

HBOL2104

96th GENERAL ASSEMBLY

State of Illinois

2009 and 2010

Constitutional Amendment

Introduced 2/05/2009, By Chris Burg

SYNOPSIS AS INTRODUCED:

Amends the Illinois Constitution: Article IV, Sections 1, 2, 3. Changes single member voting to cumulative voting. The House of Representatives member body of 118 will increase to 120 members. The number of Senators will decrease from 59 to 40 members. Creates 40 Districts for the House and Senate. No more or less than three House members will represent 1 district. Political Parties limited to a maximum of 2 House member positions for 1 district. Amends language to reflect gender. Effective after the first general election following the 2010 census.

A BILL FOR

1 AN ACT concerning voting law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. The Illinois Constitution Article IV is amended by changing
5 Section 1 as follows:

6 (ILCON Article IV, Section 1)

7 Sec. 1. The legislative power is vested in a General Assembly consisting of a Senate.
8 and a House of Representatives, elected by the electors from ~~40~~ 59 Legislative Districts
9 and ~~40~~ 44 Representative Districts.

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

11 (ILCON Article IV, Section 2)

12 Sec. 2.

13 (a) One Senator shall be elected from each Legislative District. Immediately
14 following each decennial redistricting, the General Assembly by law shall divide the
15 Legislative Districts as equally as possible into three groups. Senators from one group

16 shall be elected for terms of four years, four years and two years; Senators from the
17 second group, for terms of four years, two years and four years; and Senators from the
18 third group, for terms of two years, four years and four years. The Legislative Districts in
19 each group shall be distributed substantially equally over the State.

20 (b) In 2010 and every two years thereafter, three Representatives ~~Each Legislative~~
21 ~~District shall be divided into two Representative Districts. In 1982 and every two years~~
22 ~~thereafter on Representative~~ shall be elected from each Representative District for a term
23 of two years. All political party nominations are limited to no more than two candidates
24 for Representatives in any Representative District. In elections for Representatives, not
25 including those for nomination, each elector may cast three votes for one candidate or
26 distribute them equally among no more than three candidates. The candidates highest in
27 votes shall be declared elected.

28 (c) To be eligible to serve as a member of the General Assembly, a person must be a
29 United States citizen, at least 21 years old, and for the two years preceding his/her election

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

6 (d) Within thirty days after a vacancy occurs, it shall be filled by appointment as
7 provided by law. If the vacancy is in a Senatorial office with more than twenty-eight
8 months remaining in the term, the appointed Senator shall serve until the next general
9 election, at which time a Senator shall be elected to serve for the remainder of the term. If

10 the vacancy is in a Representative office or in any other Senatorial office, the appointment
11 shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of
12 the same political party as the person he succeeds.

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

16 No member of the General Assembly during the term for which he was elected or
17 appointed shall be appointed to a public office which shall have been created or the
18 compensation for which shall have been increased by the General Assembly during that
19 term.

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

21 (ILCON ARTICLE IV, SECTION 3)

22 Sec. 3.

23 (a) Legislative Districts shall be compact, contiguous, and substantially equal in
24 population.

25 (b) In 2010, the General Assembly by law shall redistrict the Representative Districts
26 using the 2010 Federal decennial census. Thereafter, in the year following each Federal
27 decennial census year, the General Assembly by law shall redistrict the Legislative
28 Districts and the Representative Districts.

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

33 The Speaker and Minority Leader of the House of Representatives shall each appoint

34 to the Commission one Representative and one person who is not a member of the
35 General Assembly. The President and Minority Leader of the Senate shall each appoint to
36 the Commission one Senator and one person who is not a member of the General
37 Assembly.

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1 The members shall be certified to the Secretary of State by the appointing authorities.
2 A vacancy on the Commission shall be filled within five days by the authority that made
3 the original appointment. A Chairman and Vice Chairman shall be chosen by a majority
4 of all members of the Commission.

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

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

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

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

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

18 The Supreme Court shall have original and exclusive jurisdiction over actions
19 concerning redistricting the House and Senate, which shall be initiated in the name of the

20 People of the State by the Attorney General.

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

22 SCHEDULE

23 This Constitutional Amendment takes effect upon being declared, and initiated during
24 the next redistricting period and applies to the election of Representatives in 2010 and
25 thereafter.