

CHAPTER 2

CONTENTS

THE JOB OF MAKING LAWS

Legislative Power	1
Powers of General Assembly.....	1
Powers of National Government.....	1
Relation of State to Local Governments.....	2
Legislative Structure	2
The Legislative Biennium	3
Regular Session, Odd Year.....	3
<i>Veto Session</i>	4
Regular Session, Even Year.....	4
<i>Veto Session</i>	4
Special Sessions	4
Legislative Organization	5
Election of Officers	5
Selection of Seats	6
Adoption of Rules	6
Appointments to Committees.....	6
Constitutional Provisions	6
Open Meetings	6
Public Notice of Meetings	6
Witnesses and Records	6
Passage of Bills	7
Other Legislative Functions	8
Senate Confirmation of Governor's Nominations	8
Election Contests.....	8
Impeachments	8
Caucus or Party Conference.....	8
Legislative Behavior	9
Decorum and Discipline	9
Legislative Immunities	9
Important Dates for the 95th General Assembly	10
General Assembly Workloads, 1985 to 2007	11

THE JOB OF MAKING LAWS

Every action by the General Assembly is affected by constitutional provisions, and by legislative rules and practices based on centuries of parliamentary and political tradition. This chapter provides a short description of how the General Assembly works. Chapters 3, 5, and 6 give more specifics.

Legislative Power

In the American system of government, each state government and the national government are sovereign—meaning that each has independent power to enact and enforce laws that bind persons within its territorial jurisdiction. The motto on the State Seal is “State Sovereignty, National Union.” In this “federal” form of government, conflicts between national and state laws are resolved under the U.S. Constitution. The following is a brief comparison between the powers of a state legislature and those of Congress and the national government generally.

Powers of General Assembly

Unlike Congress, which has only the powers affirmatively given it by the U.S. Constitution and whatever additional powers are necessary to exercise those stated powers, a state legislature has all legislative powers that are not denied by the state or federal constitution. The Legislative Article of the Illinois Constitution says “The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives”¹ This broad grant means essentially that the General Assembly can make laws on all subjects that are within the state’s powers. The Revenue Article has a similarly broad grant: “The General Assembly has the exclusive power to raise revenue by law except as limited or otherwise provided in this Constitution.” Most other articles of the Constitution list more specific powers and/or duties of the General Assembly.

Of course, both the U.S. and the Illinois Constitution put various restrictions on the kinds of laws that can be enforced. These exceptions to the broad grant of authority to the legislative body protect against specific kinds of laws that are considered unfair to classes of persons, or harmful to the general public.

Powers of National Government

U.S. Constitution of 1787 established a national government of limited powers. State laws were expected to govern the vast majority of matters that needed legal attention, with the national government largely confining itself to defending the nation, promoting interstate and international commerce, and settling disputes among states. The Civil War and its aftermath brought a fundamental change in the relationship between national and state powers. With ratification of the “post-Civil War” amendments (the 13th through 15th) to the U.S. Constitution, Congress and later the federal courts began to exert power over matters formerly seen as purely state or local. The immediate purpose of those amendments was to protect newly freed slaves against denial of citizenship rights; but the amendments eventually were used to support both Congressional and judicial economic and social regulatory measures.

Beginning in about the 1930s, Congress further extended the reach of national authority by using its taxing and spending powers to encourage states to set up and administer various programs under national standards. Such monetary inducements have led states to adopt many programs to get federal funds. These programs include unemployment insurance, medical assistance (Medicaid), and highway spending programs among many others.

With this background, it is not always easy to find the boundary line between national and state powers in a given field. Congress has assumed major powers over business, commerce (whether interstate or merely “affecting” interstate commerce), and the national economy generally. Partly under the Commerce Clause² and partly under the 14th Amendment (which prohibits, among other things, denial by any state of rights of citizens of the United States), Congress has enacted many laws restricting various kinds of economic transactions by private businesses. Most such laws that were challenged have been upheld by federal courts. Congress has also imposed some requirements directly on state governments (such as applying minimum-wage and maximum-hour laws to state employees—which has been upheld by a slim majority of the U.S. Supreme Court³).

