



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SENATE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

SC0078

Introduced 10/14/2009, by Sen. Bill Brady

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Provides that the State Board of Elections shall produce a redistricting plan using a computer program. In the year following each Federal decennial census year, requires the State Board of Elections to designate its computer program by April 15 and to file the redistricting plan by June 1, which is presumed valid and has the force and effect of law. The computer program designated by the State Board of Elections must disregard specified data and must consider certain prioritized factors; the computer program shall otherwise produce districts in a random manner. Effective beginning with redistricting in 2011 and applies to members elected in 2012 and thereafter.

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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 Section 3 of Article IV
9 of the Illinois Constitution as follows:

10 ARTICLE IV
11 THE LEGISLATURE

12 (ILCON Art. IV, Sec. 3)

13 SECTION 3. LEGISLATIVE REDISTRICTING

14 (a) Legislative Districts shall be compact, contiguous and
15 substantially equal in population. Representative Districts
16 shall be compact, contiguous, and substantially equal in
17 population.

18 (b) By April 15 of the year following each Federal
19 decennial census year, the State Board of Elections, by a
20 record vote of a majority of the total number of members
21 authorized by law as provided in Section 5 of Article III,
22 shall designate a computer program for redistricting the
23 Legislative Districts and Representative Districts that meets

1 the requirements of this Section. The designation shall include
2 detailed specifications of the computer program.

3 Any computer program designated by the State Board of
4 Elections under this Section shall embody the following
5 standards and criteria, as defined by Common Law, in this order
6 of priority:

7 (1) contiguity;

8 (2) substantial equality of population;

9 (3) compactness;

10 (4) minimization of the number of districts that cross
11 precinct, ward, township, county, or municipal boundaries;
12 and

13 (5) a fair reflection of minority voting strength.

14 Any computer program designated by the State Board of Elections
15 under this Section shall not consider the following data:

16 (1) residency of incumbent legislators;

17 (2) political affiliations of registered voters;

18 (3) previous election results; and

19 (4) demographic information not required to be used by
20 this Section or by the United States Constitution or
21 federal law.

22 Except as specified in this Section, the computer program shall
23 produce districts in a random manner.

24 (c) ~~(b)~~ In the year following each Federal decennial
25 census year, the State Board of Elections ~~General Assembly by~~
26 law shall redistrict the Legislative Districts and the

1 Representative Districts using the computer program designated
2 under subsection (b). The State Board of Elections shall
3 approve a redistricting plan by a record vote of a majority of
4 the total number of members authorized by law as provided in
5 Section 5 of Article III, and the Board shall file that plan
6 with the Secretary of State no later than June 1 of the year
7 following the Federal decennial census year.

8 (d) The State Board of Elections shall designate a computer
9 program under subsection (b) and shall approve a plan under
10 subsection (c) at public meetings. The Board shall give
11 reasonable and adequate advance notice of those meetings.

12 ~~If no redistricting plan becomes effective by June 30 of~~
13 ~~that year, a Legislative Redistricting Commission shall be~~
14 ~~constituted not later than July 10. The Commission shall~~
15 ~~consist of eight members, no more than four of whom shall be~~
16 ~~members of the same political party.~~

17 ~~The Speaker and Minority Leader of the House of~~
18 ~~Representatives shall each appoint to the Commission one~~
19 ~~Representative and one person who is not a member of the~~
20 ~~General Assembly. The President and Minority Leader of the~~
21 ~~Senate shall each appoint to the Commission one Senator and one~~
22 ~~person who is not a member of the General Assembly.~~

23 ~~The members shall be certified to the Secretary of State by~~
24 ~~the appointing authorities. A vacancy on the Commission shall~~
25 ~~be filled within five days by the authority that made the~~
26 ~~original appointment. A Chairman and Vice Chairman shall be~~

1 ~~chosen by a majority of all members of the Commission.~~

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

5 ~~If the Commission fails to file an approved redistricting~~
6 ~~plan, the Supreme Court shall submit the names of two persons,~~
7 ~~not of the same political party, to the Secretary of State not~~
8 ~~later than September 1.~~

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

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

15 (e) An approved redistricting plan filed with the Secretary
16 of State shall be presumed valid, shall have the force and
17 effect of law and shall be published promptly by the Secretary
18 of State.

19 (f) The Supreme Court shall have original and exclusive
20 jurisdiction over actions concerning redistricting the House
21 and Senate, which shall be initiated in the name of the People
22 of the State by the Attorney General.

23 (Source: Amendment adopted at general election November 4,
24 1980.)

1 This Constitutional Amendment takes effect beginning with
2 redistricting in 2011 and applies to the election of members of
3 the General Assembly in 2012 and thereafter.