



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0006

Introduced 1/28/2025, by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

ILCON Art. I, Sec. 15

Proposes to amend the Bill of Rights Article of the Illinois Constitution concerning eminent domain. Provides that private property shall not be taken or damaged without just cause for public use or without just compensation as provided by law. Provides that such compensation shall be determined by a jury as provided by law. Provides that "public use" does not include public benefits of economic development, including an increase in tax base, tax revenues, employment, blight, or general economic health. Provides that private property may not be taken for the use of or ownership by any private individual or private entity, unless that property is necessary for conducting a common carrier or utility business benefiting local residents. Provides that only government entities have the power to exercise eminent domain, and this power cannot be delegated to any private entity. Provides that, after 7 years, if private property is not used for the purpose for which it was acquired, the original owner or the owner's successors and assigns have the right of first refusal to buy the property back at the original price or current fair market value, whichever is less. Effective upon being declared adopted.

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1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
4 HUNDRED FOURTH 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
8 of this resolution a proposition to amend Section 15 of
9 Article I of the Illinois Constitution as follows:

10 ARTICLE I
11 BILL OF RIGHTS

12 (ILCON Art. I, Sec. 15)

13 SECTION 15. RIGHT OF EMINENT DOMAIN

14 Private property shall not be taken or damaged without
15 just cause for public use or without just compensation as
16 provided by law. Such compensation shall be determined by a
17 jury as provided by law. For purposes of this Section, "public
18 use" does not include public benefits of economic development,
19 including an increase in tax base, tax revenues, employment,
20 blight, or general economic health. Private property shall not
21 be taken for the use of or ownership by any private individual
22 or private entity, unless that property is necessary for
23 conducting a common carrier or utility business benefiting

1 local residents. Only government entities have the power to
2 exercise eminent domain, and this power cannot be delegated to
3 any private entity. After 7 years, if private property is not
4 used for the purpose for which it was acquired, the original
5 owner or the owner's successors and assigns have the right of
6 first refusal to buy the property back at the original price or
7 current fair market value, whichever is less.

8 (Source: Illinois Constitution.)

9 SCHEDULE

10 This Constitutional Amendment takes effect upon being
11 declared adopted in accordance with Section 7 of the Illinois
12 Constitutional Amendment Act.