



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SENATE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

SC0009

Introduced 1/30/2026, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

ILCON Art. XIII, Sec. 9 new

Proposes to amend the General Provisions Article of the Illinois Constitution. Clarifies that artificial persons exist only by grant of the State and shall have no powers or privileges except those expressly provided by the Illinois Constitution or the laws of the State. Revokes all powers previously granted to any artificial person under the laws of the State. Re-grants powers to artificial persons, to the extent that those powers do not include the power to conduct any election activity or ballot-issue activity. Provides that any election activity or ballot-issue activity conducted by an artificial person is ultra vires and void. Effective upon being declared adopted.

LRB104 17485 SPS 30911 e

1 SENATE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH 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 Article XIII of the Illinois Constitution by adding
10 Section 9 as follows:

11 ARTICLE XIII
12 GENERAL PROVISIONS

13 (ILCON Art. XIII, Sec. 9 new)

14 SECTION 9. ARTIFICIAL PERSONS

15 (a) As used in this Section:

16 "Artificial person" means every entity whose existence or
17 limited liability shield is conferred by the laws of this
18 State, including, without limitation:

19 (1) business corporations;

20 (2) not-for-profit corporations;

21 (3) limited liability companies;

22 (4) unincorporated associations, limited liability
23 partnerships, statutory trusts, professional

1 corporations, cooperatives, and any successor form; and
2 (5) foreign entities that are authorized to transact
3 business, are otherwise transacting business, or hold
4 property in this State.

5 For the purpose of paragraph (5), any foreign entity that
6 directly or indirectly undertakes, finances, or directs
7 election activity or ballot-issue activity in this State is
8 conclusively deemed to be transacting business in this State.

9 "Ballot-issue activity" means paying, contributing, or
10 expending money or anything of value to support or oppose a
11 ballot question or initiative. "Ballot-issue activity" does
12 not include any bona fide news story, commentary, or editorial
13 distributed through the facilities of any broadcasting
14 station, or of any print, online, or digital newspaper,
15 magazine, blog, or other periodical publication, unless the
16 broadcasting, print, online, or digital facilities are owned
17 or controlled by a political party, political committee, or
18 candidate.

19 "Charter privilege" means any benefit to artificial
20 persons that exists only because this State confers it, such
21 as limited liability, perpetual duration, succession in its
22 corporate name, and tax credits and abatements. "Charter
23 privilege" does not include the privilege to conduct election
24 activity or ballot-issue activity.

25 "Election activity" means paying, contributing, or
26 expending money or anything of value to support or oppose a

1 candidate, political party, or political committee. "Election
2 activity" does not include any bona fide news story,
3 commentary, or editorial distributed through the facilities of
4 any broadcasting station, or of any print, online, or digital
5 newspaper, magazine, blog, or other periodical publication,
6 unless the broadcasting, print, online, or digital facilities
7 are owned or controlled by a political party, political
8 committee, or candidate.

9 "Foreign entity" means an artificial person organized or
10 existing under the laws of any jurisdiction other than this
11 State.

12 "Powers of artificial persons" means powers necessary or
13 convenient to carry out lawful business or charitable
14 purposes, excluding any power to directly or indirectly engage
15 in election activity or ballot-issue activity.

16 (b) Artificial persons exist only by grant of the State
17 and shall have no powers or privileges except those expressly
18 provided by this Constitution or the laws of this State.

19 (c) The General Assembly may only create artificial
20 persons in a manner consistent with subsection (b).

21 It is not the intent of this State that artificial persons
22 have the power to conduct any election activity or
23 ballot-issue activity. This subsection retracts all powers of
24 artificial persons and re-grants only those powers deemed
25 necessary or convenient to carry out an artificial person's
26 lawful business or charitable purposes.

1 Any powers related to election activity or ballot-issue
2 activity are not deemed necessary or convenient to those
3 purposes.

4 (d) The creation and continued existence of an artificial
5 person are not rights but conditional grants of legal status
6 by this State and remain subject to complete withdrawal at any
7 time. All powers previously granted to any artificial person
8 under the laws of this State are revoked in their entirety. No
9 artificial person operating under the jurisdiction of this
10 State shall possess any power unless specifically granted by
11 this Constitution. No provision of this Constitution grants or
12 recognizes any power of an artificial person to engage in
13 election activity or ballot-issue activity, except as provided
14 in subsection (f).

15 Nothing in this subsection shall be construed to
16 invalidate, impair, or modify any existing contract, debt
17 instrument, security, or other legal obligation validly
18 entered into before the effective date of this Article. The
19 provisions of this subsection do not authorize an artificial
20 person to conduct any election activity or ballot-issue
21 activity after the effective date of this Article.

22 (e) Each artificial person possesses the power to exercise
23 charter privileges, unless its organizational documents limit
24 the exercise of the powers, and no powers beyond those
25 expressly granted. No provision of this Article grants or
26 recognizes any power of an artificial person to engage in

1 election activity or ballot-issue activity, except as provided
2 in subsection (f).

3 Any language in articles of incorporation, organization,
4 association, or other organizational documents purporting to
5 directly or indirectly confer election-activity authority or
6 ballot-issue-activity authority to artificial persons is void.

7 (f) Political committees registered under the laws of this
8 State or federal law are entities created for the purpose of
9 engaging in election activity and ballot-issue activity.

10 Political committees may be granted the power to engage in
11 those activities provided that they exist solely for that
12 purpose and claim no charter privilege other than limited
13 liability. This Constitution does not grant any other
14 artificial person the power to engage in election activity or
15 ballot-issue activity.

16 (g) No charter privilege shall be construed to authorize
17 election activity or ballot-issue activity. An artificial
18 person that exercises an authority to conduct election
19 activity or ballot-issue activity, unless expressly permitted
20 to do so under subsection (f), shall forfeit all charter
21 privileges.

22 (h) Any election activity or ballot-issue activity
23 conducted by an artificial person is ultra vires and void. Any
24 such conduct results in the forfeiture of charter privileges
25 as provided in subsection (g) and shall also be subject to
26 civil action by a member, shareholder, or the Attorney General

1 for injunctive relief, disgorgement, and confirmation or
2 enforcement of the forfeiture.

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.