When Congress enacts a comprehensive law or laws in a field of activity, courts often say that it has “pre-empted” that field. This means that Congress has occupied that field, preventing states from enacting laws in it. Sometimes Congress clearly says how much it intends to pre-empt state laws on a subject on which it enacts a law; at other times judges must decide whether the federal law is so comprehensive that it pre-empts the field.

Relation of State to Local Governments

In relation to county and municipal governments, and special-purpose units of government, the state—with one exception—has complete sovereignty. That exception is home rule, exercised by Cook County and about 175 municipalities. The Illinois Constitution authorizes home-rule units to enact ordinances dealing with matters of local, as opposed to regional or state, concern. But even as to matters of local concern, the General Assembly can supersede home-rule powers by a law passed by a large enough majority in each house.

For more information on the powers of the General Assembly in specific areas, including home rule, legislators may want to consult another Legislative Research Unit publication: *1970 Illinois Constitution Annotated for Legislators* (4th edition, updated 2005).

Legislative Structure

The General Assembly consists of a 59-member Senate and a 118-member House of Representatives. Each of Illinois’ 59 legislative (Senatorial) districts is divided into two representative districts. One senator is elected from each legislative district, and one representative from each representative district. These districts are redrawn after each decennial Census to have nearly equal populations. They were last redrawn in 2001. All House seats are up for election every 2 years. All Senate and House seats, as redistricted, were up for election in 2002. Senate seats are divided by law into three groups; each group is assigned by lot to a sequence of terms consisting of two 4-year terms and one 2-year term during the 10 years until the next redistricting.⁴

Those three groups are as follows for the five elections held in 2002 through 2010 (covering the 10 years through 2012):⁵

Elected in 2002, 2004, and 2008 (terms of 2, 4, and 4 years):

Districts 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, 32, 35, 38, 41, 44, 47, 50, 53, 56, 59

Elected in 2002, 2006, and 2008 (terms of 4, 2, and 4 years):

Districts 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57

Elected in 2002, 2006, and 2010 (terms of 4, 4, and 2 years):

Districts 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37, 40, 43, 46, 49, 52, 55, 58

The Legislative Biennium

The first year and the second year of each General Assembly are devoted to somewhat different legislative purposes, as explained in the paragraphs below. The Illinois Constitution says that any bill finally passed after May 31 may not take effect until June 1 of the *next* year, unless the bill declares an earlier effective date *and* was passed by at least three-fifths of the total membership of each house.⁶ This provision is intended to encourage legislative adjournment by May 31. Another effect of this provision is to increase the minority party's leverage in June if the majority lacks the votes to pass a budget to take effect by July 1, when the state's fiscal year begins.

In 2000 the General Assembly adjourned its spring session on April 15. More recent adjournments have followed the more typical pattern of adjourning in May (2001 and 2006), or running into June (2002) or even July (2004). (Due to disagreements over budget issues in 2004, the General Assembly adjourned without passing a budget, but completed action in a series of 17 special sessions called by the Governor in July.) The 2007 session ran intermittently, along with numerous special sessions through the months of July, August, and September. The table "Important Dates for the 96th General Assembly" near the end of this chapter gives approximate expected dates of actions in the 96th General Assembly.

Regular Session,
Odd Year

The General Assembly convenes on the second Wednesday in January each year, as provided by the Illinois Constitution.⁷ After electing officers at the beginning of its two-year existence and hearing the Governor's "State of the State" message, it meets rather infrequently for its first month. During that time, committees organize and bills are introduced and assigned to committees. Some committees may also begin holding hearings on bills. The Governor's budget message must be presented by the third Wednesday in February.⁸ The appropriations process then begins, with introduction of bills to fund the state for the upcoming fiscal year that begins July 1.

Under legislative rules, bills must be introduced by early March to be considered during the spring session. The pace of committee work then accelerates. By late March, committee work begins to decline and floor sessions become longer. From late March through adjournment (usually in May) is the period of heaviest floor activity in each house.

