 State. The General Assembly, by a vote of three-fifths of the  
11 members elected ~~to each house~~, shall appoint an Auditor General  
12 and may remove him or her for cause by a similar vote. The  
13 Auditor General shall serve for a term of ten years. His or her  
14 compensation shall be established by law and shall not be  
15 diminished, but may be increased, to take effect during his or  
16 her term.

17 (b) The Auditor General shall conduct the audit of public  
18 funds of the State. He or she shall make additional reports and  
19 investigations as directed by the General Assembly. He or she  
20 shall report his or her findings and recommendations to the  
21 General Assembly and to the Governor.

22 (Source: Illinois Constitution.)

## 1 ARTICLE IX

## 2 REVENUE

3 (ILCON Art. IX, Sec. 9)

## 4 SECTION 9. STATE DEBT

5 (a) No State debt shall be incurred except as provided in  
6 this Section. For the purpose of this Section, "State debt"  
7 means bonds or other evidences of indebtedness which are  
8 secured by the full faith and credit of the State or are  
9 required to be repaid, directly or indirectly, from tax revenue  
10 and which are incurred by the State, any department, authority,  
11 public corporation or quasi-public corporation of the State,  
12 any State college or university, or any other public agency  
13 created by the State, but not by units of local government, or  
14 school districts.

15 (b) State debt for specific purposes may be incurred or the  
16 payment of State or other debt guaranteed in such amounts as  
17 may be provided either in a law passed by the vote of  
18 three-fifths of the members elected to ~~each house of~~ the  
19 General Assembly or in a law approved by a majority of the  
20 electors voting on the question at the next general election  
21 following passage. Any law providing for the incurring or  
22 guaranteeing of debt shall set forth the specific purposes and

1 the manner of repayment.

2 (c) State debt in anticipation of revenues to be collected  
3 in a fiscal year may be incurred by law in an amount not  
4 exceeding 5% of the State's appropriations for that fiscal  
5 year. Such debt shall be retired from the revenues realized in  
6 that fiscal year.

7 (d) State debt may be incurred by law in an amount not  
8 exceeding 15% of the State's appropriations for that fiscal  
9 year to meet deficits caused by emergencies or failures of  
10 revenue. Such law shall provide that the debt be repaid within  
11 one year of the date it is incurred.

12 (e) State debt may be incurred by law to refund outstanding  
13 State debt if the refunding debt matures within the term of the  
14 outstanding State debt.

15 (f) The State, departments, authorities, public  
16 corporations and quasi-public corporations of the State, the  
17 State colleges and universities and other public agencies  
18 created by the State, may issue bonds or other evidences of  
19 indebtedness which are not secured by the full faith and credit  
20 or tax revenue of the State nor required to be repaid, directly  
21 or indirectly, from tax revenue, for such purposes and in such  
22 amounts as may be authorized by law.

23 (Source: Illinois Constitution.)

## 1 GENERAL PROVISIONS

2 (ILCON Art. XIII, Sec. 8)

## 3 SECTION 8. BRANCH BANKING

4 Branch banking shall be authorized only by law approved by  
5 three-fifths of the members voting on the question or a  
6 majority of the members elected, whichever is greater, in ~~each~~  
7 ~~house of~~ the General Assembly.

8 (Source: Illinois Constitution.)

## 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 direction.

18 (b) If the question of whether a Convention should be  
19 called is not submitted during any twenty-year period, the  
20 Secretary of State shall submit such question at the general



1 election in the twentieth year following the last submission.

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

6 (d) The General Assembly, at the session following approval  
7 by the electors, by law shall provide for the Convention and  
8 for the election of two delegates from each Legislative  
9 District; designate the time and place of the Convention's  
10 first meeting which shall be within three months after the  
11 election of delegates; fix and provide for the pay of delegates  
12 and officers; and provide for expenses necessarily incurred by  
13 the Convention.

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

17 (f) The Convention shall prepare such revision of or  
18 amendments to the Constitution as it deems necessary. Any  
19 proposed revision or amendments approved by a majority of the  
20 delegates elected shall be submitted to the electors in such  
21 manner as the Convention determines, at an election designated  
22 or called by the Convention occurring not less than two nor  
23 more than six months after the Convention's adjournment. Any  
24 revision or amendments proposed by the Convention shall be  
25 published with explanations, as the Convention provides, at  
26 least one month preceding the election.

1 (g) The vote on the proposed revision or amendments shall  
2 be on a separate ballot. Any proposed revision or amendments  
3 shall become effective, as the Convention provides, if approved  
4 by a majority of those voting on the question.

5 (Source: Illinois Constitution.)

6 (ILCON Art. XIV, Sec. 2)

7 SECTION 2. AMENDMENTS BY GENERAL ASSEMBLY

8 (a) Amendments to this Constitution may be initiated in  
9 ~~either house of~~ the General Assembly. Amendments shall be read  
10 in full on three different days in the General Assembly ~~each~~  
11 ~~house~~ and reproduced before the vote is taken on final passage.  
12 Amendments approved by the vote of three-fifths of the members  
13 elected ~~to each house~~ shall be submitted to the electors at the  
14 general election next occurring at least six months after such  
15 legislative approval, unless withdrawn by a vote of a majority  
16 of the members elected ~~to each house~~.

17 (b) Amendments proposed by the General Assembly shall be  
18 published with explanations, as provided by law, at least one  
19 month preceding the vote thereon by the electors. The vote on  
20 the proposed amendment or amendments shall be on a separate  
21 ballot. A proposed amendment shall become effective as the  
22 amendment provides if approved by either three-fifths of those  
23 voting on the question or a majority of those voting in the  
24 election.

1           (c) The General Assembly shall not submit proposed  
2 amendments to more than three Articles of the Constitution at  
3 any one election. No amendment shall be proposed or submitted  
4 under this Section from the time a Convention is called until  
5 after the electors have voted on the revision or amendments, if  
6 any, proposed by such Convention.

7           (Source: Illinois Constitution.)

8           (ILCON Art. XIV, Sec. 4)

9           SECTION 4. AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

10           The affirmative vote of three-fifths of the members elected  
11 to ~~each house of~~ the General Assembly shall be required to  
12 request Congress to call a Federal Constitutional Convention,  
13 to ratify a proposed amendment to the Constitution of the  
14 United States, or to call a State Convention to ratify a  
15 proposed amendment to the Constitution of the United States.  
16 The General Assembly shall not take action on any proposed  
17 amendment to the Constitution of the United States submitted  
18 for ratification by legislatures unless a majority of the  
19 members of the General Assembly shall have been elected after  
20 the proposed amendment has been submitted for ratification. The  
21 requirements of this Section shall govern to the extent that  
22 they are not inconsistent with requirements established by the  
23 United States.

24           (Source: Illinois Constitution.)

## 1 SCHEDULE

2 This Constitutional Amendment takes effect upon being  
3 declared adopted in accordance with Section 7 of the Illinois  
4 Constitutional Amendment Act and applies beginning with the  
5 96th General Assembly.