



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**HOUSE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**HC0058**

Introduced , by Rep. Jack D. Franks

**SYNOPSIS AS INTRODUCED:**

ILCON Art. IV, Sec. 2

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Provides that the boundaries of Legislative and Representative districts may be separate. Requires that both types of districts, in addition to being compact, contiguous, and substantially equal in population, must reflect minority voting strengths, promote competition, and consider political boundaries. Replaces the current method of redistricting of the Senate and House of Representatives with the following: an 8-member Independent Redistricting Commission, appointed by the Chief Justice and the most senior Justice of the Supreme Court who is not affiliated with the same political party as the Chief Justice, shall hold at least 15 public hearings throughout the State before adopting any redistricting plan; requires the Commission to adopt a report explaining the compliance of the proposed redistricting plan with the U.S. and Illinois Constitutions; and provides for the Chief Justice of the Supreme Court and the most senior Justice of the Supreme Court who is not affiliated with the same political party as the Chief Justice to appoint a ninth member to the Commission, if the Commission fails to adopt and file a redistricting plan by the required date. Specifies the schedule for redistricting activities. Effective upon being declared adopted and applicable to redistricting beginning in 2021 and to the election of General Assembly members beginning in 2022.

LRB099 21449 JWD 47536 e

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 Article IV of the  
9 Illinois Constitution by changing Sections 2 and 3 as follows:

10                                   ARTICLE IV  
11                                   THE LEGISLATURE

12                   (IILCON Art. IV, Sec. 2)

13           SECTION 2. LEGISLATIVE COMPOSITION

14           (a) One Senator shall be elected from each Legislative  
15 District. Immediately following each decennial redistricting,  
16 the General Assembly by law shall divide the Legislative  
17 Districts as equally as possible into three groups. Senators  
18 from one group shall be elected for terms of four years, four  
19 years and two years; Senators from the second group, for terms  
20 of four years, two years and four years; and Senators from the  
21 third group, for terms of two years, four years and four years.  
22 The Legislative Districts in each group shall be distributed  
23 substantially equally over the State.

1           (b) ~~Each Legislative District shall be divided into two~~  
2 ~~Representative Districts.~~ In 1982 and every two years  
3 thereafter one Representative shall be elected from each  
4 Representative District for a term of two years.

5           (c) To be eligible to serve as a member of the General  
6 Assembly, a person must be a United States citizen, at least 21  
7 years old, and for the two years preceding his election or  
8 appointment a resident of the district which he is to  
9 represent. In the general election following a redistricting, a  
10 candidate for the General Assembly may be elected from any  
11 district which contains a part of the district in which he  
12 resided at the time of the redistricting and reelected if a  
13 resident of the new district he represents for 18 months prior  
14 to reelection.

15           (d) Within thirty days after a vacancy occurs, it shall be  
16 filled by appointment as provided by law. If the vacancy is in  
17 a Senatorial office with more than twenty-eight months  
18 remaining in the term, the appointed Senator shall serve until  
19 the next general election, at which time a Senator shall be  
20 elected to serve for the remainder of the term. If the vacancy  
21 is in a Representative office or in any other Senatorial  
22 office, the appointment shall be for the remainder of the term.  
23 An appointee to fill a vacancy shall be a member of the same  
24 political party as the person he succeeds.

25           (e) No member of the General Assembly shall receive  
26 compensation as a public officer or employee from any other

1 governmental entity for time during which he is in attendance  
2 as a member of the General Assembly.

3 No member of the General Assembly during the term for which  
4 he was elected or appointed shall be appointed to a public  
5 office which shall have been created or the compensation for  
6 which shall have been increased by the General Assembly during  
7 that term.

8 (Source: Amendment adopted at general election November 4,  
9 1980.)

10 (ILCON Art. IV, Sec. 3)

11 SECTION 3. LEGISLATIVE REDISTRICTING

12 (a) Legislative Districts and Representative Districts  
13 shall each, in order of priority, be substantially equal in  
14 population; provide racial minorities and language minorities  
15 with the equal opportunity to participate in the political  
16 process and elect candidates of their choice; provide racial  
17 minorities and language minorities who constitute less than a  
18 voting-age majority of a District with an opportunity to  
19 substantially influence the outcome of an election; be  
20 contiguous; be compact; respect, to the extent practical,  
21 geographic integrity of units of local government; respect, to  
22 the extent practical, communities sharing common social or  
23 economic interests; and not discriminate against or in favor of  
24 any political party or individual.

25 (b) No later than June 30 of the year in which each Federal

1 decennial census occurs, the Chief Justice and the most senior  
2 Justice of the Supreme Court who is not affiliated with the  
3 same political party as the Chief Justice shall select eight  
4 commissioners to an Independent Redistricting Commission.  
5 Commissioners must reflect the ethnic, gender, and racial  
6 demographics of Illinois, and there must be at least one  
7 commissioner from each Judicial District.

8 (c) A person is ineligible to serve on the Commission if  
9 within the previous four calendar years the person or his or  
10 her spouse was appointed or elected to a position with the  
11 State or local government, a State employee, a lobbyist as  
12 defined by law, a person with an ownership interest in an  
13 entity with a state contract, or appointed or elected to serve  
14 a political party. A commissioner is ineligible for a period of  
15 ten years to serve in the General Assembly or to be appointed  
16 to a position subject to Senate confirmation. Commissioners  
17 must file financial disclosure statements and abide by any  
18 ethics requirements established by law.

