



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB3438**

Introduced 2/24/2011, by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/28-15 new

Amends the Election Code. Authorizes citizens to petition the General Assembly to pass one or more bills initiated by citizens that concern ethical standards of conduct or campaign finance reform. Provides that, if the bills do not become law, a question advising adoption and approval of the bills must be placed on the next general election ballot. Specifies procedures for the drafting of bills and the filing of petitions. Effective immediately.

LRB097 05807 HLH 45876 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by adding Section  
5 28-15 as follows:

6 (10 ILCS 5/28-15 new)

7 Sec. 28-15. The Ethics Initiative.

8 (a) The initiation and submission of citizen initiative  
9 petitions on standards of ethical conduct and campaign finance  
10 reform are subject to the provisions of this Section and  
11 Article.

12 (b) Upon request by a proponent of an Ethics Initiative,  
13 the Legislative Reference Bureau shall draft one or more bills  
14 and a summary of those bills that may be the subject of a  
15 citizen initiative petition on standards of ethical conduct or  
16 campaign finance reform. The summary of the bill or bills shall  
17 appear on the citizen initiative petition and the bill or bills  
18 shall be submitted to the Clerk of the House of  
19 Representatives, as provided for in subsections (c) and (d) of  
20 this Section.

21 (c) On a written petition to the State Board of Elections  
22 signed by 100,000 voters, it is the duty of the State Board of  
23 Elections to submit any citizen initiative petition on

1 standards of ethical conduct or campaign finance reform to the  
2 Clerk of the House of Representatives for a roll call vote by  
3 each chamber of the General Assembly as provided for by this  
4 Section.

5 (1) A citizen initiative petition under this Section  
6 shall be limited to the subjects of standards of ethical  
7 conduct and campaign finance reform.

8 (2) Notwithstanding any other provision of this  
9 Article to the contrary, citizen initiative petitions  
10 filed under this Section may be submitted to the State  
11 Board of Elections at any time and are not subject to the  
12 requirements related to the binding and securing of  
13 petitions in Section 28-3. A single petition sheet may  
14 include the signatures of voters from any election  
15 authority in the State and may include the signatures of  
16 voters from one or more election authorities.

17 (3) The provisions of Section 28-4 and Sections 10-8  
18 through 10-10.1 relating to objections to nominating  
19 petitions, hearings on objections, and judicial review  
20 shall apply to and govern, in so far as may be practicable,  
21 objections to petitions for citizen initiatives on ethics  
22 and campaign finance reform.

23 (d) Upon receipt by the Clerk of the House of  
24 Representatives of the petition and the bill or bills, the  
25 Clerk shall submit the petition and the bill or bills to the  
26 Speaker of the House. The bill or bills shall be introduced in

1 the House of Representatives not later than 2 days following  
2 submission to the Clerk of the House of Representatives.

3 (e) The bill or bills submitted to the Clerk of the House  
4 of Representatives may be passed by the House of  
5 Representatives according to the provisions of Article IV of  
6 the Illinois Constitution of 1970 within 15 session days after  
7 receiving the bill or bills from the Clerk of the House of  
8 Representatives. If, on the 15th session day after receiving  
9 the bill or bills, the House of Representatives has not taken a  
10 record vote on the bill or bills, the House of Representatives,  
11 in accordance with all procedures of Article IV of the Illinois  
12 Constitution of 1970, shall take a record vote on the bill or  
13 bills. If the bill or bills receives the concurrence of a  
14 majority of members elected to the House of Representatives by  
15 a record vote, the bill or bills shall be transmitted to the  
16 Senate. If within 15 session days of receiving the bill or  
17 bills from the House of Representatives, the bill or bills  
18 receives the concurrence of a majority of members elected to  
19 the Senate by a record vote, the bill or bills shall be  
20 transmitted to the Governor as provided for in Article IV,  
21 Section 9 of the Illinois Constitution of 1970. The Governor  
22 shall act on the bill or bills in accordance with Article IV,  
23 Section 9 of the Illinois Constitution of 1970.

24 (f) If the bill or bills do not become law as provided for  
25 by subsection (e) of the Section in the form in which it was  
26 presented on the citizen initiative petition, the petition

1 shall be returned to the State Board of Elections. The State  
2 Board of Elections shall prepare an advisory question to be  
3 voted upon by the electors of the State at the next general  
4 election. The ballot of the general election next occurring  
5 shall contain an advisory question of public policy in  
6 substantially the following form:

7 Shall the Illinois General Assembly pass legislation  
8 [insert summary of citizen initiative petition here]  
9 during the next session of the Illinois General Assembly  
10 and shall the Governor approve that legislation and make it  
11 law?

12 The votes must be recorded as "Yes" or "No".

13 (g) Nothing in this Section shall be construed as a  
14 limitation of the legislative power of the General Assembly,  
15 the executive power of any Executive Branch officer, or the  
16 judicial power of the courts of the State of Illinois.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.