



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0021

Introduced 2/22/2021, by Rep. Blaine Wilhour

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 16 new

Amends the Legislature Article of the Illinois Constitution. Provides for a referendum presented to the electors to approve or reject statutes or parts of statutes. Provides further requirements concerning referendum petitions, referendum elections, and the application of the referendum if approved by the electors. Effective upon being declared adopted.

LRB102 12613 RJF 17951 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
4 HUNDRED SECOND 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 the Illinois
9 Constitution in Article IV by adding Section 16 as follows:

10 ARTICLE IV
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 16 new)

13 SECTION 16. REFERENDUM ON STATUTES

14 (a) The referendum is the power of the electors to approve
15 or reject statutes or parts of statutes except urgency
16 statutes, statutes calling elections, and statutes providing
17 for tax levies or appropriations for usual current expenses of
18 the State.

19 (b) A referendum measure may be proposed by presenting to
20 the Secretary of State, within 90 days after the enactment
21 date of the statute, a petition certified to have been signed
22 by electors equal in number to 5% of the votes for all
23 candidates for Governor at the last gubernatorial election,

1 asking that the statute or part of it be submitted to the
2 electors. In the case of a statute enacted by a bill passed by
3 the General Assembly on or before the date the General
4 Assembly adjourns for a joint recess to reconvene in the
5 second calendar year of the biennium of the legislative
6 session, and in the possession of the Governor after that
7 date, the petition may not be presented on or after January 1
8 next following the enactment date unless a copy of the
9 petition is submitted to the Attorney General.

10 (c) The Secretary of State shall then submit the measure
11 at the next general election held at least 31 days after it
12 qualifies.

13 (d) A referendum approved by a majority of votes cast
14 thereon takes effect on the fifth day after the Secretary of
15 State files the statement of the vote for the election at which
16 the measure is voted on, but the measure may provide that it
17 becomes operative after its effective date. If a referendum
18 petition is filed against a part of a statute, the remainder of
19 the statute shall not be delayed from going into effect.

20 (e) If provisions of two or more measures approved at the
21 same election conflict, the provisions of the measure
22 receiving the highest number of affirmative votes shall
23 prevail.

24 (f) The General Assembly may amend or repeal a referendum
25 statute.

26 (g) Before circulation of a referendum petition for

1 signatures, a copy shall be submitted to the Attorney General
2 who shall prepare a title and summary of the measure as
3 provided by law.

4 (h) The General Assembly shall provide for the manner in
5 which a petition shall be circulated, presented, and
6 certified, and the manner in which a measure shall be
7 submitted to the electors.

8 SCHEDULE

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