



**100TH GENERAL ASSEMBLY**

**State of Illinois**

**2017 and 2018**

**HOUSE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**HC0023**

Introduced , by Rep. Scott Drury

**SYNOPSIS AS INTRODUCED:**

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Creates the Independent Redistricting Commission to adopt and file with the Secretary of State a redistricting plan for Legislature and Representative Districts. Provides for the selection of Commissioners and establishes the authority of a Special Commissioner to design a redistricting plan in the event that the Commission fails to properly adopt and file a redistricting plan.

LRB100 10410 MRW 20607 e

1 HOUSE JOINT RESOLUTION  
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE  
4 HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE  
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 amend Section 3 of Article IV  
9 of the Illinois Constitution as follows:

10 ARTICLE IV  
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 3)

13 SECTION 3. LEGISLATIVE REDISTRICTING

14 (a) The Independent Redistricting Commission shall adopt  
15 and file with the Secretary of State a redistricting plan for  
16 Legislative Districts and Representative Districts by June 30  
17 of the year following each federal decennial census.  
18 Legislative Districts shall be contiguous and substantially  
19 equal in population. Representative Districts shall be  
20 contiguous and substantially equal in population. The  
21 redistricting plan shall comply with federal law. Subject to  
22 the foregoing, the Commission shall apply the following  
23 criteria: (1) the redistricting plan shall not dilute or

1 diminish the ability of a racial or language minority community  
2 to elect the candidates of its choice, including when voting in  
3 concert with other persons; (2) districts shall respect the  
4 geographic integrity of units of local government; (3)  
5 districts shall respect the geographic integrity of  
6 communities sharing common social and economic interests,  
7 which do not include relationships with political parties or  
8 candidates for office; and (4) the redistricting plan shall not  
9 either purposefully or significantly discriminate against or  
10 favor any political party or group. In designing the  
11 redistricting plan, the Commission shall consider party  
12 registration and voting history data only to assess compliance  
13 with the foregoing criteria, and shall not consider the  
14 residence of any person. The Commission shall hold at least one  
15 public hearing in each Judicial District before, and at least  
16 one public hearing in each Judicial District after, releasing  
17 the initial proposed redistricting plan. The Commission may not  
18 adopt a final redistricting plan unless the plan to be adopted  
19 without further amendment, and a report explaining its  
20 compliance with this Constitution and the criteria applicable,  
21 have been publicly noticed at least seven days before the final  
22 vote on the plan. An adopted redistricting plan shall have the  
23 force and effect of law and shall be published promptly by the  
24 Secretary of State. The State Board of Elections shall provide  
25 the Commission and the public with complete and accurate census  
26 information and technology sufficient to propose redistricting

1 plans. The Commission shall adopt rules governing its procedure  
2 and the implementation of this Section.

3 (b) The Commission shall act in public meetings by  
4 affirmative vote of six Commissioners, except that approval of  
5 any redistricting plan shall require the affirmative vote of at  
6 least seven Commissioners, including at least (1) two  
7 Commissioners from each political party whose candidate for  
8 Governor received the most and second-most votes cast in the  
9 last general election for Governor, and (2) two Commissioners  
10 not affiliated with either such political party. The Commission  
11 shall elect from its number a chairperson and vice chairperson,  
12 who shall not be affiliated with the same political party. Six  
13 Commissioners shall constitute a quorum. All meetings of the  
14 Commission attended by at least four Commissioners, except for  
15 meetings qualified under attorney-client privilege during  
16 pending litigation, shall be open to the public and publicly  
17 noticed at least two days prior to the meeting. All records of  
18 the Commission, including communications between Commissioners  
19 regarding the Commission's work, shall be open for public  
20 inspection, except for records qualified under attorney-client  
21 privilege. The Commission may retain assistance from counsel,  
22 technical staff, and other persons with relevant skills and  
23 shall be provided with adequate resources to complete its work.

24 (c) For the purpose of conducting the Commissioner  
25 selection process, an Applicant Review Panel comprised of three  
26 Reviewers shall be chosen in the following manner in the year

1 in which each federal decennial census occurs. Beginning no  
2 later than January 1 and ending no later than March 1 of the  
3 year in which the federal decennial census occurs, the Auditor  
4 General shall request and accept applications of individuals  
5 applying to serve as Reviewers. By March 31, the Auditor  
6 General shall appoint a Panel of three Reviewers, selected by  
7 random draw from eligible applicants. The Panel shall act in  
8 public meetings by affirmative vote of at least two Reviewers.  
9 All meetings of the Panel shall be open to the public and  
10 publicly noticed at least two days before the meeting. All  
11 records of the Panel, including applications to serve on the  
12 Panel or the Commission, shall be open for public inspection,  
13 except for private information about applicants for which there  
14 is no compelling public interest in disclosure. The Panel may  
15 retain assistance from counsel, technical staff, and other  
16 persons with relevant skills and shall be provided with  
17 adequate resources to complete its work.

