



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0025

Introduced , by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

ILCON Art. III, Sec. 9 new
ILCON Art. III, Sec. 11 new
ILCON Art. VI, Sec. 12.5 new

Proposes to amend the Suffrage and Elections Article of the Illinois Constitution. Sets out a procedure for the recall of local government officials. Proposes to amend the Judiciary Article of the Illinois Constitution. Sets out a procedure for the recall of Associate Judges and Circuit Judges. Effective upon being declared adopted.

LRB104 17159 SPS 30578 e

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 add Section 9 of Article
 9 III and Section 12.5 of Article IV as follows:

10 ARTICLE III
 11 SUFFRAGE AND ELECTIONS

12 (ILCON Art. III, Sec. 9 new)

13 SECTION 9. INITIATIVE TO RECALL LOCAL GOVERNMENT OFFICIALS

14 (a) The recall of an elected local government official may
 15 be proposed by a petition signed by a number of electors equal
 16 to the percentage of the total votes cast for Governor in the
 17 preceding gubernatorial election as determined by the
 18 population of the unit of local government that the local
 19 government official represents: for a jurisdiction of not more
 20 than 1,000 qualified electors, 30%; for a jurisdiction of more
 21 than 1,000 qualified electors but not more than 10,000
 22 qualified electors, 25%; for a jurisdiction of more than
 23 10,000 qualified electors but not more than 50,000 qualified

1 electors, 20%; for a jurisdiction of more than 50,000
2 qualified electors but not more than 100,000 qualified
3 electors, 15%; for a jurisdiction of more than 100,000
4 qualified electors, 10%. A petition shall have been signed by
5 the petitioning electors not more than 90 days after an
6 affidavit has been filed with the State Board of Elections
7 providing notice of intent to circulate a petition to recall
8 the local government official. The petition shall include the
9 signature of the petitioning elector and a general statement
10 of not more than 200 words describing the individual whose
11 recall is sought and providing the grounds for which recall is
12 sought. The affidavit may be filed no sooner than 6 months
13 after the beginning of the local government official's term of
14 office. If the State Board of Elections determines the
15 petition is valid, the local government official whose recall
16 is sought may file a response of not more than 200 words with
17 the State Board of Elections. The petitioning elector's
18 general statement and the local government official's response
19 shall appear on the recall ballot.

20 (b) The local government officials who serve on a public
21 body must be recalled individually.

22 (c) The form of the affidavit, petition, circulation, and
23 procedure for determining the validity and sufficiency of a
24 petition shall be as provided by law. If the petition is valid
25 and sufficient, the State Board of Elections shall certify the
26 petition not more than 100 days after the date the petition was

1 filed, and the following question must be submitted to the
2 electors at the next general election or general consolidated
3 election after certification of the petition:

4 "Should (elected official) be recalled from (his or her)
5 position(s) as (title of position)? (YES/NO)

6 If (elected official) is recalled, who do you support to
7 replace (him or her)?

8 (Elected official).

9 (Candidate).

10 (Candidate)."

11 (d) The local government official is immediately removed
12 upon certification of the recall election results if a
13 three-fifths majority of the electors voting on the question
14 vote to recall the local government official.

15 (e) Replacement candidates wishing to be listed on the
16 recall ballot shall be certified under the same procedures as
17 if the candidate was running for the applicable office in a
18 standard election, except the petition circulation and filing
19 of petitions shall only be between the time the intent to
20 recall is filed and 90 days before the election. Candidates
21 running to replace the recalled officeholder shall state
22 clearly on the candidate's petitions which officeholder they
23 are seeking to replace.

24 (f) There shall be no primary or runoff election after a
25 recall election. The top vote-getter or vote-getters in the
26 recall election shall replace the elected official or

1 officials who were recalled.

2 (g) The procedure to be certified to run in the recall
3 election shall be the same as the procedure for being
4 nominated and certified in the standard election for the
5 office to be filled. Challenges to recall petitions shall
6 follow the same procedures as challenges to petitions under
7 the Election Code.

