



**97TH GENERAL ASSEMBLY**

**State of Illinois**

**2011 and 2012**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0010**

Introduced 2/9/2011, by Sen. Pamela J. Althoff

**SYNOPSIS AS INTRODUCED:**

ILCON Art. VII, Sec. 13 new

Proposes to amend the Local Government Article of the Illinois Constitution. Requires the State to reimburse units of local government for increased expenses resulting from activities mandated by the General Assembly or State executive action. Exempts mandates requested by a local government or predating the effective date. Makes unfunded mandates unenforceable unless passed by three-fifths of the members elected to each house of the General Assembly and specifically characterized as non-reimbursable. Effective upon being declared adopted.

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1                                   SENATE JOINT RESOLUTION  
2                                   CONSTITUTIONAL AMENDMENT

3           RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH 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 add Section 13 to Article VII  
9 of the Illinois Constitution as follows:

10                                   ARTICLE VII  
11                                   LOCAL GOVERNMENT

12           (IILCON Art. VII, Sec. 13 new)

13           SECTION 13. UNFUNDED MANDATES

14           (a) If the General Assembly or any State executive action  
15 requires a unit of local government to establish, expand, or  
16 modify its activities in such a way as to necessitate  
17 additional expenditures of revenue by the unit of local  
18 government, then the State must provide funds to reimburse the  
19 unit of local government for the costs necessary to carry out  
20 the mandated requirement, except that the General Assembly may,  
21 but need not, provide funds for the following mandates:

22                   (1) legislatively mandated requirements requested by  
23 the unit of local government affected; and

1           (2) legislatively mandated requirements that became  
2           effective before the effective date of this Section or  
3           State executive actions initially implementing legislation  
4           that became effective before the effective date of this  
5           Section.

6           (b) A mandated requirement that is not funded is not  
7           enforceable while not funded unless the bill implementing the  
8           mandated requirement passed with the concurrence of at least  
9           three-fifths of the members elected to each house of the  
10           General Assembly and specifically states that it is a  
11           non-reimbursable mandate under this subsection.

12    SCHEDULE

13           This Constitutional Amendment takes effect upon being  
14           declared adopted in accordance with Section 7 of the Illinois  
15           Constitutional Amendment Act.