18 (d) The 11-member Independent Redistricting Commission  
19 shall be chosen in the following manner in the year in which  
20 each federal decennial census occurs. Beginning no later than  
21 January 1 and ending no later than March 1 of the year in which  
22 the federal decennial census occurs, the Auditor General shall  
23 request and accept applications to serve as Commissioners. By  
24 May 31, the Applicant Review Panel shall select 100 eligible  
25 applicants based on their relevant analytical skills,  
26 impartiality, and ability to contribute to a fair redistricting

1 process, and shall ensure that such applicants reflect the  
2 demographic and geographic diversity of the State. The Speaker  
3 and Minority Leader of the House of Representatives and the  
4 President and Minority Leader of the Senate each may remove up  
5 to five of the applicants selected by the Panel. By June 30,  
6 the Panel shall conduct a random drawing from the remaining  
7 applicants in order to select seven Commissioners that  
8 individually and collectively satisfy the following  
9 requirements (with the random drawing to continue until seven  
10 qualified Commissioners are selected): (1) the seven  
11 Commissioners shall reside among the Judicial Districts in the  
12 same proportion as the number of judges elected therefrom under  
13 Section 3 of Article VI of this Constitution, (2) two  
14 Commissioners shall be affiliated with the political party  
15 whose candidate for Governor received the most votes cast in  
16 the last general election for Governor, two Commissioners shall  
17 be affiliated with the political party whose candidate for  
18 Governor received the second-most votes cast in such election,  
19 and the remaining three Commissioners shall not be affiliated  
20 with either such political party, and (3) no more than two  
21 Commissioners may be affiliated with the same political party.  
22 The Speaker and Minority Leader of the House of Representatives  
23 and the President and Minority Leader of the Senate each shall  
24 appoint one Commissioner from among the remaining applicants on  
25 the basis of the appointee's contribution to the demographic  
26 and geographic diversity of the Commission.

1       (e) To be eligible to serve as a Reviewer, a person must  
2 have education and experience in the examination and assessment  
3 of personnel, records, systems, or procedures for 10 years  
4 preceding his or her application, must have demonstrated  
5 understanding of and adherence to standards of ethical conduct,  
6 and must not have been affiliated with any political party  
7 within the three years preceding appointment. To be eligible to  
8 serve as a Commissioner, Special Commissioner for  
9 Redistricting, or Reviewer, a person must (1) be a resident and  
10 registered voter of the State for the four years preceding  
11 appointment, (2) within the three years preceding appointment,  
12 must not have been the holder of, or a candidate for, any  
13 public office in the State, an employee or officer of the State  
14 or a unit of local government or a political party, registered  
15 as a lobbyist anywhere in the United States, or party to a  
16 contract to provide goods or services to the State or a  
17 principal, officer, or executive employee of such a contractor,  
18 and (3) within the three years preceding appointment, must not  
19 have resided with any person described in clause (2) of this  
20 subsection. For 10 years after service as a Commissioner or  
21 Special Commissioner, a person is ineligible to serve as a  
22 Senator, Representative, officer of the Executive Branch,  
23 judge, or associate judge of the State or an officer or  
24 employee of the State whose appointment is subject to  
25 confirmation by the Senate. A vacancy on the Commission or  
26 Panel shall be filled within five days by an eligible applicant

1 in the manner in which the office was previously filled; with  
2 respect to the Commission, the replacement Commissioner shall  
3 be drawn where possible from the remaining applicants  
4 previously selected by the Panel.

5 (f) If the Commission fails to adopt and file with the  
6 Secretary of State a redistricting plan by June 30 of the year  
7 following a federal decennial census, the Chief Justice of the  
8 Supreme Court and the most senior justice of the Supreme Court  
9 who is not affiliated with the same political party as the  
10 Chief Justice shall appoint jointly by July 31 a Special  
11 Commissioner for Redistricting. The Special Commissioner shall  
12 design and file with the Secretary of State by August 31 a  
13 redistricting plan satisfying the requirements and criteria  
14 set forth in subsection (a) and a report explaining its  
15 compliance with this Constitution and the criteria applicable.  
16 The Special Commissioner shall hold at least one public hearing  
17 in the State before releasing his or her initial proposed  
18 redistricting plan and at least one public hearing in a  
19 different location in the State after releasing his or her  
20 initial proposed redistricting plan and before filing the final  
21 redistricting plan with the Secretary of State. The  
22 redistricting plan shall have the force and effect of law and  
23 shall be published promptly by the Secretary of State.

24 (g) The Supreme Court shall have original jurisdiction in  
25 cases relating to matters under this Section. The Commission  
26 shall have exclusive authority and shall be provided by the



1 General Assembly adequate resources to defend any  
2 redistricting plan adopted by the Commission.

3 ~~(a) Legislative Districts shall be compact, contiguous and~~  
4 ~~substantially equal in population. Representative Districts~~  
5 ~~shall be compact, contiguous, and substantially equal in~~  
6 ~~population.~~

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

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

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

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

26 ~~Not later than August 10, the Commission shall file with~~

1 ~~the Secretary of State a redistricting plan approved by at~~  
2 ~~least five members.~~

3 ~~If the Commission fails to file an approved redistricting~~  
4 ~~plan, the Supreme Court shall submit the names of two persons,~~  
5 ~~not of the same political party, to the Secretary of State not~~  
6 ~~later than September 1.~~

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

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

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

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

21 (Source: Amendment adopted at general election November 4,  
22 1980.)

23 SCHEDULE

24 This Constitutional Amendment takes effect upon being  
25 declared adopted in accordance with Section 7 of the Illinois

1 Constitutional Amendment Act.