



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0046

Introduced , by Rep. Brian W. Stewart

SYNOPSIS AS INTRODUCED:

ILCON Art. III, Sec. 7

Proposes to amend the Suffrage and Elections Article of the Illinois Constitution. Provides for the recall of all State Executive Branch officers and members of the General Assembly. Changes the signature requirements for affidavits and petitions for recall of the Governor. Effective upon being declared adopted.

LRB098 17602 MGM 52713 e

1 HOUSE JOINT RESOLUTION
 2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
 4 NINETY-EIGHTH 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 7 of Article III
 9 of the Illinois Constitution as follows:

10 ARTICLE III
 11 SUFFRAGE AND ELECTIONS

12 (ILCON Art. III, Sec. 7)
 13 SECTION 7. INITIATIVE TO RECALL EXECUTIVE OFFICERS AND MEMBERS
 14 OF THE GENERAL ASSEMBLY ~~GOVERNOR~~

15 (a) The recall of any Executive Branch officer named in
 16 Section 1 of Article V ~~the Governor~~ may be proposed by a
 17 petition signed by a number of electors equal in number to at
 18 least 10% ~~15%~~ of the total votes cast for Governor in the
 19 preceding gubernatorial election, with at least 100 signatures
 20 from each of at least 25 separate counties. In addition, the
 21 recall of any member of the General Assembly may be proposed by
 22 a petition signed by a number of electors equal in number to at
 23 least 10% of the total votes cast for that office in the

1 member's Legislative District or Representative District, as
2 applicable, in the general election in which the member was
3 last elected. A petition shall have been signed by the
4 petitioning electors not more than 150 days after an affidavit
5 has been filed with the State Board of Elections providing
6 notice of intent to circulate a petition to recall the
7 Executive Branch officer or member of the General Assembly
8 Governor. The affidavit may be filed no sooner than 6 months
9 after the beginning of the officer's or member's ~~Governor's~~
10 term of office. ~~The affidavit shall have been signed by the~~
11 ~~proponent of the recall petition, at least 20 members of the~~
12 ~~House of Representatives, and at least 10 members of the~~
13 ~~Senate, with no more than half of the signatures of members of~~
14 ~~each chamber from the same established political party.~~

15 (b) The form of the petition, circulation, and procedure
16 for determining the validity and sufficiency of a petition
17 shall be as provided by law. If the petition is valid and
18 sufficient, the State Board of Elections shall certify the
19 petition not more than 100 days after the date the petition was
20 filed, and the question "Shall (name) be recalled from the
21 office of (office) ~~Governor~~?" must be submitted to the electors
22 at a special election called by the State Board of Elections,
23 to occur not more than 100 days after certification of the
24 petition. A recall petition certified by the State Board of
25 Elections may not be withdrawn and another recall petition may
26 not be initiated against the same officer or member ~~Governor~~

1 during the remainder of his or her ~~the~~ current term of office.
2 In the case of an Executive Branch officer, any ~~Any~~ recall
3 petition or recall election pending on the date of the next
4 general election at which a candidate for that office ~~a~~
5 ~~candidate for Governor~~ is elected is moot. In the case of a
6 member of the General Assembly, any recall petition or recall
7 election pending on the date of the next general election at
8 which a member is elected from that member's Legislative or
9 Representative District is moot.

10 (c) If a petition to recall an Executive Branch officer or
11 member of the General Assembly ~~the Governor~~ has been filed with
12 the State Board of Elections, a person eligible to serve in the
13 office with respect to which the recall petition has been filed
14 ~~as Governor~~ may propose his or her candidacy by a petition
15 signed by a number of electors equal in number to the
16 requirement for petitions for an established party candidate
17 for the office ~~of Governor~~, signed by petitioning electors not
18 more than 50 days after a recall petition has been filed with
19 the State Board of Elections. The form of a successor election
20 petition, circulation, and procedure for determining the
21 validity and sufficiency of a petition shall be as provided by
22 law. If the successor election petition is valid and
23 sufficient, the State Board of Elections shall certify the
24 petition not more than 100 days after the date the recall
25 ~~petition to recall the Governor~~ was filed. Names of candidates
26 for nomination to serve as the candidate of an established

1 political party must be submitted to the electors at a special
2 primary election, if necessary, called by the State Board of
3 Elections to be held at the same time as the special election
4 on the question of recall established under subsection (b).
5 Names of candidates for the successor election must be
6 submitted to the electors at a special successor election
7 called by the State Board of Elections, to occur not more than
8 60 days after the date of the special primary election or on a
9 date established by law.

10 (d) The Executive Branch officer or member of the General
11 Assembly Governor is immediately removed upon certification of
12 the recall election results if a majority of the electors
13 voting on the question vote in favor of recall ~~to recall the~~
14 ~~Governor~~. If the Governor is removed, then (i) an Acting
15 Governor determined under subsection (a) of Section 6 of
16 Article V shall serve until the Governor elected at the special
17 successor election is qualified and (ii) the candidate who
18 receives the highest number of votes in the special successor
19 election is elected Governor for the balance of the term. If an
20 Executive Branch officer other than the Governor is removed,
21 then the Governor shall appoint a successor as provided in
22 Section 7 of Article V to serve until a successor is elected at
23 the special successor election and qualified. If a member of
24 the General Assembly is removed, then a successor shall be
25 appointed as provided in Section 2 of Article IV to serve until
26 a successor is elected at the special successor election and

1 qualified.

2 (Source: Amendment adopted at general election November 2,
3 2010.)

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.