



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0030**

Introduced 4/18/2016, by Sen. Kwame Raoul

**SYNOPSIS AS INTRODUCED:**

ILCON Art. IV, Sec. 2  
ILCON Art. IV, Sec. 3  
ILCON Art. IV, Sec. 3.1 new

Proposes to amend the Legislature Article of the Illinois Constitution concerning the decennial redistricting of Legislative and Representative Districts. Provides that the Senate, by resolution, instead of "the General Assembly by law", shall divide the Legislative Districts into 3 groups for the determination of terms of office. Eliminates the requirement that Legislative Districts be divided into 2 Representative Districts. Provides criteria for creating districts. Provides for the General Assembly to redistrict Legislative and Representative Districts by law by June 20. If that fails, provides for the Senate to redistrict Legislative Districts and the House to redistrict Representative Districts, each by resolution adopted by three-fifths of the members elected. If no resolution is adopted by July 20, provides for a Senate or House Redistricting Commission to redistrict by August 20. If that fails, provides for a Special Master. If that fails or a bill, resolution, or plan is invalidated, the General Assembly may redistrict by law. Requires hearings and allows for the public to submit plans. Further proposes to amend the Legislature Article of the Illinois Constitution concerning the decennial redistricting of Congressional Districts. Provides criteria for creating districts. Provides for the General Assembly to redistrict Congressional Districts by law by June 20. If that fails, provides for a Special Master. If that fails or a bill or plan is invalidated, the General Assembly may redistrict by law. Requires hearings and allows for the public to submit plans. Effective upon being declared adopted.

LRB099 21414 JWD 47760 e

1                                   SENATE JOINT RESOLUTION  
2                                   CONSTITUTIONAL AMENDMENT

3           RESOLVED, BY THE SENATE OF THE NINETY-NINTH 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 3.1 to, and to  
9 amend Sections 2 and 3 of Article IV of, the Illinois  
10 Constitution as follows:

11                                   ARTICLE IV  
12                                   THE LEGISLATURE

13           (ILCON Art. IV, Sec. 2)

14           SECTION 2. LEGISLATIVE COMPOSITION

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

1 shall be distributed substantially equally over the State.

2 (b) One ~~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 control or substantially influence the outcome of an election;  
21 respect, to the extent practical, communities of interest; be  
22 compact; respect, to the extent practical, municipal  
23 boundaries; and be contiguous ~~compact, contiguous and~~  
24 ~~substantially equal in population. Representative Districts~~  
25 ~~shall be compact, contiguous, and substantially equal in~~

1 ~~population.~~

2 (b) In the year following each Federal decennial census  
3 year, the General Assembly by law shall redistrict the  
4 Legislative Districts and the Representative Districts,  
5 subject to the hearing and notice requirements of subsection  
6 (c).

7 A bill passed by the General Assembly pursuant to this  
8 subsection shall be presented to the Governor not later than  
9 June 3. The foregoing requirement shall be judicially  
10 enforceable. If the Governor approves the bill, then the  
11 Governor shall sign it by June 10 and it shall become law. If  
12 the Governor vetoes the bill or makes specific recommendations  
13 for change to the bill, then the Governor shall return it with  
14 his or her objections or specific recommendations by June 10  
15 directly to the house in which it originated whether or not the  
16 General Assembly is in recess or adjourned. Any bill not so  
17 returned on or before June 10 of that year shall become law.

18 A vetoed bill or bill returned with specific  
19 recommendations for change shall be considered in the manner  
20 set forth in this subsection notwithstanding any provision of  
21 Section 9 of this Article to the contrary. Not later than June  
22 15, the originating house may either override the Governor's  
23 veto or specific recommendations for change by a record vote of  
24 three-fifths of the members elected or accept the Governor's  
25 specific recommendations for change by a record vote of a  
26 majority of the members elected. If the originating house

1 passes the bill by the required vote, then it shall be  
2 delivered immediately to the second house, which, not later  
3 than June 20, may take the same action as the originating house  
4 by the same record vote requirements applicable to the  
5 originating house. A bill having received the required record  
6 vote in both houses shall become law and shall take effect  
7 immediately notwithstanding any provision of Section 10 of this  
8 Article to the contrary. If no redistricting bill for the  
9 Legislative Districts or Representative Districts, or both,  
10 becomes law by June 20 of that year, then the General Assembly  
11 may not redistrict by law for the remainder of that year,  
12 except as provided in subsection (f).

