94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT
HC0002


SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 1
ILCON Art. IV, Sec. 2
ILCON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Beginning with members elected in 2008, changes the House of Representatives from a 118-member body elected from 118 districts to a 117-member body elected from 39 districts of 3 members each. Prohibits a political party from limiting its nominations to less than 3 candidates in a Representative District. Permits a voter to cast 3 votes among one, 2, or 3 candidates for Representative. Requires the Representative Districts to be redistricted in 2007 in the same manner as decennial redistricting of Legislative and Representative Districts. Effective upon being declared adopted and applies to the election of Representatives in 2008 and thereafter.
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
SENATE CONCURRING HEREIN, that there shall be submitted to the
electors of the State for adoption or rejection at the general
election next occurring at least 6 months after the adoption of
this resolution a proposition to amend Sections 1, 2, and 3 of
Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

(ILCON Art. IV, Sec. 1)

SECTION 1. LEGISLATURE - POWER AND STRUCTURE
The legislative power is vested in a General Assembly
consisting of a Senate and a House of Representatives, elected
by the electors from 59 Legislative Districts and 39 Representative Districts.
(Source: Amendment adopted at general election November 4,
1980.)

(ILCON Art. IV, Sec. 2)

SECTION 2. LEGISLATIVE COMPOSITION
(a) One Senator shall be elected from each Legislative
District. Immediately following each decennial redistricting,
the General Assembly by law shall divide the Legislative
Districts as equally as possible into three groups. Senators
from one group shall be elected for terms of four years, four
years and two years; Senators from the second group, for terms
of four years, two years and four years; and Senators from the
third group, for terms of two years, four years and four years.
The Legislative Districts in each group shall be distributed
substantially equally over the State.
(b) In 2008 and every two years thereafter, three
Representatives Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years. No political party shall limit its nominations to less than three candidates for Representatives in any Representative District. In elections for Representatives, including those for nomination, each elector may cast three votes for one candidate or distribute them equally among no more than three candidates. The candidates highest in votes shall be declared elected.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

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

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public
office which shall have been created or the compensation for
which shall have been increased by the General Assembly during
that term.
(Source: Amendment adopted at general election November 4,
1980.)

(ILCON Art. IV, Sec. 3)

SECTION 3. LEGISLATIVE REDISTRICTING

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

(b) In 2007, the General Assembly by law shall redistrict
the Representative Districts using the 2000 Federal decennial
census. Thereafter, in the year following each Federal
decennial census year, the General Assembly by law shall
redistrict the Legislative Districts and the Representative
Districts.

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

The Speaker and Minority Leader of the House of
Representatives shall each appoint to the Commission one
Representative and one person who is not a member of the
General Assembly. The President and Minority Leader of the
Senate shall each appoint to the Commission one Senator and one
person who is not a member of the General Assembly.

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

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

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

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

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

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

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

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

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of Representatives in 2008 and thereafter.