



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0005

Introduced 1/10/2019, by Rep. David McSweeney

SYNOPSIS AS INTRODUCED:

ILCON Art. V, Sec. 1
ILCON Art. V, Sec. 2
ILCON Art. V, Sec. 3
ILCON Art. V, Sec. 4
ILCON Art. V, Sec. 6
ILCON Art. V, Sec. 7
ILCON Art. V, Sec. 14

Proposes to amend the Executive Article of the Illinois Constitution. Eliminates the Office of Lieutenant Governor, beginning with the term of office otherwise commencing in 2023, and modifies the order of succession to the Office of the Governor. Effective upon being declared adopted.

LRB101 03992 RJF 49000 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
4 HUNDRED FIRST 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 Article V of the
9 Illinois Constitution by changing Sections 1, 2, 3, 6, and 7
10 and by repealing Sections 4 and 14 as follows:

11 ARTICLE V
12 THE EXECUTIVE

13 (ILCON Art. V, Sec. 1)

14 SECTION 1. OFFICERS

15 The Executive Branch shall include a Governor, ~~Lieutenant~~
16 ~~Governor~~, Attorney General, Secretary of State, Comptroller
17 and Treasurer elected by the electors of the State. They shall
18 keep the public records and maintain a residence at the seat of
19 government during their terms of office.

20 (Source: Illinois Constitution.)

21 (ILCON Art. V, Sec. 2)

1 SECTION 2. TERMS

2 These elected officers of the Executive Branch shall hold
3 office for four years beginning on the second Monday of January
4 after their election and, ~~except in the case of the Lieutenant~~
5 ~~Governor,~~ until their successors are qualified. They shall be
6 elected at the general election in 1978 and every four years
7 thereafter.

8 (Source: Illinois Constitution.)

9 (ILCON Art. V, Sec. 3)

10 SECTION 3. ELIGIBILITY

11 To be eligible to hold the office of Governor, ~~Lieutenant~~
12 ~~Governor,~~ Attorney General, Secretary of State, Comptroller or
13 Treasurer, a person must be a United States citizen, at least
14 25 years old, and a resident of this State for the three years
15 preceding his or her election.

16 (Source: Illinois Constitution.)

17 (ILCON Art. V, Sec. 4)

18 SECTION 4. JOINT ELECTION (REPEALED)

19 ~~In the general election for Governor and Lieutenant~~
20 ~~Governor, one vote shall be cast jointly for the candidates~~
21 ~~nominated by the same political party or petition. The General~~
22 ~~Assembly may provide by law for the joint nomination of~~
23 ~~candidates for Governor and Lieutenant Governor.~~

24 (Source: Illinois Constitution.)

1 (ILCON Art. V, Sec. 6)

2 SECTION 6. GUBERNATORIAL SUCCESSION

3 (a) In the event of a vacancy, the order of succession to
4 the office of Governor or to the position of Acting Governor
5 shall be ~~the Lieutenant Governor,~~ the elected Attorney General,
6 the elected Secretary of State, the elected Comptroller, the
7 elected Treasurer, the President of the Senate, the Speaker of
8 the House of Representatives, the Minority Leader of the
9 Senate, and the Minority Leader of the House of
10 Representatives. If an officer next in the line of succession
11 is of a different political party than the Governor he or she
12 is replacing, then that officer, and each officer thereafter,
13 shall be skipped in the line of succession until an officer of
14 the same political party may succeed the Governor. If there is
15 no officer in the line of succession of the same political
16 party as the Governor to be replaced, then succession shall
17 proceed according to the order of succession provided in this
18 subsection (a), regardless of the political party of the
19 succeeding officer and then as provided by law.

20 (b) If the Governor is unable to serve because of death,
21 conviction on impeachment, failure to qualify, resignation or
22 other disability, the office of Governor shall be filled by the
23 officer next in line of succession for the remainder of the
24 term or until the disability is removed.

25 (c) Whenever the Governor determines that he may be

1 seriously impeded in the exercise of his or her powers, he or
2 she shall so notify the Secretary of State and the officer next
3 in line of succession. The latter shall thereafter become
4 Acting Governor with the duties and powers of Governor. When
5 the Governor is prepared to resume office, he or she shall do
6 so by notifying the Secretary of State and the Acting Governor.

7 (d) The General Assembly by law shall specify by whom and
8 by what procedures the ability of the Governor to serve or to
9 resume office may be questioned and determined. The Supreme
10 Court shall have original and exclusive jurisdiction to review
11 such a law and any such determination and, in the absence of
12 such a law, shall make the determination under such rules as it
13 may adopt.

14 (Source: Illinois Constitution.)

15 (ILCON Art. V, Sec. 7)

16 SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

17 If the Attorney General, Secretary of State, Comptroller or
18 Treasurer fails to qualify or if his or her office becomes
19 vacant, the Governor shall fill the office by appointment. The
20 appointee shall hold office until the elected officer qualifies
21 or until a successor is elected and qualified as may be
22 provided by law and shall not be subject to removal by the
23 Governor. ~~If the Lieutenant Governor fails to qualify or if his~~
24 ~~office becomes vacant, it shall remain vacant until the end of~~
25 ~~the term.~~

1 (Source: Illinois Constitution.)

2 (ILCON Art. V, Sec. 14)

3 SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REPEALED)

4 ~~The Lieutenant Governor shall perform the duties and~~
5 ~~exercise the powers in the Executive Branch that may be~~
6 ~~delegated to him by the Governor and that may be prescribed by~~
7 ~~law.~~

8 (Source: Illinois Constitution.)

9 SCHEDULE

10 This Constitutional Amendment takes effect upon being
11 declared adopted in accordance with Section 7 of the Illinois
12 Constitutional Amendment Act and applies beginning with the
13 term of office otherwise commencing in 2023.