19 (d) The Commission shall act in public meetings by  
20 affirmative vote of five commissioners. The Commission shall  
21 elect its chairperson and vice chairperson, who shall not be  
22 affiliated with the same political party. All meetings of the  
23 Commission shall be open to the public and publicly noticed at  
24 least two days prior to the meeting. All records of the  
25 Commission, including all communications to or from the  
26 Commission regarding the work of the Commission, shall be

1 available for public inspection. The Commission shall adopt  
2 rules governing its procedures.

3 (e) The Commission shall hold at least fifteen public  
4 hearings throughout the State before adopting any  
5 redistricting plan, with a majority occurring before the  
6 Commission releases any proposed redistricting plan. The  
7 Commission may not adopt a redistricting plan until the  
8 Commission adopts a report explaining its compliance with the  
9 United States and Illinois Constitutions.

10 (f) The Commission shall adopt and file with the Secretary  
11 of State a redistricting plan for the Legislative Districts and  
12 Representative Districts by June 30 of the year following the  
13 Federal decennial census. The Commission may adopt separate  
14 redistricting plans for the Legislative Districts and the  
15 Representative Districts.

16 (g) If the Commission fails to adopt and file a  
17 redistricting plan by July 1 of the year following a Federal  
18 decennial census, the Chief Justice of the Supreme Court and  
19 the most senior Justice of the Supreme Court who is not  
20 affiliated with the same political party as the Chief Justice  
21 shall appoint a ninth member to the Commission. The nine-member  
22 Commission shall adopt and file with the Secretary of State a  
23 redistricting plan for the Legislative Districts and  
24 Representative Districts by August 1 of the year following the  
25 Federal decennial census.

26 (h) A redistricting plan filed with the Secretary of State

1 shall be presumed valid and shall be published promptly by the  
2 Secretary of State.

3 (i) The Supreme Court shall have original and exclusive  
4 jurisdiction over actions concerning redistricting the House  
5 and Senate, which shall be initiated in the name of the People  
6 of the State by the Attorney General.

7 ~~(a) Legislative Districts shall be compact, contiguous and~~  
8 ~~substantially equal in population. Representative Districts~~  
9 ~~shall be compact, contiguous, and substantially equal in~~  
10 ~~population.~~

11 ~~(b) In the year following each Federal decennial census~~  
12 ~~year, the General Assembly by law shall redistrict the~~  
13 ~~Legislative Districts and the Representative Districts.~~

14 ~~If no redistricting plan becomes effective by June 30 of~~  
15 ~~that year, a Legislative Redistricting Commission shall be~~  
16 ~~constituted not later than July 10. The Commission shall~~  
17 ~~consist of eight members, no more than four of whom shall be~~  
18 ~~members of the same political party.~~

19 ~~The Speaker and Minority Leader of the House of~~  
20 ~~Representatives shall each appoint to the Commission one~~  
21 ~~Representative and one person who is not a member of the~~  
22 ~~General Assembly. The President and Minority Leader of the~~  
23 ~~Senate shall each appoint to the Commission one Senator and one~~  
24 ~~person who is not a member of the General Assembly.~~

25 ~~The members shall be certified to the Secretary of State by~~  
26 ~~the appointing authorities. A vacancy on the Commission shall~~

1 ~~be filled within five days by the authority that made the~~  
2 ~~original appointment. A Chairman and Vice Chairman shall be~~  
3 ~~chosen by a majority of all members of the Commission.~~

4 ~~Not later than August 10, the Commission shall file with~~  
5 ~~the Secretary of State a redistricting plan approved by at~~  
6 ~~least five members.~~

7 ~~If the Commission fails to file an approved redistricting~~  
8 ~~plan, the Supreme Court shall submit the names of two persons,~~  
9 ~~not of the same political party, to the Secretary of State not~~  
10 ~~later than September 1.~~

11 ~~Not later than September 5, the Secretary of State publicly~~  
12 ~~shall draw by random selection the name of one of the two~~  
13 ~~persons to serve as the ninth member of the Commission.~~

14 ~~Not later than October 5, the Commission shall file with~~  
15 ~~the Secretary of State a redistricting plan approved by at~~  
16 ~~least five members.~~

17 ~~An approved redistricting plan filed with the Secretary of~~  
18 ~~State shall be presumed valid, shall have the force and effect~~  
19 ~~of law and shall be published promptly by the Secretary of~~  
20 ~~State.~~

21 ~~The Supreme Court shall have original and exclusive~~  
22 ~~jurisdiction over actions concerning redistricting the House~~  
23 ~~and Senate, which shall be initiated in the name of the People~~  
24 ~~of the State by the Attorney General.~~

25 (Source: Amendment adopted at general election November 4,  
26 1980.)



## 1 SCHEDULE

2 This Constitutional Amendment takes effect upon being  
3 declared adopted in accordance with Section 7 of the Illinois  
4 Constitutional Amendment Act and applies to redistricting  
5 beginning in 2021 and to the election of General Assembly  
6 members beginning in 2022.