



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0034

Introduced , by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 1

ILCON Art. IV, Sec. 2

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Provides for the election of Representatives by cumulative voting with 3 Representatives elected from each of 39 Representative Districts. Provides that the boundaries of Legislative and Representative districts may be separate. Requires that both types of districts, in addition to being compact, contiguous, and substantially equal in population, must reflect minority voting strengths, promote competition, and consider political boundaries. Replaces the current method of redistricting of the Senate and House of Representatives with the following: a commission, appointed by the legislative leaders and in accordance with scoring criteria provided by law, shall score separate Legislative District and Representative District maps submitted by the public; the Senate and House, each by a three-fifths vote, shall adopt one of the 3 maps with the highest scores for its districts; and the Secretary of State shall certify the map with the top score if a chamber fails to adopt a map. Specifies the schedule for redistricting activities. Effective upon being declared adopted and applicable to redistricting beginning in 2011 and to the election of General Assembly members beginning in 2012.

LRB096 13262 RCE 27924 e

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 Article 4 of the
9 Illinois Constitution by changing Sections 1, 2, and 3 as
10 follows:

11 ARTICLE IV
12 THE LEGISLATURE

13 (ILCON Art. IV, Sec. 1)

14 SECTION 1. LEGISLATURE - POWER AND STRUCTURE

15 The legislative power is vested in a General Assembly
16 consisting of a Senate and a House of Representatives, elected
17 by the electors from 59 Legislative Districts and 39 ~~118~~
18 Representative Districts.

19 (Source: Amendment adopted at general election November 4,
20 1980.)

21 (ILCON Art. IV, Sec. 2)

22 SECTION 2. LEGISLATIVE COMPOSITION

1 (a) One Senator shall be elected from each Legislative
2 District. Immediately following each decennial redistricting,
3 the Senate, by resolution, ~~General Assembly by law~~ shall divide
4 the Legislative Districts as equally as possible into three
5 groups. Senators from one group shall be elected for terms of
6 four years, four years and two years; Senators from the second
7 group, for terms of four years, two years and four years; and
8 Senators from the third group, for terms of two years, four
9 years and four years. The Legislative Districts in each group
10 shall be distributed substantially equally over the State.

11 (b) Three Representatives shall be elected from each
12 Legislative District for a term of two years. No political
13 party shall limit its nominations to less than two candidates
14 for Representative in any Legislative District. In elections
15 for Representatives, including those for nomination, each
16 elector may cast three votes for one candidate or distribute
17 them equally among no more than three candidates. The
18 candidates highest in votes shall be declared elected. Each
19 ~~Legislative District shall be divided into two Representative~~
20 ~~Districts. In 1982 and every two years thereafter one~~
21 ~~Representative shall be elected from each Representative~~
22 ~~District for a term of two years.~~

23 (c) To be eligible to serve as a member of the General
24 Assembly, a person must be a United States citizen, at least 21
25 years old, and for the two years preceding his election or
26 appointment a resident of the district which he is to

1 represent. In the general election following a redistricting, a
2 candidate for the General Assembly may be elected from any
3 district which contains a part of the district in which he
4 resided at the time of the redistricting and reelected if a
5 resident of the new district he represents for 18 months prior
6 to reelection.

7 (d) Within thirty days after a vacancy occurs, it shall be
8 filled by appointment as provided by law. If the vacancy is in
9 a Senatorial office with more than twenty-eight months
10 remaining in the term, the appointed Senator shall serve until
11 the next general election, at which time a Senator shall be
12 elected to serve for the remainder of the term. If the vacancy
13 is in a Representative office or in any other Senatorial
14 office, the appointment shall be for the remainder of the term.
15 An appointee to fill a vacancy shall be a member of the same
16 political party as the person he succeeds.

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

21 No member of the General Assembly during the term for which
22 he was elected or appointed shall be appointed to a public
23 office which shall have been created or the compensation for
24 which shall have been increased by the General Assembly during
25 that term.

26 (Source: Amendment adopted at general election November 4,

1 1980.)

2 (ILCON Art. IV, Sec. 3)

3 SECTION 3. LEGISLATIVE REDISTRICTING

4 (a) Legislative Districts shall be compact, be contiguous,
5 be ~~and~~ substantially equal in population, reflect minority
6 voting strengths, promote competition, and consider political
7 boundaries. Representative Districts shall be compact, be
8 contiguous, be ~~and~~ substantially equal in population, reflect
9 minority voting strengths, promote competition, and consider
10 political boundaries. A Representative District need not be
11 entirely within a single Legislative District. The General
12 Assembly shall establish by law a method to determine a score
13 for any map for Legislative or Representative districts.