8 (h) If multiple officeholders from the same public office
9 or district are being recalled, each recall question must be
10 asked separately. All candidates running as replacements for
11 that office and the current officeholder shall be on the
12 ballot beneath the recall question.

13 (i) If the local government official is removed from a
14 unit of government over 1,000,000 persons, the vacancy shall
15 be filled as provided by law.

16 (j) A local government official recalled under this
17 Section is ineligible to serve in public office (or specified
18 non-elected office) for 10 years following certification of
19 the recall election.

20 (k) The procedure and manner of recalling a local
21 government official shall be in addition to and not excluding
22 any other method of removing an elected official as provided
23 by law.

24

ARTICLE VI

25

THE JUDICIARY

1 (ILCON Art. VI, Sec. 12.5 new)

2 SECTION 12.5. INITIATIVE TO RECALL ASSOCIATE AND CIRCUIT
3 JUDGES

4 (a) The recall of an elected Associate Judge or Circuit
5 Judge may be proposed by a petition signed by a number of
6 electors equal to at least 15% of the total votes cast for
7 Governor in the preceding gubernatorial election as determined
8 by the population of the Judicial District or Judicial Circuit
9 from which the Judge was elected. A petition shall have been
10 signed by the petitioning electors not more than 90 days after
11 an affidavit has been filed with the State Board of Elections
12 providing notice of intent to circulate a petition to recall
13 the Associate Judge or Circuit Judge. The petition shall
14 include the signature of the petitioning elector and a general
15 statement of not more than 200 words describing the individual
16 whose recall is sought and providing the grounds for which
17 recall is sought. The affidavit may be filed no sooner than 6
18 months after the beginning of the Associate Judge or Circuit
19 Judge's term of office. If the State Board of Elections
20 determines the petition is valid, the Associate Judge or
21 Circuit Judge whose recall is sought may file a response of not
22 more than 200 words with the State Board of Elections. The
23 petitioning elector's general statement and the Associate
24 Judge or Circuit Judge's response shall appear on the recall
25 ballot.

1 (c) The form of the affidavit, petition, circulation, and
2 procedure for determining the validity and sufficiency of a
3 petition shall be as provided by law. If the petition is valid
4 and sufficient, the State Board of Elections shall certify the
5 petition not more than 100 days after the date the petition was
6 filed, and the following question must be submitted to the
7 electors at the next general election or general consolidated
8 election after certification of the petition:

9 "Should (Associate Judge or Circuit Judge) be recalled
10 from (his or her) position? (YES/NO)

11 If (Associate Judge or Circuit Judge) is recalled, who do
12 you support to replace (him or her)?

13 (Associate Judge or Circuit Judge).

14 (Candidate).

15 (Candidate)."

16 (d) The Associate Judge or Circuit Judge is immediately
17 removed upon certification of the recall election results if a
18 three-fifths majority of the electors voting on the question
19 vote to recall the Associate Judge or Circuit Judge.

20 (e) Replacement candidates wishing to be listed on the
21 recall ballot shall be certified under the same procedures as
22 if the candidate was running for the applicable office in a
23 standard election, except the petition circulation and filing
24 of petitions shall only be between the time the intent to
25 recall is filed and 90 days before the election. Candidates
26 running to replace the recalled Associate Judge or Circuit

1 Judge shall state clearly on the candidate's petitions which
2 officeholder they are seeking to replace.

3 (f) There shall be no primary or runoff election after a
4 recall election. The top vote-getter or vote-getters in the
5 recall election shall replace the elected Associate Judge or
6 Circuit Judge who was recalled.

7 (g) The procedure to be certified to run in the recall
8 election shall be the same as the procedure for being
9 nominated and certified in the standard election. Challenges
10 to recall petitions shall follow the same procedures as
11 challenges to petitions under the Election Code.

12 (h) An Associate Judge or Circuit Judge recalled under
13 this Section is ineligible to serve in public office (or
14 specified non-elected office) for 10 years following
15 certification of the recall election.

16 (i) The procedure and manner of recalling an Associate
17 Judge or Circuit Judge shall be in addition to and not
18 excluding any other method of removing an Associate Judge or
19 Circuit Judge as provided by law.

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.