



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SENATE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**SC0027**

Introduced 2/19/2009, by Sen. Matt Murphy

**SYNOPSIS AS INTRODUCED:**

ILCON Art. V, Sec. 1  
ILCON Art. V, Sec. 3  
ILCON Art. V, Sec. 7  
ILCON Art. V, Sec. 18.5 new  
ILCON Art. VIII, Sec. 3

Proposes to amend the Executive and Finance Articles of the Illinois Constitution. Adds an elected Auditor General as an officer of the executive branch of State government. Eliminates the position of Auditor General appointed by the General Assembly. Specifies the same powers and duties for the elected officer as for the appointed officer, with the addition of (i) the power of subpoena and (ii) the power to investigate all matters relating to government operations, financial or otherwise. Provides that the Auditor General is subject to oversight and audit as the General Assembly may provide by law. Effective upon being declared adopted and applies to the office of Auditor General first filled by election in 2014.

LRB096 10740 JAM 20926 e

1                                   SENATE JOINT RESOLUTION  
2                                   CONSTITUTIONAL AMENDMENT

3           RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL  
4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES  
5 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 the Illinois  
9 Constitution in Article V by changing Sections 1, 3, and 7 and  
10 by adding Section 18.5 and in Article VIII by changing Section  
11 3 as follows:

12                                   ARTICLE V  
13                                   THE EXECUTIVE

14           (ILCON Art. V, Sec. 1)

15           SECTION 1. OFFICERS

16           The Executive Branch shall include a Governor, Lieutenant  
17 Governor, Attorney General, Secretary of State, Comptroller,  
18 ~~and~~ Treasurer, and Auditor General elected by the electors of  
19 the State. The Auditor General shall first be elected in 2010.  
20 They shall keep the public records and maintain a residence at  
21 the seat of government during their terms of office.

22           (Source: Illinois Constitution.)

1 (ILCON Art. V, Sec. 3)

2 SECTION 3. ELIGIBILITY

3 To be eligible to hold the office of Governor, Lieutenant  
4 Governor, Attorney General, Secretary of State, Comptroller,  
5 ~~or~~ Treasurer, or Auditor General, a person must be a United  
6 States citizen, at least 25 years old, and a resident of this  
7 State for the three years preceding his election.

8 (Source: Illinois Constitution.)

9 (ILCON Art. V, Sec. 7)

10 SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

11 If the Attorney General, Secretary of State, Comptroller,  
12 ~~or~~ Treasurer, Auditor General fails to qualify or if his office  
13 becomes vacant, the Governor shall fill the office by  
14 appointment. The appointee shall hold office until the elected  
15 officer qualifies or until a successor is elected and qualified  
16 as may be provided by law and shall not be subject to removal  
17 by the Governor. If the Lieutenant Governor fails to qualify or  
18 if his office becomes vacant, it shall remain vacant until the  
19 end of the term.

20 (Source: Illinois Constitution.)

21 (ILCON Art. V, Sec. 18.5 new)

22 SECTION 18.5. AUDITOR GENERAL

23 The Auditor General shall conduct the audits of public  
24 funds of the State. The Auditor General shall also have full

1 and complete authority, on his or her own initiative, to  
2 investigate all matters relating to government operations,  
3 financial or otherwise without limitation. He or she shall make  
4 additional reports and investigations as directed by the  
5 General Assembly. The Auditor General shall have subpoena  
6 power. The Auditor General shall report his or her findings and  
7 recommendations to the General Assembly and to the Governor.  
8 The Auditor General is subject to oversight and audit as the  
9 General Assembly may provide by law.

10 ARTICLE VIII

11 FINANCE

12 (ILCON Art. VIII, Sec. 3)

13 SECTION 3. STATE AUDIT ~~AND AUDITOR GENERAL~~

14 ~~(a) The General Assembly shall provide by law for the audit~~  
15 ~~of the obligation, receipt and use of public funds of the~~  
16 ~~State. The General Assembly, by a vote of three fifths of the~~  
17 ~~members elected to each house, shall appoint an Auditor General~~  
18 ~~and may remove him for cause by a similar vote. The Auditor~~  
19 ~~General shall serve for a term of ten years. His compensation~~  
20 ~~shall be established by law and shall not be diminished, but~~  
21 ~~may be increased, to take effect during his term.~~

22 ~~(b) The Auditor General shall conduct the audit of public~~  
23 ~~funds of the State. He shall make additional reports and~~  
24 ~~investigations as directed by the General Assembly. He shall~~

1 ~~report his findings and recommendations to the General Assembly~~  
2 ~~and to the Governor.~~

3 (Source: Illinois Constitution.)

4 SCHEDULE

5 This Constitutional Amendment takes effect upon being  
6 declared adopted in accordance with Section 7 of the Illinois  
7 Constitutional Amendment Act and applies to the office of  
8 Auditor General first filled by election in 2014.