Rules of each house authorize its leader to set deadlines by which bills passed by the other house must be introduced, or be out of committee, in the second house.⁹ The purpose is to avoid a “logjam” of bills at the end of the session. As a result, each house spends most of May on bills that have passed the other house. This requires more committee hearings and floor debate. Legislative efforts to reconcile differences between versions of bills as passed by both houses dominate the last week of the spring session. When work on the budget and other important bills is done, the General Assembly adjourns the spring session.

Veto Session

Consideration of the Governor’s vetoes dominates the “veto session” in the fall (usually in November). Each vetoed bill is returned to the house where it originated, which has up to 15 days to consider the veto.¹⁰ The practice is for both houses to convene in perfunctory session for one day at the start of the veto session to receive the Governor’s veto messages, transmitted by the Secretary of State. They then reconvene for the last 3 of the 15 days to act on override or other motions; and adjourn and reconvene on the last 3 of the next 15 days to consider veto actions taken by the other house.

Either house can also act during the veto session on bills that it had not passed when the spring session adjourned, if (1) they had moved far enough along in the legislative process to escape death under the deadlines for that year, or (2) that house votes to waive the deadlines for a specific bill.

Regular Session,
Even Year

The General Assembly reconvenes in the second (even-numbered) year on the second Wednesday in January. The Governor usually delivers the “State of the State” message then. The even-numbered session is often called a limited session because of House and Senate rules limiting what kinds of bills can be considered. These rules allow the hearing only of revenue or appropriation bills; bills of importance to the operation of state government; and emergency bills.¹¹ The Rules Committee of each house determines which bills are eligible.

After the Governor’s “State of the State” message in January, the General Assembly pauses for the primary election in early February before getting down to business for the second year. By the time of the Governor’s budget message on the third Wednesday in February, its schedule is about the same as in the first year—heavy committee work, followed by extended floor sessions, ending with agreement on budget issues and differences in substantive bills between the two houses. In 2000 the General Assembly accelerated that schedule, meeting frequently in February and March and adjourning in mid-April. That pattern was not followed in 2002 or 2004, probably due to state budget problems. The 2006 session ended in typical fashion in May. The 2008 session also ended in May, but the Governor called a few special sessions in July and August.

Veto Session

The fall veto session in each even-numbered year begins after the November election. After adjournment of the veto session, legislators return for a brief session in January to finish the work of that General Assembly; then they adjourn *sine die* (“without day”—setting no date to return).

Special Sessions

In addition to its regular sessions, the General Assembly sometimes is called into special session to address specific issues. These sessions are called by either a proclamation of the Governor, or a joint proclamation by the President of the Senate and Speaker of the House. A proclamation by the Governor describes the specific subject(s) for legislative deliberation during

that special session; no other matters, except impeachments and confirmations of appointments, may be considered during the session.¹² Calling a special session thus gives the Governor the advantage of defining an exclusive agenda and directing the attention of the public and legislators to it. This advantage achieves its greatest effect if the special session is called while the General Assembly is in recess (usually in the fall). But that effect is offset somewhat by the constitutional requirement that a bill passed after the intended session cutoff date (May 31) must have a three-fifths majority to take effect before June 1 of the following year.¹³ Special sessions can also be called during a regular session, in which case legislators' attention is not as concentrated on the Governor's agenda.

When a special session is convened, the first order of business is to pass resolutions adopting rules for the special session (usually the same as those of the regular session), and naming the officers and committees of the regular session as those of the special session. There are no limits on the number of days a special session can last. Nor is there any requirement that it act on the Governor's agenda. In 2004 the Governor called a then-record 17 special sessions after adjournment of the regular session; that record was broken in 2007 when he called 18 special sessions.

The table "General Assembly Workloads, 1985 to 2007" at the end of this chapter gives statistics on legislative workloads and action on vetoes in the last 11 General Assemblies. Since the General Assembly has not yet acted on the Governor's 2008 vetoes, that table goes through 2007 only.

