



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0005

Introduced 1/18/2011, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

ILCON Art. XIII, Sec. 5.1 new

Proposes to amend the General Provisions Article of the Illinois Constitution. Provides that a bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. Provides that if the Governor vetoes such a bill, then it shall not become law unless it is passed, upon its return, by a record vote of two-thirds of the members elected to each house of the General Assembly. Provides that if the Governor returns such a bill with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly. Provides that an ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof. Provides that a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit. Effective upon being declared adopted.

LRB097 05156 JDS 45203 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
4 NINETY-SEVENTH 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 XIII of the
9 Illinois Constitution by adding Section 5.1 as follows:

10 ARTICLE XIII
11 GENERAL PROVISIONS

12 (ILCON Art. XIII, Sec. 5.1 new)

13 SECTION 5.1. PENSION BENEFIT INCREASES

14 (a) A bill shall not become a law without the concurrence
15 of three-fifths of the members elected to each house of the
16 General Assembly if that bill increases a benefit under any
17 pension or retirement system of the State, any unit of local
18 government or school district, or any agency or instrumentality
19 thereof. However, if the Governor vetoes a bill so passed by
20 returning it with his objections to the house in which it
21 originated, then that bill shall not become law unless, upon
22 its return, it is passed by a record vote of two-thirds of the
23 members elected to each house of the General Assembly.

1 Likewise, if the Governor returns a bill so passed with
2 specific recommendations for change to the house in which it
3 originated, then those recommendations may be accepted only by
4 a record vote of two-thirds of the members elected to each
5 house of the General Assembly. The provisions of this
6 subsection (a) apply notwithstanding Article IV.

7 (b) An ordinance, resolution, or other action of the
8 governing body of any unit of local government or school
9 district shall not be valid without the concurrence of
10 three-fifths of the members of that governing body if that
11 ordinance, resolution, or other action increases a benefit
12 under any pension or retirement system for officials or
13 employees of that unit of local government or school district,
14 or any agency or instrumentality thereof.

15 (c) For the purposes of this Section, a bill, ordinance,
16 resolution, or other action increases a benefit if it increases
17 the amount of an existing benefit, adds a new benefit, or
18 expands the class of persons eligible for a benefit, regardless
19 of whether it includes an increase in contributions or a
20 reduction in any other benefit.

21 SCHEDULE

22 This Constitutional Amendment takes effect upon being
23 declared adopted in accordance with Section 7 of the Illinois
24 Constitutional Amendment Act.