92_SC0043 LRB9210007JMgc

- 2 CONSTITUTIONAL AMENDMENT
- 3 RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL
- 4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
- 5 REPRESENTATIVES CONCURRING HEREIN, that there shall be
- 6 submitted to the electors of the State for adoption or
- 7 rejection at the general election next occurring at least 6
- 8 months after the adoption of this resolution a proposition to
- 9 amend Sections 1, 2, and 3 of Article IV of the Illinois
- 10 Constitution as follows:
- 11 ARTICLE IV
- 12 THE LEGISLATURE
- 13 (ILCON Art. IV, Sec. 1)
- 14 SECTION 1. LEGISLATURE POWER AND STRUCTURE
- The legislative power is vested in a General Assembly
- 16 consisting of a Senate and a House of Representatives,
- 17 elected by the electors from 59 Legislative Districts and 39
- 18 118 Representative Districts.
- 19 (Source: Amendment adopted at general election November 4,
- 20 1980.)
- 21 (ILCON Art. IV, Sec. 2)
- 22 SECTION 2. LEGISLATIVE COMPOSITION
- 23 (a) One Senator shall be elected from each Legislative
- 24 District. Immediately following each decennial redistricting,
- 25 the General Assembly by law shall divide the Legislative
- 26 Districts as equally as possible into three groups. Senators
- from one group shall be elected for terms of four years, four
- 28 years and two years; Senators from the second group, for
- 29 terms of four years, two years and four years; and Senators
- 30 from the third group, for terms of two years, four years and
- 31 four years. The Legislative Districts in each group shall be

- 1 distributed substantially equally over the State.
- 2 (b) <u>In 2004 and every two years thereafter, three</u>
- 3 Representatives Each--begislative--District-shall-be-divided
- 4 into-two-Representative-Districts.--In--1982--and--every--two
- 5 years--thereafter--one--Representative shall be elected from
- 6 each Representative District for a term of two years. N_{C}
- 7 political party shall limit its nominations to less than
- 8 three candidates for Representatives in any Representative
- 9 <u>District</u>. In elections for Representatives, including those
- 10 for nomination, each elector may cast three votes for one
- 11 <u>candidate or distribute them equally among no more than three</u>
- 12 <u>candidates</u>. The candidates highest in votes shall be
- declared elected.
- 14 (c) To be eligible to serve as a member of the General
- 15 Assembly, a person must be a United States citizen, at least
- 16 21 years old, and for the two years preceding his election or
- 17 appointment a resident of the district which he is to
- 18 represent. In the general election following a redistricting,
- 19 a candidate for the General Assembly may be elected from any
- 20 district which contains a part of the district in which he
- 21 resided at the time of the redistricting and reelected if a
- 22 resident of the new district he represents for 18 months
- 23 prior to reelection.
- 24 (d) Within thirty days after a vacancy occurs, it shall
- 25 be filled by appointment as provided by law. If the vacancy
- 26 is in a Senatorial office with more than twenty-eight months
- 27 remaining in the term, the appointed Senator shall serve
- 28 until the next general election, at which time a Senator
- 29 shall be elected to serve for the remainder of the term. If
- 30 the vacancy is in a Representative office or in any other
- 31 Senatorial office, the appointment shall be for the remainder
- of the term. An appointee to fill a vacancy shall be a member
- of the same political party as the person he succeeds.
- 34 (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
- 5 which he was elected or appointed shall be appointed to a
- 6 public office which shall have been created or the
- 7 compensation for which shall have been increased by the
- 8 General Assembly during 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 shall be compact, contiguous
- 14 and substantially equal in population. Representative
- 15 Districts shall be compact, contiguous, and substantially
- 16 equal in population.
- 17 (b) <u>In 2003, the General Assembly by law shall</u>
- 18 <u>redistrict</u> the <u>Representative Districts using the 2000</u>
- 19 <u>Federal decennial census. Thereafter,</u> in the year following
- 20 each Federal decennial census year, the General Assembly by
- 21 law shall redistrict the Legislative Districts and the
- 22 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
- 27 members of the same political party.
- 28 The Speaker and Minority Leader of the House of
- 29 Representatives shall each appoint to the Commission one
- 30 Representative and one person who is not a member of the
- 31 General Assembly. The President and Minority Leader of the
- 32 Senate shall each appoint to the Commission one Senator and
- one person who is not a member of the General Assembly.

- 1 The members shall be certified to the Secretary of State
- 2 by the appointing authorities. A vacancy on the Commission
- 3 shall be filled within five days by the authority that made
- 4 the original appointment. A Chairman and Vice Chairman shall
- 5 be chosen by a majority of all members of the Commission.
- 6 Not later than August 10, the Commission shall file with
- 7 the Secretary of State a redistricting plan approved by at
- 8 least five members.
- 9 If the Commission fails to file an approved redistricting
- 10 plan, the Supreme Court shall submit the names of two
- 11 persons, not of the same political party, to the Secretary of
- 12 State not later than September 1.
- Not later than September 5, the Secretary of State
- 14 publicly shall draw by random selection the name of one of
- 15 the two persons to serve as the ninth member of the
- 16 Commission.
- Not later than October 5, the Commission shall file with
- 18 the Secretary of State a redistricting plan approved by at
- 19 least five members.
- 20 An approved redistricting plan filed with the Secretary
- of State shall be presumed valid, shall have the force and
- 22 effect of law and shall be published promptly by the
- 23 Secretary of State.
- 24 The Supreme Court shall have original and exclusive
- 25 jurisdiction over actions concerning redistricting the House
- 26 and Senate, which shall be initiated in the name of the
- 27 People of the State by the Attorney General.
- 28 (Source: Amendment adopted at general election November 4,
- 29 1980.)
- 30 SCHEDULE
- 31 This Constitutional Amendment takes effect upon being
- 32 declared adopted in accordance with Section 7 of the Illinois
- 33 Constitutional Amendment Act and applies to the election of

1 Representatives in 2004 and thereafter.