13 If no redistricting bill for the Legislative Districts or  
14 Representative Districts, or both, becomes law by June 20 of  
15 that year, then the Senate may redistrict Legislative Districts  
16 and the House of Representatives may redistrict the  
17 Representative Districts, as applicable, by resolution adopted  
18 by a record vote of three-fifths of the members elected to that  
19 house, subject to the hearing and notice requirements of  
20 subsection (c). An adopted redistricting resolution shall be  
21 filed with the Secretary of State by the presiding officer of  
22 the house that adopted the resolution not later than July 20.

23 If no redistricting resolution is filed for the Legislative  
24 Districts or Representative Districts, or both, by July 20,  
25 then not later than August 20 the Senate Redistricting  
26 Commission shall redistrict the Legislative Districts and the

1 House Redistricting Commission shall redistrict the  
2 Representative Districts, as applicable, each in a manner  
3 consistent with subsection (e).

4 (c) In the year following each Federal decennial census  
5 year, the Senate and House of Representatives shall each  
6 establish a committee to consider proposals to redistrict the  
7 Legislative Districts or Representative Districts, as  
8 applicable. Each committee shall conduct at least five public  
9 hearings statewide to receive testimony and inform the public  
10 on the applicable existing Districts, with one hearing held in  
11 each of five distinct geographic regions of the State  
12 determined by the respective committee. All hearings of a  
13 committee shall be open to the public. The Chairperson of each  
14 committee shall, no later than six days before any proposed  
15 hearing, post a notice with the Secretary of the Senate or  
16 Clerk of the House, as applicable. The notice shall identify  
17 any measure and subject matter that may be considered during  
18 that hearing. The notice shall contain the day, hour, and place  
19 of the hearing.

20 If a committee favorably reports a redistricting  
21 resolution or bill redistricting the Legislative Districts or  
22 Representative Districts, or both, as applicable, then the  
23 committee shall conduct at least one final hearing in each of  
24 five distinct geographic regions previously determined by the  
25 committee in order to receive testimony and inform the public  
26 of the proposed Districts. All hearings of a committee shall be

1 open to the public. The Chairperson shall, no later than two  
2 days before any proposed hearing, post a notice with the  
3 Secretary of the Senate or Clerk of the House, as applicable.  
4 The notice shall identify any measure and subject matter that  
5 may be considered during that hearing. The notice shall contain  
6 the day, hour, and place of the hearing. After the committee  
7 completes the required hearings, then the Senate or House of  
8 Representatives, or both, as applicable, may amend a  
9 redistricting bill or resolution and may take final action on  
10 the bill or resolution.

11 (d) As soon as practical, the General Assembly shall make  
12 available to the public, the Commissions, and the Special  
13 Masters all Federal decennial census data it receives from the  
14 Federal government and any other data required by law. The  
15 General Assembly shall provide a means by which members of the  
16 public may submit redistricting proposals or comment on or  
17 obtain a copy of any proposal submitted to the Senate, the  
18 House, a Commission, or a Special Master.

19 (e) By February 1 of the year following each Federal  
20 decennial census year, ~~If no redistricting plan becomes~~  
21 ~~effective by June 30 of that year,~~ a Senate Legislative  
22 Redistricting Commission shall be constituted and consist of  
23 ~~ten members, no more than five not later than July 10.~~ The  
24 ~~Commission shall consist of eight members, no more than four of~~  
25 ~~whom shall be members of the same political party. ~~The Speaker~~~~  
26 ~~and Minority Leader of the House of Representatives shall each~~



1 ~~appoint to the Commission one Representative and one person who~~  
2 ~~is not a member of the General Assembly.~~ The President and  
3 Minority Leader of the Senate shall each appoint five persons  
4 to the Commission, no more than two of whom shall be Senators  
5 ~~one Senator~~ and at least three of whom shall be persons ~~one~~  
6 ~~person~~ who do not hold an elected or a political party office,  
7 are not employees of the General Assembly, are not employees of  
8 a political party, are not immediate family members of a member  
9 of the General Assembly or Congress, and are not lobbyists as  
10 defined by law.