14 ~~(b) In the year following each Federal decennial census~~
15 ~~year, the General Assembly by law shall redistrict the~~
16 ~~Legislative Districts and the Representative Districts.~~

17 A ~~If no redistricting plan becomes effective by June 30 of~~
18 ~~that year, a~~ Legislative Redistricting Commission shall be
19 constituted by March 1 of the year following each Federal
20 decennial census year ~~not later than July 10~~. The Commission
21 shall consist of eight members, no more than four of whom shall
22 be members of the same political party.

23 The Speaker and Minority Leader of the House of
24 Representatives shall each appoint two persons to the
25 Commission ~~one Representative and one person who is not a~~

1 ~~member of the General Assembly.~~ The President and Minority
2 Leader of the Senate shall each appoint two persons to the
3 Commission ~~one Senator and one person who is not a member of~~
4 ~~the General Assembly.~~

5 The members shall be certified to the Secretary of State by
6 the appointing authorities. A vacancy on the Commission shall
7 be filled within five days by the authority that made the
8 original appointment. A Chairman and Vice Chairman shall be
9 chosen by a majority of all members of the Commission. The
10 Commission shall provide to the public data and tools to create
11 Legislative and Representative districts not later than April
12 7. The Commission shall accept maps for the redistricting of
13 Legislative and Representative districts through May 7.

14 The Commission shall judge all submitted maps according to
15 criteria set forth in subsection (a) as implemented by law and
16 assign each map a score. The Commission shall eliminate maps
17 that fail to meet federal and State law and shall eliminate
18 maps that are substantially the same as other maps of equal or
19 higher score. Not later than May 22 the Commission shall give
20 to the Senate the maps for Legislative Districts with the top
21 three scores. Not later than May 22 the Commission shall give
22 to the House of Representatives the maps for Representative
23 Districts with the top three scores.

24 (c) The Senate by a record vote of three-fifths of the
25 members elected may adopt a redistricting resolution from the
26 three maps for Legislative Districts submitted by the

1 Commission. If the Senate has failed to file a redistricting
2 resolution with the Secretary of State by June 30, the
3 Secretary of State shall certify the redistricting map for
4 Legislative Districts that received the top score from the
5 Commission.

6 The House by a record vote of three-fifths of the members
7 elected may adopt a redistricting resolution from the three
8 maps for Representative Districts submitted by the Commission.
9 If the House has failed to file a redistricting resolution with
10 the Secretary of State by June 30, the Secretary of State shall
11 certify the redistricting map for Representative Districts
12 that received the top score from the Commission.

13 ~~Not later than August 10, the Commission shall file with~~
14 ~~the Secretary of State a redistricting plan approved by at~~
15 ~~least five members.~~

16 ~~If the Commission fails to file an approved redistricting~~
17 ~~plan, the Supreme Court shall submit the names of two persons,~~
18 ~~not of the same political party, to the Secretary of State not~~
19 ~~later than September 1.~~

20 ~~Not later than September 5, the Secretary of State publicly~~
21 ~~shall draw by random selection the name of one of the two~~
22 ~~persons to serve as the ninth member of the Commission.~~

23 ~~Not later than October 5, the Commission shall file with~~
24 ~~the Secretary of State a redistricting plan approved by at~~
25 ~~least five members.~~

26 (d) A An approved redistricting resolution or

1 redistricting map ~~plan~~ filed with the Secretary of State shall
2 be presumed valid, shall have the force and effect of law and
3 shall be published promptly by the Secretary of State.

4 The Supreme Court shall have original and exclusive
5 jurisdiction over actions concerning redistricting the House
6 and Senate, which shall be initiated in the name of the People
7 of the State by the Attorney General.

8 (Source: Amendment adopted at general election November 4,
9 1980.)

10 SCHEDULE

11 This Constitutional Amendment takes effect upon being
12 declared adopted in accordance with Section 7 of the Illinois
13 Constitutional Amendment Act and applies to redistricting
14 beginning in 2011 and to the election of General Assembly
15 members beginning in 2012.