HB6841

96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6841

Introduced 3/23/2010, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-45 new
10 ILCS 5/28-1   from Ch. 46, par. 28-1

Amends the Election Code. Requires that the State Board of Elections certify an advisory question for the 2010 general election ballot to each election authority serving a unit of local government with a red light camera system as to whether the unit and its police department should cease issuing tickets from that system for right turns against red traffic signals. Repealed January 1, 2011. Effective immediately.

LRB096 21758 JAM 39541 b

A BILL FOR

1   AN ACT concerning elections.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Election Code is amended by changing Section

5   28-1 and by adding Section 1A-45 as follows:

6   (10 ILCS 5/1A-45 new)

7   Sec. 1A-45. 2010 red light camera advisory question. For

8   the 2010 general election ballot, the State Board of Elections

9   shall certify the following advisory question to each election

10   authority whose jurisdiction includes territory in a unit of

11   local government with an automatic traffic law enforcement

12   system (red light camera system):

13   "Should the (insert name of unit of local government) and

14   its police department cease issuing traffic citations from an

15   automatic traffic law enforcement system (red light camera

16   system) for any right turn made against a red traffic signal?".

17   The question shall be placed upon the 2010 general election

18   ballot, with votes for or against the question recorded as

19   "yes" or "no", respectively, in accordance with this Code.

20   This Section is repealed January 1, 2011.

21   (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

22   Sec. 28-1. The initiation and submission of all public

1   questions to be voted upon by the electors of the State or of

2   any political subdivision or district or precinct or

3   combination of precincts shall be subject to the provisions of

4   this Article.

5   Questions of public policy which have any legal effect

6   shall be submitted to referendum only as authorized by a

7   statute which so provides or by the Constitution. Advisory

8   questions of public policy shall be submitted to referendum

9   pursuant to Section 28-5 or pursuant to a statute which so

10 provides.

11   The method of initiating the submission of a public

12 question shall be as provided by the statute authorizing such

13 public question, or as provided by the Constitution.

14   All public questions shall be initiated, submitted and

15 printed on the ballot in the form required by Section 16-7 of

16 this Act, except as may otherwise be specified in the statute

17 authorizing a public question.

18   Whenever a statute provides for the initiation of a public

19 question by a petition of electors, the provisions of such

20 statute shall govern with respect to the number of signatures

21 required, the qualifications of persons entitled to sign the

22 petition, the contents of the petition, the officer with whom

23 the petition must be filed, and the form of the question to be

24 submitted. If such statute does not specify any of the

25 foregoing petition requirements, the corresponding petition

26 requirements of Section 28-6 shall govern such petition.

1   Irrespective of the method of initiation, not more than 3

2   public questions other than (a) back door referenda, (b)

3   referenda to determine whether a disconnection may take place

4   where a city coterminous with a township is proposing to annex

5   territory from an adjacent township, (c) referenda held under

6   the provisions of the Property Tax Extension Limitation Law in

7   the Property Tax Code, ~~or~~ (d) referenda held under Section

8   2-3002 of the Counties Code, or (e) the 2010 red light camera

9   advisory question submitted pursuant to Section 1A-45 of this

10   Code may be submitted to referendum with respect to a political

11   subdivision at the same election.

12   If more than 3 propositions are timely initiated or

13   certified for submission at an election with respect to a

14   political subdivision, the first 3 validly initiated, by the

15   filing of a petition or by the adoption of a resolution or

16   ordinance of a political subdivision, as the case may be, shall

17   be printed on the ballot and submitted at that election.

18   However, except as expressly authorized by law not more than

19   one proposition to change the form of government of a

20   municipality pursuant to Article VII of the Constitution may be

21   submitted at an election. If more than one such proposition is

22   timely initiated or certified for submission at an election

23   with respect to a municipality, the first validly initiated

24   shall be the one printed on the ballot and submitted at that

25   election.

26   No public question shall be submitted to the voters of a

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

16   Not more than 3 advisory public questions may be submitted
17 to the voters of the entire state at a general election. If
18 more than 3 such advisory propositions are initiated, the first
19 3 timely and validly initiated shall be the questions printed
20 on the ballot and submitted at that election; provided however,
21 that a question for a proposed amendment to Article IV of the
22 Constitution pursuant to Section 3, Article XIV of the
23 Constitution, or for a question submitted under the Property
24 Tax Cap Referendum Law, shall not be included in the foregoing
25 limitation.
26 (Source: P.A. 93-308, eff. 7-23-03.)

1   Section 99. Effective date. This Act takes effect upon

2   becoming law.