



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0090**

Introduced 2/10/2010, by Sen. Kwame Raoul

**SYNOPSIS AS INTRODUCED:**

ILCON Art. V, Sec. 1  
ILCON Art. V, Sec. 2  
ILCON Art. V, Sec. 3  
ILCON Art. V, Sec. 4  
ILCON Art. V, Sec. 6  
ILCON Art. V, Sec. 7  
ILCON Art. V, Sec. 14  
ILCON Art. V, Sec. 17  
ILCON Art. V, Sec. 18

Proposes to amend the Executive Article of the Illinois Constitution. Eliminates the office of Lieutenant Governor. Eliminates the Office of the Comptroller. Provides that the Treasurer shall (i) maintain the State's central fiscal accounts and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law. Begins with the terms of office otherwise commencing in 2015. Effective upon being declared adopted.

LRB096 20342 RCE 35975 e

1                                   SENATE JOINT RESOLUTION  
2                                   CONSTITUTIONAL AMENDMENT

3           RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL  
4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES  
5 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 V of the  
9 Illinois Constitution by changing Sections 1, 2, 3, 6, 7, and  
10 18 and by repealing Sections 4, 14, and 17 as follows:

11                                   ARTICLE V  
12                                   THE EXECUTIVE

13                   (ILCON Art. V, Sec. 1)

14           SECTION 1. OFFICERS

15           The Executive Branch shall include a Governor, ~~Lieutenant~~  
16 ~~Governor~~, Attorney General, Secretary of State, ~~Comptroller~~  
17 and Treasurer elected by the electors of the State. They shall  
18 keep the public records and maintain a residence at the seat of  
19 government during their terms of office.

20           (Source: Illinois Constitution.)

21                   (ILCON Art. V, Sec. 2)

## 1 SECTION 2. TERMS

2 These elected officers of the Executive Branch shall hold  
3 office for four years beginning on the second Monday of January  
4 after their election and, ~~except in the case of the Lieutenant~~  
5 ~~Governor,~~ until their successors are qualified. They shall be  
6 elected at the general election in 1978 and every four years  
7 thereafter.

8 (Source: Illinois Constitution.)

9 (ILCON Art. V, Sec. 3)

## 10 SECTION 3. ELIGIBILITY

11 To be eligible to hold the office of Governor, ~~Lieutenant~~  
12 ~~Governor,~~ Attorney General, Secretary of State, ~~Comptroller~~ or  
13 Treasurer, a person must be a United States citizen, at least  
14 25 years old, and a resident of this State for the three years  
15 preceding his or her election.

16 (Source: Illinois Constitution.)

17 (ILCON Art. V, Sec. 4)

18 SECTION 4. JOINT ELECTION (REPEALED)

19 ~~In the general election for Governor and Lieutenant~~  
20 ~~Governor, one vote shall be cast jointly for the candidates~~  
21 ~~nominated by the same political party or petition. The General~~  
22 ~~Assembly may provide by law for the joint nomination of~~  
23 ~~candidates for Governor and Lieutenant Governor.~~

24 (Source: Illinois Constitution.)

1 (ILCON Art. V, Sec. 6)

2 SECTION 6. GUBERNATORIAL SUCCESSION

3 (a) In the event of a vacancy, the order of succession to  
4 the office of Governor or to the position of Acting Governor  
5 shall be ~~the Lieutenant Governor,~~ the elected Attorney General,  
6 the elected Secretary of State, and then as provided by law.

7 (b) If the Governor is unable to serve because of death,  
8 conviction on impeachment, failure to qualify, resignation or  
9 other disability, the office of Governor shall be filled by the  
10 officer next in line of succession for the remainder of the  
11 term or until the disability is removed.

12 (c) Whenever the Governor determines that he or she may be  
13 seriously impeded in the exercise of his or her powers, the  
14 Governor ~~he~~ shall so notify the Secretary of State and the  
15 officer next in line of succession. The latter shall thereafter  
16 become Acting Governor with the duties and powers of Governor.  
17 When the Governor is prepared to resume office, he or she shall  
18 do so by notifying the Secretary of State and the Acting  
19 Governor.

20 (d) The General Assembly by law shall specify by whom and  
21 by what procedures the ability of the Governor to serve or to  
22 resume office may be questioned and determined. The Supreme  
23 Court shall have original and exclusive jurisdiction to review  
24 such a law and any such determination and, in the absence of  
25 such a law, shall make the determination under such rules as it

1 may adopt.

2 (Source: Illinois Constitution.)

3 (ILCON Art. V, Sec. 7)

4 SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

5 If the Attorney General, Secretary of State, ~~Comptroller~~ or  
6 Treasurer fails to qualify or if the ~~his~~ office becomes vacant,  
7 the Governor shall fill the office by appointment. The  
8 appointee shall hold office until the elected officer qualifies  
9 or until a successor is elected and qualified as may be  
10 provided by law and shall not be subject to removal by the  
11 Governor. ~~If the Lieutenant Governor fails to qualify or if his~~  
12 ~~office becomes vacant, it shall remain vacant until the end of~~  
13 ~~the term.~~

14 (Source: Illinois Constitution.)

15 (ILCON Art. V, Sec. 14)

16 SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REPEALED)

17 ~~The Lieutenant Governor shall perform the duties and~~  
18 ~~exercise the powers in the Executive Branch that may be~~  
19 ~~delegated to him by the Governor and that may be prescribed by~~  
20 ~~law.~~

21 (Source: Illinois Constitution.)

22 (ILCON Art. V, Sec. 17)

23 SECTION 17. COMPTROLLER - DUTIES (REPEALED)

1       ~~The Comptroller, in accordance with law, shall maintain the~~  
2       ~~State's central fiscal accounts, and order payments into and~~  
3       ~~out of the funds held by the Treasurer.~~

4       (Source: Illinois Constitution.)

5               (ILCON Art. V, Sec. 18)

6       SECTION 18. TREASURER - DUTIES

7       The Treasurer, in accordance with law, shall (i) maintain  
8       the State's central fiscal accounts, and order payments into  
9       and out of the funds held by him or her, (ii) be responsible  
10      for the safekeeping and investment of monies and securities  
11      deposited with him or her, and for their disbursement upon his  
12      or her order, and (iii) have the duties and powers that may be  
13      prescribed by law ~~of the Comptroller.~~

14      (Source: Illinois Constitution.)

15                               SCHEDULE

16      This Constitutional Amendment takes effect upon being  
17      declared adopted in accordance with Section 7 of the Illinois  
18      Constitutional Amendment Act and applies beginning with the  
19      terms of office otherwise commencing in 2015.