Legislative Organization

The opening day of a new legislative session marks a new beginning. A festive mood pervades each house. Families and friends of legislators fill the galleries. Flowers are on legislators' desks. The Governor presides in the Senate, and the Secretary of State presides in the House, as the roll of members of the new General Assembly is taken, and justices of the Supreme Court administer the oath of office. The taking of the oath culminates a successful political campaign and begins a legislator's term in office.

Election of Officers

The first order of business is organization of each house—election of the President of the Senate and the Speaker of the House. In most years, these elections are routine matters requiring only one ballot. The members-elect meet in party caucuses sometime before inauguration of the new General Assembly, and elect their candidates for Speaker or President. Then after the nominating and seconding speeches on opening day, the candidate of the majority party in each house is elected. As provided in the Constitution, the leader of the second most numerous party in each house is then designated as its Minority Leader.

After installation of the presiding officers, the next order of business is adoption of a resolution naming the other permanent officers of the legislative body—in the Senate, the Secretary and Assistant Secretary, Sergeant at Arms, and Assistant Sergeant at Arms; in the House, the Clerk, Assistant Clerk, and Doorkeeper. (None of these officers are legislators.) Each house then notifies the other that it is organized and ready for business. The four elected leaders also designate their assistants in the leadership. The President and Minority Leader of the Senate each names a main assistant leader, other assistant leaders, and a caucus chairperson. The Speaker of the House

names a majority leader, deputy majority leaders, assistant majority leaders, and a majority caucus chairperson. The House Minority Leader names deputy minority leaders, assistant minority leaders, and a minority conference chairperson.

- Selection of Seats** Before the opening-day ceremonies are concluded, members select their permanent seats in their chamber. Usually the party leaders get the first choice of seats, followed by other legislators based on seniority. If two or more members have equal seniority, the choice is determined by lot. Offices in the State House complex are assigned on a similar basis.
- Adoption of Rules** One of the first orders of business is adopting rules. Usually the rules of the previous House or Senate are adopted as temporary rules. A rules committee is then appointed to draft rules for the new House or Senate. These rules, among other things, will determine the number, size, composition, and subject matter of committees, and will set procedures for bill introduction, committee consideration, and final passage.
- Appointments to Committees** There are two main types of committees: (1) service committees, such as Rules, aid the legislative process but do not specialize in bills on particular subjects. (2) standing (substantive) committees consider bills on particular subjects. Special committees may also be created to deal with specific issues.
- The Senate President, House Speaker, and Minority Leaders name committee members from their houses and parties.
- The Speaker and President name persons to chair committees in their respective houses, and the minority leader in each house names minority spokespersons for committees. In naming other members to committees, the appointing authorities consider legislators' preferences, seniority, and occupational experience. The total size of each committee varies, but the majority party in each house has a majority on each committee.

Constitutional Provisions

The legislative article of the Illinois Constitution establishes several requirements for legislative procedures.

- Open Meetings** Sessions of each house, and of their committees and commissions, must ordinarily be open to the public. A session of a house or one of its committees can be closed to the public if two-thirds of the members elected to that house determine that the public interest requires it. A meeting of a joint committee or commission can be closed if two-thirds of the members of both houses so vote.¹⁴
- Public Notice of Meetings** Committees of each house, joint committees, and commissions must provide reasonable notice of their meetings, including the subjects to be considered. The rules of each house establish procedural details for giving notice.¹⁵
- Witnesses and Records** Either house, and any of its committees, may subpoena witnesses and records relevant to a legislative purpose.¹⁶ (However, a 1974 Illinois Appellate Court decision, which the Illinois Supreme Court declined to review, held that despite this subsection, a legislative committee does not have authority to subpoena witnesses without a specific delegation of authority

from its house.¹⁷) If the power to issue a subpoena is authorized by either house, it is signed by the presiding officer of that house or the chairperson of the committee issuing the subpoena. Unlike Congress, in which the subpoena power is used with some frequency, its use by the General Assembly is uncommon. A statute passed under this provision also permits legislative committees to take testimony under oath.¹⁸