11 By February 1 of the year following each Federal decennial  
12 census year, a House of Representatives Redistricting  
13 Commission shall be constituted and consist of ten members, no  
14 more than five of whom shall be members of the same political  
15 party. The Speaker and Minority Leader of the House of  
16 Representatives shall each appoint five persons to the  
17 Commission, no more than two of whom shall be Representatives  
18 and at least three of whom shall be persons who do not hold an  
19 elected or a political party office, are not employees of the  
20 General Assembly, are not employees of a political party, are  
21 not immediate family members of a member of the General  
22 Assembly or Congress, and are not lobbyists as defined by law.

23 An "immediate family member", for purposes of this Section  
24 and Section 3.1, is a person with whom the person has a bona  
25 fide relationship established through close blood or legal  
26 relationship, including parents, siblings, children, spouses,

1 and first cousins is not a member of the General Assembly.

2 Persons appointed to each Commission should reflect the  
3 racial, ethnic, geographic, and cultural diversity of the  
4 State.

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

11 Each Redistricting Commission shall conduct at least ten  
12 public hearings statewide to receive testimony and inform the  
13 public, with two hearings held in each of five distinct  
14 geographic regions of the State determined by the respective  
15 Commission. All hearings of a Commission shall be open to the  
16 public. The Chairperson of the Commission shall, no later than  
17 six days before any proposed hearing, post a notice with the  
18 Secretary of the Senate or Clerk of the House, as applicable,  
19 who shall immediately make the notice available to the public.  
20 The notice shall identify any measure and subject matter that  
21 may be considered during that hearing. The notice shall contain  
22 the day, hour, and place of the hearing. Each Commission shall  
23 conduct the public hearings by April 1 of that year and must  
24 file a report with its respective chamber regarding its  
25 hearings, including hearing transcripts. Each Commission shall  
26 also file a copy of its report and hearing transcripts with the

1 State Board of Elections, which shall make the report and  
2 hearing transcripts available to the public.

3 If no law redistricting the Legislative Districts or  
4 Representative Districts, or both, takes effect by June 20 and  
5 the Senate or House, as applicable, fails to file a  
6 redistricting resolution with the Secretary of State by July  
7 20, then the applicable Redistricting Commission, by  
8 resolution adopted by a record vote of at least six  
9 Commissioners, shall redistrict the Legislative Districts or  
10 Representative Districts, as applicable. If a Commission  
11 adopts a redistricting resolution, then the Commission shall  
12 conduct at least one public hearing in each of the five  
13 distinct geographic regions previously determined by the  
14 Commission in order to receive testimony and inform the public  
15 of the redistricting plan. The Commission must complete the  
16 required hearings prior to filing an adopted redistricting  
17 resolution with the Secretary of State. All hearings of a  
18 Commission shall be open to the public. The Chairperson of the  
19 Commission shall, no later than two days before any proposed  
20 hearing, post a notice with the Secretary of the Senate or  
21 Clerk of the House, as applicable, who shall immediately make  
22 the notice available to the public. The notice shall identify  
23 any measure and subject matter that may be considered during  
24 that hearing. The notice shall contain the day, hour, and place  
25 of the hearing. The Commission shall file an adopted resolution  
26 with the Secretary of State not later than August 20.

1       If a Redistricting Commission fails to file an adopted  
2 resolution by August 20, then the Supreme Court Judges most  
3 senior from each political party represented on the Supreme  
4 Court shall jointly appoint one person to act as Special Master  
5 to redistrict the Legislative Districts and a different person  
6 to act as Special Master to redistrict the Representative  
7 Districts, as applicable. A Special Master shall be a person  
8 who does not hold an elected or a political party office, is  
9 not an employee of the General Assembly, is not an employee of  
10 a political party, is not a member of the General Assembly or  
11 Congress, is not an immediate family member of a member of the  
12 General Assembly or Congress, and is not a lobbyist as defined  
13 by law. The Special Master shall be appointed and certified to  
14 the Secretary of State not later than August 27. The  
15 appointment of the Special Master by any Supreme Court Judge  
16 shall not be considered an actual or potential conflict of  
17 interest for which the Judge shall recuse himself or herself  
18 from any action concerning redistricting the House and Senate.

