



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0046

Introduced , by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 2

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Provides that the boundaries of Legislative and Representative districts may be separate. Requires that both types of districts, in addition to being compact, contiguous, and substantially equal in population, must reflect minority voting strengths, promote competition, and consider political boundaries. Replaces the current method of redistricting of the Senate and House of Representatives with the following: a commission, appointed by the legislative leaders and in accordance with scoring criteria provided by law, shall score separate Legislative District and Representative District maps submitted by the public; the Senate and House, each by a three-fifths vote, shall adopt one of the 3 maps with the best scores for its districts; and the Secretary of State shall certify the map with the best score if a chamber fails to adopt a map. Specifies the schedule for redistricting activities. Effective upon being declared adopted and applicable to redistricting beginning in 2011 and to the election of General Assembly members beginning in 2012.

LRB096 18875 RCE 34262 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 4 of the
9 Illinois Constitution by changing Sections 2 and 3 as follows:

10 ARTICLE IV
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 2)

13 SECTION 2. LEGISLATIVE COMPOSITION

14 (a) One Senator shall be elected from each Legislative
15 District. Immediately following each decennial redistricting,
16 the Senate, by resolution, ~~General Assembly by law~~ shall divide
17 the Legislative Districts as equally as possible into three
18 groups. Senators from one group shall be elected for terms of
19 four years, four years and two years; Senators from the second
20 group, for terms of four years, two years and four years; and
21 Senators from the third group, for terms of two years, four
22 years and four years. The Legislative Districts in each group
23 shall be distributed substantially equally over the State.

1 (b) ~~Each Legislative District shall be divided into two~~
2 ~~Representative Districts.~~ In 2012 ~~1982~~ and every two years
3 thereafter one Representative shall be elected from each
4 Representative District for a term of two years.

5 (c) To be eligible to serve as a member of the General
6 Assembly, a person must be a United States citizen, at least 21
7 years old, and for the two years preceding his election or
8 appointment a resident of the district which he is to
9 represent. In the general election following a redistricting, a
10 candidate for the General Assembly may be elected from any
11 district which contains a part of the district in which he
12 resided at the time of the redistricting and reelected if a
13 resident of the new district he represents for 18 months prior
14 to reelection.

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

25 (e) No member of the General Assembly shall receive
26 compensation as a public officer or employee from any other

1 governmental entity for time during which he is in attendance
2 as a member of the General Assembly.

3 No member of the General Assembly during the term for which
4 he was elected or appointed shall be appointed to a public
5 office which shall have been created or the compensation for
6 which shall have been increased by the General Assembly during
7 that term.

8 (Source: Amendment adopted at general election November 4,
9 1980.)

10 (ILCON Art. IV, Sec. 3)

11 SECTION 3. LEGISLATIVE REDISTRICTING

12 (a) Legislative Districts shall be compact, be contiguous,
13 be ~~and~~ substantially equal in population, reflect minority
14 voting strengths, promote competition, and consider political
15 boundaries. Representative Districts shall be compact, be
16 contiguous, be ~~and~~ substantially equal in population, reflect
17 minority voting strengths, promote competition, and consider
18 political boundaries. A Representative District need not be
19 entirely within a single Legislative District. The General
20 Assembly shall establish by law a method to determine a score
21 for any map for Legislative or Representative districts.

22 ~~(b) In the year following each Federal decennial census~~
23 ~~year, the General Assembly by law shall redistrict the~~
24 ~~Legislative Districts and the Representative Districts.~~

25 A ~~If no redistricting plan becomes effective by June 30 of~~

1 ~~that year, a~~ Legislative Redistricting Commission shall be
2 constituted by March 1 of the year following each Federal
3 decennial census year ~~not later than July 10~~. The Commission
4 shall consist of eight members, no more than four of whom shall
5 be members of the same political party.

6 The Speaker and Minority Leader of the House of
7 Representatives shall each appoint two persons to the
8 Commission ~~one Representative and one person who is not a~~
9 ~~member of the General Assembly~~. The President and Minority
10 Leader of the Senate shall each appoint two persons to the
11 Commission ~~one Senator and one person who is not a member of~~
12 ~~the General Assembly~~.

13 The members shall be certified to the Secretary of State by
14 the appointing authorities. A vacancy on the Commission shall
15 be filled within five days by the authority that made the
16 original appointment. A Chairman and Vice Chairman shall be
17 chosen by a majority of all members of the Commission. The
18 Commission shall provide to the public data and tools to create
19 Legislative and Representative districts not later than April
20 7. The Commission shall accept maps for the redistricting of
21 Legislative and Representative districts through May 7.

22 The Commission shall evaluate all submitted maps according
23 to criteria set forth in subsection (a) as implemented by law
24 and assign each map a score. The Commission shall eliminate
25 maps by a majority vote of the members appointed that fail to
26 meet federal and State law and shall eliminate maps that are

1 substantially the same as other maps of equal or better score.
2 Not later than May 22 the Commission shall give to the Senate
3 the maps for Legislative Districts with the best three scores.
4 Not later than May 22 the Commission shall give to the House of
5 Representatives the maps for Representative Districts with the
6 best three scores.

7 (c) The Senate by a record vote of three-fifths of the
8 members elected may adopt a redistricting resolution from the
9 three maps for Legislative Districts submitted by the
10 Commission. If the Senate has failed to file a redistricting
11 resolution with the Secretary of State by June 30, the
12 Secretary of State shall certify the redistricting map for
13 Legislative Districts that received the best score from the
14 Commission.

15 The House by a record vote of three-fifths of the members
16 elected may adopt a redistricting resolution from the three
17 maps for Representative Districts submitted by the Commission.
18 If the House has failed to file a redistricting resolution with
19 the Secretary of State by June 30, the Secretary of State shall
20 certify the redistricting map for Representative Districts
21 that received the best score from the Commission.

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

25 ~~If the Commission fails to file an approved redistricting~~
26 ~~plan, the Supreme Court shall submit the names of two persons,~~

1 ~~not of the same political party, to the Secretary of State not~~
2 ~~later than September 1.~~

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

6 ~~Not later than October 5, the Commission shall file with~~
7 ~~the Secretary of State a redistricting plan approved by at~~
8 ~~least five members.~~

9 (d) A ~~An~~ approved redistricting resolution or
10 redistricting map ~~plan~~ filed with the Secretary of State shall
11 be presumed valid, shall have the force and effect of law and
12 shall be published promptly by the Secretary of State.

13 The Supreme Court shall have original and exclusive
14 jurisdiction over actions concerning redistricting the House
15 and Senate, which shall be initiated in the name of the People
16 of the State by the Attorney General.

17 (Source: Amendment adopted at general election November 4,
18 1980.)

19 SCHEDULE

20 This Constitutional Amendment takes effect upon being
21 declared adopted in accordance with Section 7 of the Illinois
22 Constitutional Amendment Act and applies to redistricting
23 beginning in 2011 and to the election of General Assembly
24 members beginning in 2012.