



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0025

Introduced 2/26/2009, by Rep. David E. Miller

SYNOPSIS AS INTRODUCED:

ILCON Art. V, Sec. 6

Proposes to amend the Executive Article of the Illinois Constitution. Provides that upon impeachment of the Governor by the House, the officer next in line of succession becomes Acting Governor until the Governor is acquitted or convicted by the Senate. Effective upon being declared adopted.

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1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
4 NINETY-SIXTH 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 of
8 this resolution a proposition to amend Section 6 of Article V
9 of the Illinois Constitution as follows:

10 ARTICLE V
11 THE EXECUTIVE

12 (IILCON Art. V, Sec. 6)

13 SECTION 6. GUBERNATORIAL SUCCESSION

14 (a) In the event of a vacancy, the order of succession to
15 the office of Governor or to the position of Acting Governor
16 shall be the Lieutenant Governor, the elected Attorney General,
17 the elected Secretary of State, and then as provided by law.

18 (b) If the Governor is unable to serve because of death,
19 conviction on impeachment, failure to qualify, resignation or
20 other disability, the office of Governor shall be filled by the
21 officer next in line of succession for the remainder of the
22 term or until the disability is removed.

23 (c) Whenever the Governor determines that he may be

1 seriously impeded in the exercise of his powers, he shall so
2 notify the Secretary of State and the officer next in line of
3 succession. The latter shall thereafter become Acting Governor
4 with the duties and powers of Governor. When the Governor is
5 prepared to resume office, he shall do so by notifying the
6 Secretary of State and the Acting Governor.

7 (d) The General Assembly by law shall specify by whom and
8 by what procedures the ability of the Governor to serve or to
9 resume office may be questioned and determined. The Supreme
10 Court shall have original and exclusive jurisdiction to review
11 such a law and any such determination and, in the absence of
12 such a law, shall make the determination under such rules as it
13 may adopt.

14 (e) Upon the impeachment of the Governor by the House of
15 Representatives, the officer next in line of succession shall
16 become Acting Governor with the duties and powers of Governor
17 until the Governor is acquitted or convicted by the Senate.

18 (Source: Illinois Constitution.)

19 SCHEDULE

20 This Constitutional Amendment takes effect upon being
21 declared adopted in accordance with Section 7 of the Illinois
22 Constitutional Amendment Act.