



HC0058HAM003

LRB099 21449 JWD 47950 a

1 AMENDMENT TO HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT 58

3 AMENDMENT NO. ____ . Amend House Joint Resolution
4 Constitutional Amendment 58 by replacing everything after the
5 heading with the following:

6 "RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
7 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
8 SENATE CONCURRING HEREIN, that there shall be submitted to the
9 electors of the State for adoption or rejection at the general
10 election next occurring at least 6 months after the adoption of
11 this resolution a proposition to amend Article IV of the
12 Illinois Constitution by changing Sections 2 and 3 as follows:

13 ARTICLE IV
14 THE LEGISLATURE

15 (ILCON Art. IV, Sec. 2)

1 SECTION 2. LEGISLATIVE COMPOSITION

2 (a) One Senator shall be elected from each Legislative
3 District. Immediately following each decennial redistricting,
4 the General Assembly by law shall divide the Legislative
5 Districts as equally as possible into three groups. Senators
6 from one group shall be elected for terms of four years, four
7 years and two years; Senators from the second group, for terms
8 of four years, two years and four years; and Senators from the
9 third group, for terms of two years, four years and four years.
10 The Legislative Districts in each group shall be distributed
11 substantially equally over the State.

12 (b) ~~Each Legislative District shall be divided into two~~
13 ~~Representative Districts.~~ In 1982 and every two years
14 thereafter one Representative shall be elected from each
15 Representative District for a term of two years.

16 (c) To be eligible to serve as a member of the General
17 Assembly, a person must be a United States citizen, at least 21
18 years old, and for the two years preceding his election or
19 appointment a resident of the district which he is to
20 represent. In the general election following a redistricting, a
21 candidate for the General Assembly may be elected from any
22 district which contains a part of the district in which he
23 resided at the time of the redistricting and reelected if a
24 resident of the new district he represents for 18 months prior
25 to reelection.

26 (d) Within thirty days after a vacancy occurs, it shall be

1 filled by appointment as provided by law. If the vacancy is in
2 a Senatorial office with more than twenty-eight months
3 remaining in the term, the appointed Senator shall serve until
4 the next general election, at which time a Senator shall be
5 elected to serve for the remainder of the term. If the vacancy
6 is in a Representative office or in any other Senatorial
7 office, the appointment shall be for the remainder of the term.
8 An appointee to fill a vacancy shall be a member of the same
9 political party as the person he succeeds.

10 (e) No member of the General Assembly shall receive
11 compensation as a public officer or employee from any other
12 governmental entity for time during which he is in attendance
13 as a member of the General Assembly.

14 No member of the General Assembly during the term for which
15 he was elected or appointed shall be appointed to a public
16 office which shall have been created or the compensation for
17 which shall have been increased by the General Assembly during
18 that term.

19 (Source: Amendment adopted at general election November 4,
20 1980.)

21 (ILCON Art. IV, Sec. 3)

22 SECTION 3. LEGISLATIVE REDISTRICTING

23 (a) Legislative Districts and Representative Districts
24 shall each, in order of priority, be substantially equal in
25 population; provide racial minorities and language minorities

1 with the equal opportunity to participate in the political
2 process and elect candidates of their choice; provide racial
3 minorities and language minorities who constitute less than a
4 voting-age majority of a District with an opportunity to
5 substantially influence the outcome of an election; be
6 contiguous; be compact; respect, to the extent practical,
7 geographic integrity of units of local government; respect, to
8 the extent practical, communities sharing common social or
9 economic interests; and not discriminate against or in favor of
10 any political party or individual.

11 (b) No later than June 30 of the year in which each Federal
12 decennial census occurs, the Chief Justice and the most senior
13 Justice of the Supreme Court who is not affiliated with the
14 same political party as the Chief Justice shall select eight
15 commissioners to an Independent Redistricting Commission.
16 Commissioners must reflect the ethnic, gender, and racial
17 demographics of Illinois, and there must be at least one
18 commissioner from each Judicial District.

