



SC0070SAM002

LRB095 12915 JAM 49997 a

1 AMENDMENT TO SENATE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT 70

3 AMENDMENT NO. ____ Amend Senate Joint Resolution
4 Constitutional Amendment 70, AS AMENDED, by replacing
5 everything after the title with the following:

6 "RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL
7 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
8 CONCURRING HEREIN, that there shall be submitted to the
9 electors of the State for adoption or rejection at the general
10 election next occurring at least 6 months after the adoption of
11 this resolution a proposition to add Section 7 to Article III
12 of the Illinois Constitution as follows:

13 (ILCON Art. III, Sec. 7 new)

14 SECTION 7. RECALL OF EXECUTIVE OFFICERS, MEMBERS OF THE GENERAL
15 ASSEMBLY, AND LOCAL OFFICERS

16 (a) Electors may petition for the recall of an executive

1 branch officer as identified in Section 1 of Article V, a
2 member of the General Assembly, or a salaried elected officer
3 of a unit of local government. If the recall petition is valid,
4 on a separate ballot the question "Shall (name of person) be
5 recalled from the office of (office)" must be submitted to the
6 electors, along with the names of any candidates certified for
7 the successor election, at a special election called by the
8 State Board of Elections or at a regularly scheduled election
9 to occur not more than 100 days after the date of certification
10 of the recall petition. The officer or member subject to recall
11 may be a candidate in the successor election.

12 (b) An executive branch officer, a member of the General
13 Assembly, or a salaried elected officer of a unit of local
14 government is immediately removed upon certification of the
15 recall election results if a majority of the electors voting on
16 the question vote to recall the officer or member. If an
17 officer or member is recalled, the candidate who receives the
18 highest number of votes in the successor election is elected
19 successor for the balance of the term. Once a recall election
20 petition is certified, the petition may not be withdrawn and
21 another recall petition may not be initiated against that
22 officer or member during the remainder of his or her current
23 term of office.

24 (c) Any elector of the State, or the applicable Legislative
25 or Representative District or unit of local government, may
26 file an affidavit with the State Board of Elections providing

1 notice of intent to circulate a petition to recall an officer
2 or member no sooner than 6 months after the beginning of the
3 officer's or member's current term of office. An affidavit must
4 be filed by an elector of the Legislative or Representative
5 District or unit of local government for which the recall
6 petition will be circulated. The affidavit must identify the
7 name of the officer or member and the office to be recalled,
8 the name and address of the proponents of the recall petition,
9 and the date of filing with the State Board of Elections. A
10 recall petition shall not be circulated prior to filing the
11 affidavit, and a recall petition must be filed with the State
12 Board of Elections no later than 160 days after filing the
13 affidavit.

14 (d) A petition to recall an executive branch officer must
15 include signatures of electors of the State equal to at least
16 12% of the total votes cast for the office in the election at
17 which the officer or member was elected, with signatures equal
18 to at least 1% of the vote for the office from at least 5
19 separate counties. A petition to recall a Governor or
20 Lieutenant Governor elected jointly under Section 4 of Article
21 V must include both officers. A petition to recall a member of
22 the General Assembly must be signed by electors of the
23 applicable Legislative District or Representative District
24 equal to at least 20% of the total votes cast for the office in
25 the election at which the member was elected. A petition to
26 recall a salaried officer of a unit of local government must be

1 signed by electors of the unit of local government equal to at
2 least 20% of the total votes cast for the office in the
3 election at which the officer was elected. The form,
4 circulation, and manner of filing a recall petition shall
5 comply with the requirements provided by law for a statewide
6 advisory public question, except the deadlines set forth in
7 this Section.

8 (e) A recall petition is valid unless an objection is made
9 within 45 days after the date the petition is filed, and an
10 objection to the recall petition may be made in the same manner
11 as to a candidate for the office subject to recall. The State
12 Board of Elections shall certify the recall petition not more
13 than 105 days after the date the recall petition is filed. Any
14 recall petition or election pending on the date of the next
15 general election at which a candidate for the office subject to
16 recall is elected is moot.

17 (f) If a recall election is initiated, the name of no
18 successor candidate may appear on the ballot unless a
19 nominating petition has been filed with the State Board of
20 Elections no more than 40 days after filing of the recall
21 petition. The nominating petition of an established party
22 candidate must contain the same number of signatures and be
23 circulated in the same manner as an established party candidate
24 for nomination to the office subject to recall, except the
25 petition must be circulated no more than 40 days prior to the
26 last day for filing nomination petitions. The nominating

1 petition of an independent or new party candidate must contain
2 the same number of signatures and be circulated in the same
3 manner as an independent or new party candidate, respectively,
4 for election to the office subject to recall, except the
5 petition must be circulated no more than 40 days prior to the
6 last day for filing nomination petitions. A nominating petition
7 may be objected to in the same manner as a candidate for the
8 office subject to recall, unless otherwise provided by law. The
9 State Board of Elections shall certify a valid nominating
10 petition not more than 105 days after the date the recall
11 petition is filed.

12 (g) An election to determine whether to recall an executive
13 officer, a member of the General Assembly, or an officer of a
14 unit of local government and to elect a successor shall be
15 proclaimed by the State Board of Elections and held not less
16 than 60 days and no more than 100 days after the date of
17 certification of the recall petition.

18 (h) The provisions of this Section are self-executing and
19 judicially enforceable.

20 SCHEDULE

21 The State Board of Elections shall proceed, as soon as all
22 the returns are received but no later than 31 days after the
23 election, to canvass the votes given for and against this
24 Constitutional Amendment, as shown by the abstracts of votes
25 cast. If this Constitutional Amendment is approved by either

1 three-fifths of those voting on the question or a majority of
2 those voting in the election, then the State Board of Elections
3 shall declare the adoption of this Constitutional Amendment and
4 it shall, upon declaration of its adoption, take effect and
5 become a part of the Constitution of this State. This Schedule
6 supersedes and applies notwithstanding any statute to the
7 contrary, and no other requirements, including without
8 limitation proclamation of the results of the vote or notice by
9 publication, are necessary for its effectiveness.".