Passage
of Bills

- Laws can be enacted only by bill—not by resolution or other measure. Each bill must begin with this enacting clause: “Be it enacted by the People of the State of Illinois, represented in the General Assembly.”¹⁹
- Each bill must be read by title on three different days in each house before passage.²⁰ These events are called First Reading, Second Reading, and Third Reading. Third Reading is the most important stage in the passage of a bill; Second Reading can also be important, if one or more proposed amendments to the bill are considered on the floor rather than in committee.
- Except for appropriation and revisory bills, each bill must be limited to one subject. Appropriation bills must be limited to appropriations.²¹
- Bills and any amendments must be printed or copied, and on legislators’ desks before final passage.²² This is usually done by making them available on laptop computers provided to members, although paper copies are available on request.²³ Legislators can also view and download current bills and amendments from a table of contents available at this site:

<http://www.ilga.gov>

- Any bill to amend a law must set forth the entire text of any section that it proposes to amend.²⁴
- Final passage must be by record vote, entered in the Journal of that house. On any other occasion, two senators or five representatives can require a record vote in their house. An ordinary bill can be passed only if approved by a majority of the members elected to that house.²⁵
- To incur major state debt, a three-fifths vote of the members elected to each house is required (unless the voters in a referendum approve issuance).²⁶
- The Speaker of the House and President of the Senate certify that all procedural requirements have been met in the passage of any bill.²⁷ The signatures of the legislative leaders are conclusive evidence that *procedural* requirements have been followed, and the courts will not hear evidence to the contrary. But their signatures do not establish compliance with *substantive* requirements, such as limitation of each bill to a single subject; the courts will examine challenged laws to determine compliance with those requirements.²⁸
- Each bill passed goes to the Governor for approval or veto.²⁹

Other Legislative Functions

Senate Confirmation of Governor's Nominations	<p>If a nomination by the Governor requires confirmation by the Senate, the Constitution says the Senate is to act on the nomination within 60 session days or it will automatically take effect. If the Senate is in recess when a vacancy occurs, the Governor can make a temporary appointment, followed by a regular nomination when the Senate reconvenes. Senate rules require each nomination to be assigned immediately to the Executive Appointments Committee.³⁰ The nominee must appear before the committee unless a majority of all members of the committee waives an appearance. Traditionally the senator from the nominee's home district presents the nominee to the committee. The committee reports its recommendation to the full Senate for its decision.</p>
Election Contests	<p>The Constitution³¹ and a statute³² both provide for each house to judge election contests involving its members. The election of any person to the General Assembly can be challenged by any voter in that district. The voter must give notice within 30 days after the State Board of Elections announces the result. Thereafter either party to the challenge may take testimony, after giving the required notice to the other party or parties, and send depositions to the State Board of Elections, which transmits them to the legislative house whose seat is involved.³³</p> <p>When an election contest is filed with either house, the matter is referred to a committee to hear the contest and report its findings and recommendations to the full body, which decides the issue. House rules have detailed procedures for dealing with election contests.³⁴ The Senate has no rules on the subject.</p>
Impeachments	<p>The Illinois Constitution gives the House sole power to investigate possible cause for impeachment of, and to impeach, executive and judicial officers. The vote of a majority of members elected is required to impeach. If an officer is impeached, the case moves to the Senate for trial. Two-thirds of senators elected are required to convict; judgments on conviction may include removal from office and disqualification to hold any public office in the state. Impeachment, whether or not followed by conviction, does not prevent regular criminal prosecution for the same conduct.³⁵</p> <p>Neither the House nor the Senate has any formal rules governing impeachment—a drastic remedy that is rarely attempted. But a Special Investigative Committee of the 90th General Assembly adopted 20 rules to govern the impeachment procedures for then-Chief Justice James D. Heiple of the Illinois Supreme Court.³⁶ The rules were adopted specifically for that investigation, which did not result in impeachment. They presumably would be consulted if future impeachment proceedings are contemplated.</p>
Caucus or Party Conference	<p>In Illinois, party caucuses or conferences are important bodies. They are the basis for electing legislative leadership and organizing a legislative body. In each house, each party has a caucus or conference chairman who presides at caucuses, held at various times during the spring or other sessions. The full House or Senate sometimes recesses to permit one or both parties to confer on a pending action. Caucus or conference meetings are closed to the public.</p>

The general purpose of caucuses is to develop legislative strategies, compromise internal differences on policy, develop party discipline, and establish a party position on particular legislative matters. Sometimes a party caucus deems a matter to be of such importance that the caucus binds its members to its position on that issue.

