



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0031

Introduced , by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

ILCON Art. III, Sec. 7 new

Proposes to amend the Suffrage and Elections Article of the Illinois Constitution. Provides for the recall of the Governor by petition of the State's electors and for the election of a successor Governor. Effective upon being declared adopted.

LRB096 13119 RCE 27503 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
4 NINETY-SIXTH 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 Article III of the
9 Illinois Constitution by adding Section 7 as follows:

10 ARTICLE III
11 SUFFRAGE AND ELECTIONS

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

13 SECTION 7. INITIATIVE TO RECALL GOVERNOR

14 (a) The recall of the Governor may be proposed by a
15 petition signed by a number of electors equal in number to at
16 least 15% of the total votes cast for Governor in the preceding
17 gubernatorial election, with at least 100 signatures from each
18 of at least 25 separate counties. A petition shall have been
19 signed by the petitioning electors not more than 150 days after
20 an affidavit has been filed with the State Board of Elections
21 providing notice of intent to circulate a petition to recall
22 the Governor. The affidavit may be filed no sooner than 6
23 months after the beginning of the Governor's term of office.

1 The affidavit shall have been signed by the proponent of the
2 recall petition, at least 20 members of the House of
3 Representatives, and at least 10 members of the Senate, with no
4 more than half of the signatures of members of each chamber
5 from the same established political party.

6 (b) The form of the petition, circulation, and procedure
7 for determining the validity and sufficiency of a petition
8 shall be as provided by law. If the petition is valid and
9 sufficient, the State Board of Elections shall certify the
10 petition not more than 100 days after the date the petition was
11 filed, and the question "Shall (name) be recalled from the
12 office of Governor?" must be submitted to the electors at a
13 special election called by the State Board of Elections, to
14 occur not more than 100 days after certification of the
15 petition. A recall petition certified by the State Board of
16 Elections may not be withdrawn and another recall petition may
17 not be initiated against the Governor during the remainder of
18 the current term of office. Any recall petition or recall
19 election pending on the date of the next general election at
20 which a candidate for Governor is elected is moot.

21 (c) If a petition to recall the Governor has been filed
22 with the State Board of Elections, a person eligible to serve
23 as Governor may propose his or her candidacy by a petition
24 signed by a number of electors equal in number to the
25 requirement for petitions for an established party candidate
26 for the office of Governor, signed by petitioning electors not

1 more than 50 days after a recall petition has been filed with
2 the State Board of Elections. The form of a successor election
3 petition, circulation, and procedure for determining the
4 validity and sufficiency of a petition shall be as provided by
5 law. If the successor election petition is valid and
6 sufficient, the State Board of Elections shall certify the
7 petition not more than 100 days after the date the petition to
8 recall the Governor was filed. Names of candidates for
9 nomination to serve as the candidate of an established
10 political party must be submitted to the electors at a special
11 primary election, if necessary, called by the State Board of
12 Elections to be held at the same time as the special election
13 on the question of recall established under subsection (b).
14 Names of candidates for the successor election must be
15 submitted to the electors at a special successor election
16 called by the State Board of Elections, to occur not more than
17 60 days after the date of the special primary election or on a
18 date established by law.

19 (d) The Governor is immediately removed upon certification
20 of the recall election results if a majority of the electors
21 voting on the question vote to recall the Governor. If the
22 Governor is removed, then (i) an Acting Governor determined
23 under subsection (a) of Section 6 of Article V shall serve
24 until the Governor elected at the special successor election is
25 qualified and (ii) the candidate who receives the highest
26 number of votes in the special successor election is elected

1 Governor for the balance of the term.

2 SCHEDULE

3 This Constitutional Amendment takes effect upon being
4 declared adopted in accordance with Section 7 of the Illinois
5 Constitutional Amendment Act.