



Rep. Mike Fortner

Filed: 3/8/2011

09700HB1393ham001

LRB097 06723 HLH 51647 a

1 AMENDMENT TO HOUSE BILL 1393

2 AMENDMENT NO. _____. Amend House Bill 1393 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. If and only if Senate Bill 3976 of the 96th
5 General Assembly becomes law, then the Illinois Voting Rights
6 Act of 2011 is amended by changing Section 5-5 as follows:

7 (09600SB3976enr, Sec. 5-5)

8 Sec. 5-5. Redistricting.

9 (a) In any redistricting plan pursuant to Article IV,
10 Section 3 of the Illinois Constitution, Legislative Districts
11 and Representative Districts shall be drawn, subject to
12 subsection (d) of this Section, to create majority-minority
13 districts, crossover districts, coalition districts, or
14 influence districts. The number of majority-minority districts
15 created throughout the entire redistricting plan for a specific
16 racial minority or language minority shall be substantially

1 proportional to the total population of the respective racial
2 minority or language minority within the State. Legislative and
3 Representative Districts shall not be drawn with the intent or
4 effect of dispersing or concentrating racial or language
5 minority populations in a manner that prevents a racial
6 minority or language minority from electing its candidates of
7 choice. The requirements imposed by this Article are in
8 addition and subordinate to any requirements or obligations
9 imposed by the United States Constitution, any federal law
10 regarding redistricting Legislative Districts or
11 Representative Districts, including but not limited to the
12 federal Voting Rights Act, and the Illinois Constitution.

13 (b) The phrase "crossover district" means a district where
14 a racial minority or language minority constitutes less than a
15 majority of the voting-age population but where this minority,
16 at least potentially, is large enough to elect the candidate of
17 its choice with help from voters who are members of the
18 majority and who cross over to support the minority's preferred
19 candidate. The phrase "coalition district" means a district
20 where more than one group of racial minorities or language
21 minorities may form a coalition to elect the candidate of the
22 coalition's choice. The phrase "influence district" means a
23 district where a racial minority or language minority can
24 influence the outcome of an election even if its preferred
25 candidate cannot be elected. The phrase "majority-minority
26 district" means a district where a racial minority or language

1 minority compose a numerical majority of the voting-age
2 population and are able to elect a candidate of their choice.

3 (c) For purposes of this Act, the phrase "racial minorities
4 or language minorities", in either the singular or the plural,
5 means the same class of voters who are members of a race,
6 color, or language minority group receiving protection under
7 the federal Voting Rights Act, 42 U.S.C. § 1973; 42 U.S.C. §
8 1973b(f) (2); 42 U.S.C. § 1973aa-1a(e).

9 (d) Nothing in this Act shall be construed, applied, or
10 implemented in a way that imposes any requirement or obligation
11 that conflicts with the United States Constitution, any federal
12 law regarding redistricting Legislative Districts or
13 Representative Districts, including but not limited to the
14 federal Voting Rights Act, or the Illinois Constitution.

15 (e) In the event of a violation of this Act, the
16 redistricting plan shall be redrawn to the least extent
17 necessary to remedy the violation.

18 (Source: 09600SB3976enr.)

19 Section 10. If and only if Senate Bill 3976 of the 96th
20 General Assembly becomes law, then the Redistricting
21 Transparency and Public Participation Act is amended by
22 changing Section 10-5 as follows:

23 (09600SB3976enr, Sec. 10-5)

24 Sec. 10-5. Committees; notices; hearings; public

1 participation. In the year following each federal decennial
2 census year, the Senate and House of Representatives shall each
3 establish a committee, or the Senate and House of
4 Representatives may create by joint resolution a joint
5 committee of both chambers, to consider proposals to redistrict
6 the Legislative Districts or Representative Districts, as
7 applicable. Within 3 days after ~~After the~~ receipt of the
8 ~~federal decennial census~~ data from the United States Census
9 Bureau ~~federal government~~, the each committee shall make that
10 data, together with redistricting software, available to the
11 public. Each committee or joint committee must conduct at least
12 4 public hearings on separate days around 4 distinct geographic
13 regions of the State. At least 3 of the hearings shall be after
14 receipt of the data from the United States Census Bureau. ~~or~~
15 ~~joint committee must conduct at least 4 public hearings~~
16 ~~statewide to receive testimony and inform the public on the~~
17 ~~applicable existing Districts, with one hearing held in each of~~
18 ~~4 distinct geographic regions of the State determined by the~~
19 ~~respective committee.~~ All hearings shall be open to the public.
20 The Chairperson of each committee or the Co-Chairpersons of a
21 joint committee, as applicable, shall, no later than 6 days
22 before any proposed hearing, post a notice with the Secretary
23 of the Senate, Clerk of the House, or both, as applicable. The
24 notice shall identify any proposed redistricting plan ~~measure~~
25 and subject matter that may be considered during that hearing.
26 The notice shall contain the day, hour, and place of the

1 hearing. Prior to voting on any proposed redistricting plan,
2 each committee or joint committee shall hold at least 4 public
3 hearings on the proposed redistricting plan on separate days
4 around 4 distinct geographic regions of the State. At least 7
5 days prior to those 4 public hearings, the committee or joint
6 committee shall make available to the public any proposed
7 redistricting plan, including a detailed map showing all
8 Legislative and Representative Districts established under the
9 plan and statistics demonstrating the total population of each
10 District and voting age population of any racial minority or
11 language minority within each District.

12 (Source: 09600SB3976enr.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."