Legislative Behavior

Decorum and Discipline

Whatever private opinion any senator or representative may hold of any colleague, on the floor of the Senate and House they are all considered to be honorable ladies and gentlemen. This courtesy helps keep floor debate civil.

The rules of debate require that matters before the body be considered on their merits. Personal derogation is out of order.³⁷ Any member slighted in discussion on the floor may rise on a point of personal privilege and respond to the derogatory remarks.

The Constitution gives each house authority to discipline its members for breach of decorum and more serious misconduct. This discipline can range from calling a member to order, to censure, to expulsion from that house. Members can be expelled only by a two-thirds vote of the members elected to that house, and only once for the same offense.³⁸ Rules of each house govern other issues of decorum and discipline.

Legislative Immunities

The Illinois Constitution gives two kinds of legislative immunity. The first, immunity from arrest while traveling to or from sessions of the General Assembly (except in cases of treason, felony, or breach of the peace),³⁹ is almost meaningless today because “breach of the peace” is interpreted to include ordinary offenses such as speeding. Thus this immunity in effect applies only to civil arrest, which almost never occurs today.

The other kind of immunity is more important. The Constitution says:

A member shall not be held to answer before any other tribunal for any speech or debate, written or oral, in either house. These immunities shall apply to committee and legislative commission proceedings.⁴⁰

This protects legislators from suits for defamation for their statements made in the course of their official legislative duties. But it apparently does not protect statements made outside of legislative activity, such as in press conferences, election campaigns, or newsletters.

Important Dates for the 96th General Assembly (projected)

(The actual session calendar will be established by the legislative leaders early in the session.)

Month	Day	
2009		
January	14	96th GENERAL ASSEMBLY CONVENES—MEMBERS SWORN IN
February	18	Governor’s budget address
February	27	Last day to introduce bills in house of origin
March	13	Last day for committees to report bills in house of origin
	31	Last day to pass bills in house of origin
April	12	Easter
May	8	Last day for committees to report Senate bills in the House and House bills in the Senate
	22	Last day to pass Senate bills in the House and House bills in the Senate
	25	Memorial Day
	31	Spring session adjournment
July	1	Fiscal year 2010 begins
Nov.	16-20	Veto session (first part)
Dec.	7-11	Veto session (second part)

2010

January	13	96th GENERAL ASSEMBLY RECONVENES Governor’s State of the State address (traditional date)
February	2	Primary election
February	17	Governor’s budget address
March	12	Last day for committees to report bills in house of origin
April	4	Easter
	16	Last day to pass bills in house of origin
	30	Last day for committees to report Senate bills in the House and House bills in the Senate
May	14	Last day to pass Senate bills in the House and House bills in the Senate
May	31	Memorial Day
	31	Spring session adjournment
July	1	Fiscal year 2011 begins
Nov.	2	General Election
	15-19	Veto session (first part)
Dec.	6-10	Veto session (second part)

