



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1393

by Rep. Mike Fortner

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Illinois Voting Rights Act of 2011. Provides that Legislative Districts and Representative Districts shall be drawn to create majority-minority districts, crossover districts, coalition districts, or influence districts. Defines "majority-minority district", "crossover district", "coalition district", and "influence district". Provides that nothing in the Act shall be construed, applied, or implemented in a way that imposes any requirement or obligation that conflicts with the United States Constitution, any federal law regarding redistricting Legislative Districts or Representative Districts, or the Illinois Constitution. Provides that, if there is a violation of the Act, the redistricting plan shall be redrawn to the least extent necessary to remedy the violation. Creates the Redistricting Transparency and Public Participation Act. In the year following each federal decennial census year, provides for the Senate and House of Representatives to each establish a committee, or to establish a joint committee, to consider proposals to redistrict the Legislative Districts or Representative Districts, as applicable. Provides for notices and hearings. Effective immediately.

LRB097 06723 HLH 46810 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Article 5. ILLINOIS VOTING RIGHTS ACT OF 2011

5 Section 5-1. Short title. This Article may be cited as the  
6 Illinois Voting Rights Act of 2011. All references in this  
7 Article to "this Act" mean this Article.

8 Section 5-5. Redistricting.

9 (a) In any redistricting plan pursuant to Article IV,  
10 Section 3 of the Illinois Constitution, Legislative Districts  
11 and Representative Districts shall be drawn, subject to  
12 subsection (d) of this Section, to create majority-minority  
13 districts, crossover districts, coalition districts, or  
14 influence districts. The number of majority-minority districts  
15 created throughout the entire redistricting plan for a specific  
16 racial minority or language minority shall be substantially  
17 proportional to the total population of the respective racial  
18 minority or language minority within the State. Legislative and  
19 Representative Districts shall not be drawn with the intent or  
20 effect of dispersing or concentrating racial or language  
21 minority populations in a manner that prevents a racial  
22 minority or language minority from electing its candidates of

1 choice. The requirements imposed by this Article are in  
2 addition and subordinate to any requirements or obligations  
3 imposed by the United States Constitution, any federal law  
4 regarding redistricting Legislative Districts or  
5 Representative Districts, including but not limited to the  
6 federal Voting Rights Act, and the Illinois Constitution.

7 (b) The phrase "crossover district" means a district where  
8 a racial minority or language minority constitutes less than a  
9 majority of the voting-age population but where this minority,  
10 at least potentially, is large enough to elect the candidate of  
11 its choice with help from voters who are members of the  
12 majority and who cross over to support the minority's preferred  
13 candidate. The phrase "coalition district" means a district  
14 where more than one group of racial minorities or language  
15 minorities may form a coalition to elect the candidate of the  
16 coalition's choice. The phrase "influence district" means a  
17 district where a racial minority or language minority can  
18 influence the outcome of an election even if its preferred  
19 candidate cannot be elected. The phrase "majority-minority  
20 district" means a district where a racial minority or language  
21 minority compose a numerical majority of the voting-age  
22 population and are able to elect a candidate of their choice.

23 (c) For purposes of this Act, the phrase "racial minorities  
24 or language minorities", in either the singular or the plural,  
25 means the same class of voters who are members of a race,  
26 color, or language minority group receiving protection under

1 the federal Voting Rights Act, 42 U.S.C. § 1973; 42 U.S.C. §  
2 1973b(f) (2); 42 U.S.C. § 1973aa-1a(e).

3 (d) Nothing in this Act shall be construed, applied, or  
4 implemented in a way that imposes any requirement or obligation  
5 that conflicts with the United States Constitution, any federal  
6 law regarding redistricting Legislative Districts or  
7 Representative Districts, including but not limited to the  
8 federal Voting Rights Act, or the Illinois Constitution.

9 (e) In the event of a violation of this Act, the  
10 redistricting plan shall be redrawn to the least extent  
11 necessary to remedy the violation.

12 Article 10. REDISTRICTING TRANSPARENCY AND PUBLIC  
13 PARTICIPATION ACT

14 Section 10-1. Short title. This Article may be cited as the  
15 Redistricting Transparency and Public Participation Act. All  
16 references in this Article to "this Act" mean this Article.

17 Section 10-5. Committees; notices; hearings; public  
18 participation. In the year following each federal decennial  
19 census year, the Senate and House of Representatives shall each  
20 establish a committee, or the Senate and House of  
21 Representatives may create by joint resolution a joint  
22 committee of both chambers, to consider proposals to redistrict  
23 the Legislative Districts or Representative Districts, as

1 applicable. Within 3 days after receipt of the data from the  
2 United States Census Bureau, the committee shall make that  
3 data, together with redistricting software, available to the  
4 public. Each committee or joint committee must conduct at least  
5 4 public hearings on separate days around 4 distinct geographic  
6 regions of the State. At least 3 of the hearings shall be after  
7 receipt of the data from the United States Census Bureau. All  
8 hearings shall be open to the public. The Chairperson of each  
9 committee or the Co-Chairpersons of a joint committee, as  
10 applicable, shall, no later than 6 days before any proposed  
11 hearing, post a notice with the Secretary of the Senate, Clerk  
12 of the House, or both, as applicable. The notice shall identify  
13 any proposed redistricting plan and subject matter that may be  
14 considered during that hearing. The notice shall contain the  
15 day, hour, and place of the hearing. Prior to voting on any  
16 proposed redistricting plan, each committee or joint committee  
17 shall hold at least 4 public hearings on the proposed  
18 redistricting plan on separate days around 4 distinct  
19 geographic regions of the State. At least 7 days prior to those  
20 4 public hearings, the committee or joint committee shall make  
21 available to the public any proposed redistricting plan,  
22 including a detailed map showing all Legislative and  
23 Representative Districts established under the plan and  
24 statistics demonstrating the total population of each District  
25 and voting age population of any racial minority or language  
26 minority within each District.

1 Article 99. EFFECTIVE DATE

2 Section 99-99. Effective date. This Act takes effect upon  
3 becoming law.