



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2214

by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

10 ILCS 120/5-15 new
55 ILCS 5/2-3003

from Ch. 34, par. 2-3003

Amends the Illinois Voting Rights Act of 2011. Provides that apportionment plans pursuant to certain provisions of the Counties Code shall provide racial minorities or language minorities with equal opportunity to participate in the political process and elect candidates of their choice. Provides that the apportionment plan shall provide racial minorities or language minorities who constitute less than a voting-age majority of a district with an opportunity to substantially influence the outcome of an election. Provides that to the extent practicable, districts shall be drawn to create crossover districts, coalition districts, or influence districts. Provides that the requirements imposed are in addition and subordinate to other laws. Amends the Counties Code to make conforming changes.

LRB101 07513 SMS 52557 b

1 AN ACT concerning elections.

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

4 Section 5. The Illinois Voting Rights Act of 2011 is
5 amended by adding Section 5-15 as follows:

6 (10 ILCS 120/5-15 new)

7 Sec. 5-15. County apportionment.

8 (a) An apportionment plan pursuant to Section 2-3003 of the
9 Counties Code shall provide racial minorities or language
10 minorities with equal opportunity to participate in the
11 political process and elect candidates of their choice.

12 (b) An apportionment plan pursuant to Section 2-3003 of the
13 Counties Code shall provide racial minorities or language
14 minorities who constitute less than a voting-age majority of a
15 district with an opportunity to substantially influence the
16 outcome of an election.

17 (c) To the extent practicable, districts shall be drawn to
18 create crossover districts, coalition districts, or influence
19 districts.

20 (d) The requirements imposed by this Section are in
21 addition and subordinate to any requirements or obligations
22 imposed by the United States Constitution; any federal law,
23 including, but not limited to, the federal Voting Rights Act;

1 and the Illinois Constitution.

2 Section 10. The Counties Code is amended by changing
3 Section 2-3003 as follows:

4 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

5 Sec. 2-3003. Apportionment plan.

6 (1) If the county board determines that members shall be
7 elected by districts, it shall develop an apportionment plan
8 and specify the number of districts and the number of county
9 board members to be elected from each district and whether
10 voters will have cumulative voting rights in multi-member
11 districts. Each such district:

12 a. Shall be substantially equal in population to each
13 other district;

14 b. Shall be comprised of contiguous territory, as
15 nearly compact as practicable; ~~and~~

16 c. May divide townships or municipalities only when
17 necessary to conform to the population requirement of
18 paragraph a. of this Section; ~~and~~

19 d. Shall be created in such a manner so that no
20 precinct shall be divided between 2 or more districts,
21 insofar as is practicable; ~~and~~

22 e. Shall comply with Section 5-15 of the Illinois
23 Voting Rights Act of 2011.

24 (2) The county board of each county having a population of

1 less than 3,000,000 inhabitants may, if it should so decide,
2 provide within that county for single member districts outside
3 the corporate limits and multi-member districts within the
4 corporate limits of any municipality with a population in
5 excess of 75,000. Paragraphs a, b, c, ~~and d~~, and e of
6 subsection (1) of this Section shall apply to the apportionment
7 of both single and multi-member districts within a county to
8 the extent that compliance with paragraphs a, b, c, ~~and d~~, and
9 e still permit the establishment of such districts, except that
10 the population of any multi-member district shall be equal to
11 the population of any single member district, times the number
12 of members found within that multi-member district.

13 (3) In a county where the Chairman of the County Board is
14 elected by the voters of the county as provided in Section
15 2-3007, the Chairman of the County Board may develop and
16 present to the Board by the third Wednesday in May in the year
17 after a federal decennial census year an apportionment plan in
18 accordance with the provisions of subsection (1) of this
19 Section. If the Chairman presents a plan to the Board by the
20 third Wednesday in May, the Board shall conduct at least one
21 public hearing to receive comments and to discuss the
22 apportionment plan, the hearing shall be held at least 6 days
23 but not more than 21 days after the Chairman's plan was
24 presented to the Board, and the public shall be given notice of
25 the hearing at least 6 days in advance. If the Chairman
26 presents a plan by the third Wednesday in May, the Board is

1 prohibited from enacting an apportionment plan until after a
2 hearing on the plan presented by the Chairman. The Chairman
3 shall have access to the federal decennial census available to
4 the Board.

5 (4) In a county where a County Executive is elected by the
6 voters of the county as provided in Section 2-5007 of the
7 Counties Code, the County Executive may develop and present to
8 the Board by the third Wednesday in May in the year after a
9 federal decennial census year an apportionment plan in
10 accordance with the provisions of subsection (1) of this
11 Section. If the Executive presents a plan to the Board by the
12 third Wednesday in May, the Board shall conduct at least one
13 public hearing to receive comments and to discuss the
14 apportionment plan, the hearing shall be held at least 6 days
15 but not more than 21 days after the Executive's plan was
16 presented to the Board, and the public shall be given notice of
17 the hearing at least 6 days in advance. If the Executive
18 presents a plan by the third Wednesday in May, the Board is
19 prohibited from enacting an apportionment plan until after a
20 hearing on the plan presented by the Executive. The Executive
21 shall have access to the federal decennial census available to
22 the Board.

23 (Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)