2011

January	12	96th GENERAL ASSEMBLY ENDS; 97th CONVENES
---------	----	---

General Assembly Workloads, 1987 to 2007

	<i>85th</i> <i>1987-88</i>	<i>86th</i> <i>1989-90</i>	<i>87th</i> <i>1991-92</i>	<i>88th</i> <i>1993-94</i>	<i>89th</i> <i>1995-96</i>	<i>90th</i> <i>1997-98</i>	<i>91st</i> <i>1999-2000</i>	<i>92nd</i> <i>2001-02</i>	<i>93rd</i> <i>2003-04</i>	<i>94th</i> <i>2005-06</i>	<i>95th</i> <i>2007</i>
Bills introduced	6,591	6,569	6,505	6,128	5,734	5,863	6,748	8,756	10,754	9,073	6,093
Senate	2,280	2,321	2,247	1,854	1,958	1,952	1,979	2,436	3,395	3,204	1,870
House	4,311	4,248	4,258	4,274	3,776	3,911	4,769	6,320	7,359	5,869	4,223
Sent to Governor	1,659	1,687	1,528	775	746	947	1,015	936	1,195	1,148	750*
Senate	688	655	623	325	354	439	487	451	549	539	367
House	971	1,032	905	450	392	508	528	485	646	609	383
% of bills introduced	25.2%	25.7%	23.5%	12.6%	13.0%	16.2%	15.0%	10.7%	11.1%	12.7%	12.3%
Approved[†]	1,331	1,393	1,264	671	679	830	925	858	1,060	1,095	665
Senate	568	527	527	286	325	384	445	416	474	511	330
House	763	866	737	385	354	446	480	442	586	584	335
% of bills sent to Gov.	80.2%	82.6%	82.7%	86.6%	91.0%	87.6%	91.1%	91.7%	88.7%	95.4%	88.7%
Reduction or item-vetoed	107	40	26	0	0	0	1	2	16	0	1
Senate	56	22	14	0	0	0	0	1	1	0	0
House	51	18	12	0	0	0	1	1	15	0	1
% of bills sent to Gov.	6.4%	2.4%	1.7%	0.0%	0.0%	0.0%	0.1%	0.2%	1.3%	0.0%	0.1%
Totally vetoed	195	154	174	54	21	68	50	44	82	40	50
Senate	62	79	64	18	12	30	24	24	43	22	20
House	133	75	110	36	9	38	26	20	39	18	30
% of bills sent to Gov.	11.8%	9.1%	11.4%	7.0%	2.8%	7.2%	4.9%	4.7%	6.9%	3.5%	6.7%
<i>Overridden</i>	19	19	14	4	2	16	2	3	14	11	21
Senate	7	8	8	3	2	8	2	2	10	7	14
House	12	11	6	1	0	8	0	1	4	4	7
% of total vetoes	9.7%	12.3%	8.0%	7.4%	9.5%	23.5%	4.0%	6.8%	17.1%	27.5%	42.0%
Amendatorily vetoed	133	140	90	50	46	49	34	34	53	13	35*
Senate	58	49	32	21	17	25	18	11	32	6	17
House	75	91	58	29	29	24	22	23	21	7	18
% of bills sent to Gov.	8.0%	8.3%	5.9%	6.5%	6.2%	5.2%	3.9%	3.6%	4.4%	1.1%	4.7%
<i>Accepted</i>	88	70	64	16	36	33	27	23	17	1	2
Senate	40	24	23	9	9	20	12	7	9	1	0
House	48	46	41	7	27	13	15	16	8	0	2
% of amend. vetoes	66.2%	50.0%	71.1%	32.0%	78.3%	67.3%	67.5%	67.6%	32.1%	7.7%	5.7%
<i>Overridden</i>	14	8	2	1	1	0	0	2	11	7	22
Senate	4	1	0	0	1	0	0	1	7	2	13
House	10	7	2	1	0	0	0	1	4	5	9
% of amend. vetoes	10.5%	5.7%	2.2%	2.0%	2.2%	0.0%	0.0%	5.9%	20.8%	53.8%	62.9%
<i>No action (died)</i>	31	62	24	33	9	16	13	9	25	5	9
Senate	14	24	9	12	7	5	6	3	16	3	4
House	17	38	15	21	2	11	7	6	9	2	5
% of amend. vetoes	23.3%	44.3%	26.7%	66.0%	19.6%	32.7%	32.5%	26.5%	47.2%	38.5%	25.7%

12 / Legislative Research Unit

LAWS ENACTED	1,451	1,490	1,280	692	718	819	954	886	1,102	1,113	703
% of bills introduced	22.0%	22.7%	19.7%	11.3%	12.5%	14.0%	14.1%	10.1%	10.2%	12.3%	11.5%
% of bills sent to Gov.	87.5%	88.3%	83.8%	89.3%	96.2%	86.5%	94.0%	94.7%	92.2%	97.0%	93.7%

* The count of bills sent to the Governor, and of total amendatorily vetoed bills, in 2007 include two bills that were amendatorily vetoed but did not receive final action by the end of 2007.

