

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT 58

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 (ILCON 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

1 substantially equally over the State.

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

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

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

26 (e) No member of the General Assembly shall receive

1 compensation as a public officer or employee from any other
2 governmental entity for time during which he is in attendance
3 as a member of the General Assembly.

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

9 (Source: Amendment adopted at general election November 4,
10 1980.)

11 (ILCON Art. IV, Sec. 3)

12 SECTION 3. LEGISLATIVE REDISTRICTING

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

1 (b) No later than June 30 of the year in which each Federal
2 decennial census occurs, the Chief Justice and the most senior
3 Justice of the Supreme Court who is not affiliated with the
4 same political party as the Chief Justice shall select eight
5 commissioners to an Independent Redistricting Commission.
6 Commissioners must reflect the ethnic, gender, and racial
7 demographics of Illinois, and there must be at least one
8 commissioner from each Judicial District.

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

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

1 Commission, including all communications to or from the
2 Commission regarding the work of the Commission, shall be
3 available for public inspection. The Commission shall adopt
4 rules governing its procedures.

5 (e) The Commission shall hold at least fifteen public
6 hearings throughout the State before adopting any
7 redistricting plan, with a majority occurring before the
8 Commission releases any proposed redistricting plan and at
9 least five occurring after the release of any proposed
10 redistricting plan. The Commission may not adopt a
11 redistricting plan until the Commission adopts a report
12 explaining its compliance with the United States and Illinois
13 Constitutions. Prior to the adoption of a redistricting plan,
14 the Commission shall release to the public the final plan and
15 its associated compliance report. The meeting to vote on
16 adoption of a redistricting plan shall occur no sooner than
17 seven days after the release of the final plan and its
18 associated compliance report.

19 (f) The Commission shall adopt and file with the Secretary
20 of State a redistricting plan for the Legislative Districts and
21 Representative Districts by June 30 of the year following the
22 Federal decennial census. The Commission may adopt separate
23 redistricting plans for the Legislative Districts and the
24 Representative Districts.

25 (g) If the Commission fails to adopt and file a
26 redistricting plan by July 1 of the year following a Federal

1 decennial census, the Chief Justice of the Supreme Court and
2 the most senior Justice of the Supreme Court who is not
3 affiliated with the same political party as the Chief Justice
4 shall appoint a ninth member to the Commission. The nine-member
5 Commission shall adopt and file with the Secretary of State a
6 redistricting plan for the Legislative Districts and
7 Representative Districts by August 1 of the year following the
8 Federal decennial census.

9 (h) A redistricting plan filed with the Secretary of State
10 shall be presumed valid and shall be published promptly by the
11 Secretary of State.

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

16 ~~(a) Legislative Districts shall be compact, contiguous and~~
17 ~~substantially equal in population. Representative Districts~~
18 ~~shall be compact, contiguous, and substantially equal in~~
19 ~~population.~~

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

23 ~~If no redistricting plan becomes effective by June 30 of~~
24 ~~that year, a Legislative Redistricting Commission shall be~~
25 ~~constituted not later than July 10. The Commission shall~~
26 ~~consist of eight members, no more than four of whom shall be~~

1 ~~members of the same political party.~~

2 ~~The Speaker and Minority Leader of the House of~~
3 ~~Representatives shall each appoint to the Commission one~~
4 ~~Representative and one person who is not a member of the~~
5 ~~General Assembly. The President and Minority Leader of the~~
6 ~~Senate shall each appoint to the Commission one Senator and one~~
7 ~~person who is not a member of the General Assembly.~~

8 ~~The members shall be certified to the Secretary of State by~~
9 ~~the appointing authorities. A vacancy on the Commission shall~~
10 ~~be filled within five days by the authority that made the~~
11 ~~original appointment. A Chairman and Vice Chairman shall be~~
12 ~~chosen by a majority of all members of the Commission.~~

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

16 ~~If the Commission fails to file an approved redistricting~~
17 ~~plan, the Supreme Court shall submit the names of two persons,~~
18 ~~not of the same political party, to the Secretary of State not~~
19 ~~later than September 1.~~

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

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

26 ~~An approved redistricting plan filed with the Secretary of~~

1 ~~State shall be presumed valid, shall have the force and effect~~
2 ~~of law and shall be published promptly by the Secretary of~~
3 ~~State.~~

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

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

10 SCHEDULE

11 This Constitutional Amendment takes effect upon being
12 declared adopted in accordance with Section 7 of the Illinois
13 Constitutional Amendment Act and applies to redistricting
14 beginning in 2021 and to the election of General Assembly
15 members beginning in 2022.