19       The Special Master may consider any redistricting plan  
20 filed by members of the General Assembly, the applicable  
21 Commission, or members of the public. The Special Master shall  
22 conduct at least one public hearing in each of the five  
23 distinct geographic regions previously determined by the  
24 applicable Commission in order to receive testimony and inform  
25 the public of the redistricting plan. The Special Master must  
26 complete the required public hearings prior to filing a

1 redistricting plan with the Secretary of State. All hearings  
2 conducted by a Special Master shall be open to the public. The  
3 Special Master shall, no later than two days before any  
4 proposed hearing, post a notice with the Secretary of the  
5 Senate or Clerk of the House, as applicable, who shall  
6 immediately make the notice available to the public. The notice  
7 shall identify any measure and subject matter that may be  
8 considered during that hearing. The notice shall contain the  
9 day, hour, and place of the hearing. The Special Master shall  
10 file a redistricting plan for the Legislative Districts or  
11 Representative Districts, as applicable, with the Secretary of  
12 State not later than October 5.

13 (f) If a redistricting bill, resolution, or plan is  
14 invalidated in whole or in part by a court of competent  
15 jurisdiction or a redistricting plan is not filed with the  
16 Secretary of State by October 5, then the General Assembly may  
17 redistrict by law.

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

21 ~~If the Commission fails to file an approved redistricting~~  
22 ~~plan, the Supreme Court shall submit the names of two persons,~~  
23 ~~not of the same political party, to the Secretary of State not~~  
24 ~~later than September 1.~~

25 ~~Not later than September 5, the Secretary of State publicly~~  
26 ~~shall draw by random selection the name of one of the two~~

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

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

5 (g) A ~~An approved~~ redistricting resolution or plan filed  
6 with the Secretary of State shall be presumed valid, shall have  
7 the force and effect of law and shall be published promptly by  
8 the Secretary of State.

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

13 (Source: Amendment adopted at general election November 4,  
14 1980.)

15 (ILCON Art. IV, Sec. 3.1 new)

16 SECTION 3.1. CONGRESSIONAL REDISTRICTING

17 (a) Congressional Districts shall each, in order of  
18 priority, be substantially equal in population; provide racial  
19 minorities and language minorities with the equal opportunity  
20 to participate in the political process and elect candidates of  
21 their choice; provide racial minorities and language  
22 minorities who constitute less than a voting-age majority of a  
23 District with an opportunity to control or substantially  
24 influence the outcome of an election; be compact; respect, to  
25 the extent practical, communities of interest; respect, to the

1 extent practical, municipal boundaries; and be contiguous.

2 (b) In the year following each Federal decennial census  
3 year, the Senate and House of Representatives shall each  
4 establish a committee to consider proposals to redistrict  
5 Congressional Districts. Each committee shall conduct at least  
6 five public hearings statewide to receive testimony and inform  
7 the public on the applicable existing Districts, with one  
8 hearing held in each of five distinct geographic regions of the  
9 State determined by the respective committee. All hearings of a  
10 committee shall be open to the public. The Chairperson of each  
11 committee shall, no later than six days before any proposed  
12 hearing, post a notice with the Secretary of the Senate or  
13 Clerk of the House, as applicable. The notice shall identify  
14 any measure and subject matter that may be considered during  
15 that hearing. The notice shall contain the day, hour, and place  
16 of the hearing. If a committee favorably reports a bill  
17 redistricting Congressional Districts, then the committee  
18 shall conduct at least one final hearing in each of five  
19 distinct geographic regions previously determined by the  
20 committee in order to receive testimony and inform the public  
21 of the proposed Districts. All hearings of a committee shall be  
22 open to the public. The Chairperson shall, no later than two  
23 days before any proposed hearing, post a notice with the  
24 Secretary of the Senate or Clerk of the House, as applicable.  
25 The notice shall identify any measure and subject matter that  
26 may be considered during that hearing. The notice shall contain

1 the day, hour, and place of the hearing. After the committee  
2 completes the required hearings, then the Senate or House of  
3 Representatives, or both, as applicable, may amend a  
4 redistricting bill, and may take final action on the bill.