† “Approved” bills include appropriation bills reduction or item-vetoed, and bills that became law without the Governor’s signature.

Sources: Compiled by Legislative Research Unit from *Laws of Illinois; Legislative Synopsis and Digest*; and General Assembly Internet site.

- Notes
1. Ill. Const., Art. 4, sec. 1.
 2. U.S. Const., Art. I, sec. 8, clause 3.
 3. See *Garcia v. San Antonio Metropolitan Transit Auth.*, 469 U.S. 528, 105 S. Ct. 1005 (1985) (5-4 decision), overruling *National League of Cities v. Usery*, 426 U.S. 833, 96 S. Ct. 2465 (1976) (5-4 decision).
 4. 10 ILCS 5/29C-15.
 5. 10 ILCS 5/29C-5; table provided by Cristina Cray, State Board of Elections, October 27, 2004.
 6. Ill. Const., Art. 4, sec. 10.
 7. Ill. Const., Art. 4, subsec. 5(a).
 8. 15 ILCS 20/50-5, first paragraph, first sentence.
 9. House Rule 9(b) and Senate Rule 2-10(a), 94th General Assembly.
 10. Ill. Const., Art. 4, subsec. 9(c).
 11. House Rule 18(b) and Senate Rule 3-7(b), 94th General Assembly.
 12. Ill. Const., Art. 4, subsec. 5(b).
 13. See Ill. Const., Art. 4, sec. 10.
 14. Ill. Const., Art. 4, subsec. 5(c).
 15. House Rule 21(a) and Senate Rule 3-11(e), 94th General Assembly.
 16. Ill. Const., Art. 4, subsec. 7(c).
 17. *Murphy v. Collins*, 20 Ill. App. 3d 181, 312 N.E.2d 772 (1974), review denied by Ill. Sup. Ct.
 18. 25 ILCS 5/4.
 19. Ill. Const., Art. 4, subsecs. 8(a) and (b).
 20. Ill. Const., Art. 4, subsec. 8(d), first paragraph.
 21. Ill. Const., Art. 4, subsec. 8(d), second paragraph.
 22. Ill. Const., Art. 4, subsec. 8(d), first paragraph.
 23. Use of computer versions of bills is permitted under House Rule 39 and Senate Rule 2-7(b), subd. 3., 94th General Assembly.
 24. Ill. Const., Art. 4, subsec. 8(d), third paragraph.
 25. Ill. Const., Art. 4, subsec. 8(c).
 26. Ill. Const., Art. 9, subsec. 9(b).
 27. Ill. Const., Art. 4, subsec. 8(d), fourth paragraph.
 28. See *People ex rel. Kirk v. Lindberg*, 59 Ill. 2d 38, 320 N.E.2d 17 (1974) and *Benjamin v. Devon Bank*, 68 Ill. 2d 142, 368 N.E.2d 878 (1977).
 29. Ill. Const., Art. 4, subsec. 9(a).
 30. Senate Rules 3-6(b) and 10-1(a), 94th General Assembly.
 31. Ill. Const., Art. 4, subsec. 6(d).
 32. 10 ILCS 5/23-2.
 33. 10 ILCS 5/23-12 to 5/23-17.
 34. House Rules 83 to 88, 94th General Assembly.
 35. Ill. Const., Art. 4, sec. 14.

36. Rules of Special Investigative Committee of the 90th General Assembly Investigating Supreme Court Chief Justice James D. Heiple (filed April 29, 1997); 90th General Assembly H. Res. 89 (1997).
37. House Rule 51(a) and Senate Rule 7-3(a), 94th General Assembly.
38. Ill. Const., Art. 4, subsec. 6(d).
39. Ill. Const., Art. 4, sec. 12, first sentence.
40. Ill. Const., Art. 4, sec. 12, second and third sentences.

