99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0002

Introduced , by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Provides that the State Board of Elections shall produce a redistricting plan using a computer program. In the year following each Federal decennial census year, requires the State Board of Elections to designate its computer program by April 15 and to file the redistricting plan by June 1, which is presumed valid and has the force and effect of law. The computer program designated by the State Board of Elections must disregard specified data and must consider certain prioritized factors; the computer program shall otherwise produce districts in a random manner. Effective beginning with redistricting in 2021 and applies to members elected in 2022 and thereafter.

1   HOUSE JOINT RESOLUTION

2   CONSTITUTIONAL AMENDMENT

3   RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE

4   NINETY-NINTH 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 Section 3 of Article IV

9   of the Illinois Constitution as follows:

10   ARTICLE IV

11   THE LEGISLATURE

12   (ILCON Art. IV, Sec. 3)

13   SECTION 3. LEGISLATIVE REDISTRICTING

14   (a) Legislative Districts shall be compact, contiguous and

15   substantially equal in population. Representative Districts

16   shall be compact, contiguous, and substantially equal in

17   population.

18   (b) By April 15 of the year following each Federal

19   decennial census year, the State Board of Elections, by a

20   record vote of a majority of the total number of members

21   authorized by law as provided in Section 5 of Article III,

22   shall designate a computer program for redistricting the

23   Legislative Districts and Representative Districts that meets

1   the requirements of this Section. The designation shall include

2   detailed specifications of the computer program.

3   Any computer program designated by the State Board of

4   Elections   under   this   Section   shall   embody   the   following

5   standards and criteria, as defined by Common Law, in this order

6   of priority:

7   (1) contiguity;

8   (2) substantial equality of population;

9   (3) compactness;

10   (4) minimization of the number of districts that cross

11   county or municipal boundaries; and

12   (5) a fair reflection of minority voting strength.

13 Any computer program designated by the State Board of Elections

14 under this Section shall not consider the following data:

15   (1) residency of incumbent legislators;

16   (2) political affiliations of registered voters;

17   (3) previous election results; and

18   (4) demographic information not required to be used by

19   this Section or by the United States Constitution or

20   federal law.

21 Except as specified in this Section, the computer program shall

22 produce districts in a random manner.

23   (c) ~~(b)~~ In the year following each Federal decennial

24 census year, the State Board of Elections ~~General Assembly by~~

25 ~~law~~ shall redistrict the Legislative Districts and the

26 Representative Districts using the computer program designated

1   under subsection (b). The Board shall file such computer

2   generated plan with the Secretary of State no later than June 1

3   of the year following the Federal decennial census year.

4   (d) The State Board of Elections shall designate a computer

5   program under subsection (b) and shall approve a plan under

6   subsection (c) at public meetings. The Board shall give

7   reasonable and adequate advance notice of those meetings.

8   If no redistricting plan becomes effective by June 30 of

9   that year, a Legislative Redistricting Commission shall be

10   constituted not later than July 10. The Commission shall

11   consist of eight members, no more than four of whom shall be

12   members of the same political party.

13   The Speaker and Minority Leader of the House of

14   Representatives shall each appoint to the Commission one

15   Representative and one person who is not a member of the

16   General Assembly. The President and Minority Leader of the

17   Senate shall each appoint to the Commission one Senator and one

18   person who is not a member of the General Assembly.

19   The members shall be certified to the Secretary of State by

20   the appointing authorities. A vacancy on the Commission shall

21   be filled within five days by the authority that made the

22   original appointment. A Chairman and Vice Chairman shall be

23   chosen by a majority of all members of the Commission.

24   Not later than August 10, the Commission shall file with

25   the Secretary of State a redistricting plan approved by at

26   least five members.

1   ~~If the Commission fails to file an approved redistricting~~

2   ~~plan, the Supreme Court shall submit the names of two persons,~~

3   ~~not of the same political party, to the Secretary of State not~~

4   ~~later than September 1.~~

5   ~~Not later than September 5, the Secretary of State publicly~~

6   ~~shall draw by random selection the name of one of the two~~

7   ~~persons to serve as the ninth member of the Commission.~~

8   ~~Not later than October 5, the Commission shall file with~~

9   ~~the Secretary of State a redistricting plan approved by at~~

10   ~~least five members.~~

11   (e) An approved redistricting plan filed with the Secretary

12   of State shall be presumed valid, shall have the force and

13   effect of law and shall be published promptly by the Secretary

14   of State.

15   (f) The Supreme Court shall have original and exclusive

16   jurisdiction over actions concerning redistricting the House

17   and Senate, which shall be initiated in the name of the People

18   of the State by the Attorney General.

19   (Source: Amendment adopted at general election November 4,

20   1980.)

21   SCHEDULE

22   This Constitutional Amendment takes effect beginning with

23   redistricting in 2021 and applies to the election of members of

24   the General Assembly in 2022 and thereafter.