



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0030

Introduced 2/27/2009, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 2

Proposes to amend the Legislature Article of the Illinois Constitution. Eliminates the appointment of persons to fill vacancies in the office of State Senator or Representative. Provides that the vacancy is filled at the next general election if the vacancy occurs 180 or fewer days before the next general election. Provides that the vacancy is filled at the next scheduled regular election if the vacancy occurs more than 180 days before the next general election. Provides that the person elected to fill a vacancy serves for the remainder of the term. 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 2 of Article IV
9 of the Illinois Constitution as follows:

10 ARTICLE IV
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 2)

13 SECTION 2. LEGISLATIVE COMPOSITION

14 (a) One Senator shall be elected from each Legislative
15 District. Immediately following each decennial redistricting,
16 the General Assembly by law shall divide the Legislative
17 Districts as equally as possible into three groups. Senators
18 from one group shall be elected for terms of four years, four
19 years and two years; Senators from the second group, for terms
20 of four years, two years and four years; and Senators from the
21 third group, for terms of two years, four years and four years.
22 The Legislative Districts in each group shall be distributed
23 substantially equally over the State.

1 (b) Each Legislative District shall be divided into two
2 Representative Districts. In 1982 and every two years
3 thereafter one Representative shall be elected from each
4 Representative District for a term of two years.

5 (c) To be eligible to serve as a member of the General
6 Assembly, a person must be a United States citizen, at least 21
7 years old, and for the two years preceding his election ~~or~~
8 ~~appointment~~ a resident of the district which he is to
9 represent. In the general election following a redistricting, a
10 candidate for the General Assembly may be elected from any
11 district which contains a part of the district in which he
12 resided at the time of the redistricting and reelected if a
13 resident of the new district he represents for 18 months prior
14 to reelection.

15 (d) If a vacancy in the office of Senator or Representative
16 occurs 180 or fewer days before the next general election, the
17 vacancy shall be filled at the next general election. If a
18 vacancy in the office of Senator or Representative occurs more
19 than 180 days before the next general election, the vacancy
20 shall be filled at the next scheduled regular election. A
21 person elected to fill a vacancy in office shall serve for the
22 remainder of the term. ~~Within thirty days after a vacancy~~
23 ~~occurs, it shall be filled by appointment as provided by law.~~
24 ~~If the vacancy is in a Senatorial office with more than~~
25 ~~twenty-eight months remaining in the term, the appointed~~
26 ~~Senator shall serve until the next general election, at which~~

1 ~~time a Senator shall be elected to serve for the remainder of~~
2 ~~the term. If the vacancy is in a Representative office or in~~
3 ~~any other Senatorial office, the appointment shall be for the~~
4 ~~remainder of the term. An appointee to fill a vacancy shall be~~
5 ~~a member of the same political party as the person he succeeds.~~

6 (e) No member of the General Assembly shall receive
7 compensation as a public officer or employee from any other
8 governmental entity for time during which he is in attendance
9 as a member of the General Assembly.

10 No member of the General Assembly during the term for which
11 he was elected ~~or appointed~~ shall be appointed to a public
12 office which shall have been created or the compensation for
13 which shall have been increased by the General Assembly during
14 that term.

15 (Source: Amendment adopted at general election November 4,
16 1980.)

17 SCHEDULE

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