



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0348

by Rep. David McSweeney

SYNOPSIS AS INTRODUCED:

5 ILCS 20/2
10 ILCS 5/12A-55

from Ch. 1, par. 103

Amends the Illinois Constitutional Amendment Act. Provides that when the Secretary of State first publishes a proposed constitutional amendment in a newspaper or newspapers, he or she shall also cause the existing form of the constitutional provision proposed to be amended, the proposed amendment, the explanation of the amendment, the arguments for and against the amendment, and the form in which the amendment will appear on the separate ballot, to be published on a publicly accessible Internet website controlled by the Office of the Secretary of State. Provides that the newspaper or newspapers containing the published amendment shall also provide a link to the amendment information published on the Secretary's Internet website. Removes language requiring the Secretary to issue a pamphlet concerning a proposed constitutional amendment. Amends the Election Code to make conforming changes. Effective immediately.

LRB100 04341 RJF 14347 b

1 AN ACT concerning government.

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

4 Section 5. The Illinois Constitutional Amendment Act is
5 amended by changing Section 2 as follows:

6 (5 ILCS 20/2) (from Ch. 1, par. 103)

7 Sec. 2. The General Assembly in submitting an amendment to
8 the Constitution to the electors, or the proponents of an
9 amendment to Article IV of the Constitution submitted by
10 petition, shall prepare a brief explanation of such amendment,
11 a brief argument in favor of the same, and the form in which
12 such amendment will appear on the separate ballot as provided
13 by Section 16-6 of the Election Code, as amended. The minority
14 of the General Assembly, or if there is no minority, anyone
15 designated by the General Assembly shall prepare a brief
16 argument against such amendment. In the case of an amendment to
17 Article IV of the Constitution initiated pursuant to Section 3
18 of Article XIV of the Constitution, the proponents shall be
19 those persons so designated at the time of the filing of the
20 petition as provided in Section 10-8 of the Election Code, and
21 the opponents shall be those members of the General Assembly
22 opposing such amendment, or if there are none, anyone
23 designated by the General Assembly and such opponents shall

1 prepare a brief argument against such amendment. The
2 proponent's explanation and argument in favor of and the
3 opponents argument against an amendment to Article IV initiated
4 by petition must be submitted to the Attorney General, who may
5 rewrite them for accuracy and fairness. The explanation, the
6 arguments for and against each constitutional amendment, and
7 the form in which the amendment will appear on the separate
8 ballot shall be filed in the Office ~~office~~ of the Secretary of
9 State with the proposed amendment. At least one month before
10 the next election of members of the General Assembly, following
11 the passage of the proposed amendment, the Secretary of State
12 shall publish the amendment, in full in 8 point type, or the
13 equivalent thereto, in at least one secular newspaper of
14 general circulation in every county in this State in which a
15 newspaper is published. In counties in which 2 or more
16 newspapers are published, the Secretary of State shall cause
17 such amendment to be published in 2 newspapers. In counties
18 having a population of 500,000 or more, such amendment shall be
19 published in not less than 6 newspapers of general circulation.
20 When the Secretary first publishes the amendment in a newspaper
21 or newspapers under the provisions of this Section, he or she
22 shall also cause the existing form of the constitutional
23 provision proposed to be amended, the proposed amendment, the
24 explanation of the amendment, the arguments for and against the
25 amendment, and the form in which the amendment will appear on
26 the separate ballot, to be published on a publicly accessible

1 Internet website controlled by the Office of the Secretary of
2 State. The newspaper or newspapers containing the published
3 amendment shall also provide a link to the amendment
4 information published on the Secretary's Internet website.

5 After the first publication, the publication of such amendment,
6 including a link to the Secretary's Internet website, shall be

7 repeated once each week for 2 consecutive weeks. In selecting

8 newspapers in which to publish such amendment the Secretary of

9 State shall have regard solely to the circulation of such

10 newspapers, selecting secular newspapers in every case having

11 the largest circulation. The proposed amendment shall have a

12 notice prefixed thereto in said publications, that at such

13 election the proposed amendment will be submitted to the

14 electors for adoption or rejection, and at the end of the

15 official publication, he shall also publish the form in which

16 the proposed amendment will appear on the separate ballot. The

17 Secretary of State shall fix the publication fees to be paid

18 newspapers for making such publication, but in no case shall

19 such publication fee exceed the amount charged by such

20 newspapers to private individuals for a like publication. ~~In~~

21 ~~addition to the notice hereby required to be published, the~~

22 ~~Secretary of State shall also cause the existing form of the~~

23 ~~constitutional provision proposed to be amended, the proposed~~

24 ~~amendment, the explanation of the same, the arguments for and~~

25 ~~against the same, and the form in which such amendment will~~

26 ~~appear on the separate ballot, to be published in pamphlet form~~

1 ~~in 8 point type or the equivalent thereto; and the Secretary of~~
2 ~~State shall mail such pamphlet to every mailing address in the~~
3 ~~State, addressed to the attention of the Postal Patron. He~~
4 ~~shall also maintain a reasonable supply of such pamphlets so as~~
5 ~~to make them available to any person requesting one.~~

6 (Source: P.A. 98-463, eff. 8-16-13.)

7 Section 10. The Election Code is amended by changing
8 Section 12A-55 as follows:

9 (10 ILCS 5/12A-55)

10 Sec. 12A-55. Constitutional issues. If a constitutional
11 amendment appears on the ballot, the amendment information
12 published on the Secretary of State's Internet website ~~contents~~
13 ~~of the pamphlet issued by the Secretary of State~~ under Section
14 2 of the Illinois Constitutional Amendment Act may be included
15 in any guide issued by the Board.

16 (Source: P.A. 94-645, eff. 8-22-05.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.