



Adopted in House Comm. on May 12, 2004

09300SB3064ham001

LRB093 20753 RAS 50488 a

1 AMENDMENT TO SENATE BILL 3064

2 AMENDMENT NO. _____. Amend Senate Bill 3064 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 28-1 and by adding Section 28-14 as follows:

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public
8 questions to be voted upon by the electors of the State or of
9 any political subdivision or district or precinct or
10 combination of precincts shall be subject to the provisions of
11 this Article.

12 Questions of public policy which have any legal effect
13 shall be submitted to referendum only as authorized by a
14 statute which so provides or by the Constitution. Advisory
15 questions of public policy shall be submitted to referendum
16 pursuant to Section 28-5 or pursuant to a statute which so
17 provides.

18 The method of initiating the submission of a public
19 question shall be as provided by the statute authorizing such
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and
22 printed on the ballot in the form required by Section 16-7 of
23 this Act, except as may otherwise be specified in the statute
24 authorizing a public question.

1 Whenever a statute provides for the initiation of a public
2 question by a petition of electors, the provisions of such
3 statute shall govern with respect to the number of signatures
4 required, the qualifications of persons entitled to sign the
5 petition, the contents of the petition, the officer with whom
6 the petition must be filed, and the form of the question to be
7 submitted. If such statute does not specify any of the
8 foregoing petition requirements, the corresponding petition
9 requirements of Section 28-6 shall govern such petition.

10 Irrespective of the method of initiation, not more than 3
11 public questions other than (a) back door referenda, (b)
12 referenda to determine whether a disconnection may take place
13 where a city coterminous with a township is proposing to annex
14 territory from an adjacent township, (c) referenda held under
15 the provisions of the Property Tax Extension Limitation Law in
16 the Property Tax Code, or (d) referenda held under Section
17 2-3002 of the Counties Code may be submitted to referendum with
18 respect to a political subdivision at the same election.

19 If more than 3 propositions are timely initiated or
20 certified for submission at an election with respect to a
21 political subdivision, the first 3 validly initiated, by the
22 filing of a petition or by the adoption of a resolution or
23 ordinance of a political subdivision, as the case may be, shall
24 be printed on the ballot and submitted at that election.
25 However, except as expressly authorized by law not more than
26 one proposition to change the form of government of a
27 municipality pursuant to Article VII of the Constitution may be
28 submitted at an election. If more than one such proposition is
29 timely initiated or certified for submission at an election
30 with respect to a municipality, the first validly initiated
31 shall be the one printed on the ballot and submitted at that
32 election.

33 No public question shall be submitted to the voters of a
34 political subdivision at any regularly scheduled election at

1 which such voters are not scheduled to cast votes for any
2 candidates for nomination for, election to or retention in
3 public office, except that if, in any existing or proposed
4 political subdivision in which the submission of a public
5 question at a regularly scheduled election is desired, the
6 voters of only a portion of such existing or proposed political
7 subdivision are not scheduled to cast votes for nomination for,
8 election to or retention in public office at such election, but
9 the voters in one or more other portions of such existing or
10 proposed political subdivision are scheduled to cast votes for
11 nomination for, election to or retention in public office at
12 such election, the public question shall be voted upon by all
13 the qualified voters of the entire existing or proposed
14 political subdivision at the election.

15 Not more than 3 advisory public questions may be submitted
16 to the voters of the entire state at a general election. If
17 more than 3 such advisory propositions are initiated, the first
18 3 timely and validly initiated shall be the questions printed
19 on the ballot and submitted at that election; provided however,
20 that a question for a proposed amendment to Article IV of the
21 Constitution pursuant to Section 3, Article XIV of the
22 Constitution, ~~or for~~ a question submitted under the Property
23 Tax Cap Referendum Law, or a question submitted under Section
24 28-14 of this Code shall not be included in the foregoing
25 limitation.

26 (Source: P.A. 93-308, eff. 7-23-03.)

27 (10 ILCS 5/28-14 new)

28 Sec. 28-14. Treatment-on-demand referendum.

29 (a) An advisory referendum on the following question shall
30 be held in every county at the general election in 2004:

31 "Shall the Illinois State Government provide adequate
32 funding for comprehensive and appropriate substance abuse
33 treatment for any Illinois State resident requesting services

1 from a licensed provider, community-based organization, or
2 medical care facility within the State?".

3 Votes shall be recorded as "Yes" or "No".

4 (b) The State Board of Elections shall certify the question
5 to the proper election officials who shall submit the question
6 in accordance with the general election law.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".