19 (c) A person is ineligible to serve on the Commission if
20 within the previous four calendar years the person or his or
21 her spouse or immediate family member was appointed or elected
22 to a position with the State or local government, a State
23 employee, a lobbyist as defined by law, a person with an
24 ownership interest in an entity with a state contract, or
25 appointed or elected to serve a political party. A commissioner
26 is ineligible for a period of ten years to serve in the General

1 Assembly or to be appointed to a position subject to Senate
2 confirmation. Commissioners must file financial disclosure
3 statements and abide by any ethics requirements established by
4 law.

5 (d) The Commission shall act in public meetings by
6 affirmative vote of five commissioners. The Commission shall
7 elect its chairperson and vice chairperson, who shall not be
8 affiliated with the same political party. All meetings of the
9 Commission shall be open to the public and publicly noticed at
10 least seven days prior to the meeting. All records of the
11 Commission, including all communications to or from the
12 Commission regarding the work of the Commission, shall be
13 available for public inspection. The Commission shall adopt
14 rules governing its procedures.

15 (e) The Commission shall hold at least fifteen public
16 hearings throughout the State before adopting any
17 redistricting plan, with a majority occurring before the
18 Commission releases any proposed redistricting plan and at
19 least five occurring after the release of any proposed
20 redistricting plan. The Commission may not adopt a
21 redistricting plan until the Commission adopts a report
22 explaining its compliance with the United States and Illinois
23 Constitutions. Prior to the adoption of a redistricting plan,
24 the Commission shall release to the public the final plan and
25 its associated compliance report. The meeting to vote on
26 adoption of a redistricting plan shall occur no sooner than

1 seven days after the release of the final plan and its
2 associated compliance report.

3 (f) The Commission shall adopt and file with the Secretary
4 of State a redistricting plan for the Legislative Districts and
5 Representative Districts by June 30 of the year following the
6 Federal decennial census. The Commission may adopt separate
7 redistricting plans for the Legislative Districts and the
8 Representative Districts.

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

19 (h) A redistricting plan filed with the Secretary of State
20 shall be presumed valid and shall be published promptly by the
21 Secretary of State.

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

26 ~~(a) Legislative Districts shall be compact, contiguous and~~

1 ~~substantially equal in population. Representative Districts~~
2 ~~shall be compact, contiguous, and substantially equal in~~
3 ~~population.~~

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

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

12 ~~The Speaker and Minority Leader of the House of~~
13 ~~Representatives shall each appoint to the Commission one~~
14 ~~Representative and one person who is not a member of the~~
15 ~~General Assembly. The President and Minority Leader of the~~
16 ~~Senate shall each appoint to the Commission one Senator and one~~
17 ~~person who is not a member of the General Assembly.~~

18 ~~The members shall be certified to the Secretary of State by~~
19 ~~the appointing authorities. A vacancy on the Commission shall~~
20 ~~be filled within five days by the authority that made the~~
21 ~~original appointment. A Chairman and Vice Chairman shall be~~
22 ~~chosen by a majority of all members of the Commission.~~

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

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

1 ~~plan, the Supreme Court shall submit the names of two persons,~~
2 ~~not of the same political party, to the Secretary of State not~~
3 ~~later than September 1.~~

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

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

10 ~~An approved redistricting plan filed with the Secretary of~~
11 ~~State shall be presumed valid, shall have the force and effect~~
12 ~~of law and shall be published promptly by the Secretary of~~
13 ~~State.~~

14 ~~The Supreme Court shall have original and exclusive~~
15 ~~jurisdiction over actions concerning redistricting the House~~
16 ~~and Senate, which shall be initiated in the name of the People~~
17 ~~of the State by the Attorney General.~~

18 (Source: Amendment adopted at general election November 4,
19 1980.)

20 SCHEDULE

21 This Constitutional Amendment takes effect upon being
22 declared adopted in accordance with Section 7 of the Illinois
23 Constitutional Amendment Act and applies to redistricting
24 beginning in 2021 and to the election of General Assembly
25 members beginning in 2022."