5 (c) As soon as practical, the General Assembly shall make  
6 available to the public all Federal decennial census data it  
7 receives from the Federal government and any other data  
8 required by law. The General Assembly shall provide a means by  
9 which members of the public may submit redistricting proposals  
10 or comment on or obtain a copy of any proposal submitted to the  
11 Senate, the House, a Commission, or a Special Master.

12 (d) In the year following each Federal decennial census  
13 year, the General Assembly by law shall redistrict the  
14 Congressional Districts, subject to the hearing and notice  
15 requirements of subsection (b). A bill passed by the General  
16 Assembly pursuant to this subsection shall be presented to the  
17 Governor not later than June 3. The foregoing requirement shall  
18 be judicially enforceable. If the Governor approves the bill,  
19 then the Governor shall sign it by June 10 and it shall become  
20 law. If the Governor vetoes the bill or makes specific  
21 recommendations for change to the bill, then the Governor shall  
22 return it with his or her objections or specific  
23 recommendations by June 10 directly to the house in which it  
24 originated whether or not the General Assembly is in recess or  
25 adjourned. Any bill not so returned on or before June 10 of  
26 that year shall become law. A vetoed bill or bill returned with



1 specific recommendations for change shall be considered in the  
2 manner set forth in this subsection notwithstanding any  
3 provision of Section 9 of this Article to the contrary. Not  
4 later than June 15, the originating house may either override  
5 the Governor's veto or specific recommendations for change by a  
6 record vote of three-fifths of the members elected or accept  
7 the Governor's specific recommendations for change by a record  
8 vote of a majority of the members elected. If the originating  
9 house passes the bill by the required vote, then it shall be  
10 delivered immediately to the second house, which, not later  
11 than June 20, may take the same action as the originating house  
12 by the same record vote requirements applicable to the  
13 originating house. A bill having received the required record  
14 vote in both houses shall become law and shall take effect  
15 immediately notwithstanding any provision of Section 10 of this  
16 Article to the contrary.

17 (e) If no bill redistricting Congressional Districts  
18 becomes law by June 20, then the Supreme Court Judges most  
19 senior from each political party represented on the Supreme  
20 Court shall jointly appoint one person to act as Special Master  
21 to redistrict the Congressional Districts. A Special Master  
22 shall be a person who does not hold an elected or a political  
23 party office, is not an employee of the General Assembly or  
24 Congress, is not an employee of a political party, is not a  
25 member of the General Assembly or Congress, is not an immediate  
26 family member of a member of the General Assembly or Congress,

1 and is not a lobbyist as defined by law. The Special Master  
2 shall be appointed and certified to the Secretary of State not  
3 later than June 27. The appointment of the Special Master by  
4 any Supreme Court Judge shall not be considered an actual or  
5 potential conflict of interest for which the Judge shall recuse  
6 himself or herself from any action concerning redistricting.  
7 The Special Master may consider any redistricting plan filed by  
8 members of the General Assembly or members of the public. The  
9 Special Master shall conduct at least one public hearing in  
10 each of five distinct geographic regions determined by the  
11 Special Master in order to receive testimony and inform the  
12 public of the redistricting plan. The Special Master must  
13 complete the required public hearings prior to filing a  
14 redistricting plan with the Secretary of State. All hearings  
15 conducted by a Special Master shall be open to the public. The  
16 Special Master shall, no later than two days before any  
17 proposed hearing, post a notice with the Secretary of the  
18 Senate and Clerk of the House who shall immediately make the  
19 notice available to the public. The notice shall identify any  
20 measure and subject matter that may be considered during that  
21 hearing. The notice shall contain the day, hour, and place of  
22 the hearing. The Special Master shall file a redistricting plan  
23 for Congressional Districts with the Secretary of State not  
24 later than October 5.

25 (f) If a redistricting bill or plan is invalidated in whole  
26 or in part by a court of competent jurisdiction or a

1 redistricting plan is not filed with the Secretary of State by  
2 October 5, then the General Assembly may redistrict by law.

3 SCHEDULE

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