



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1559

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

New Act
10 ILCS 120/Act rep.
10 ILCS 125/Act rep.

Creates the Redistricting Standards Act. Defines terms. Establishes procedures for preparations for redistricting plans, time tables for redistricting, and redistricting standards. Creates the Temporary Redistricting Advisory Commission. Repeals the Illinois Voting Rights Act of 2011 and the Redistricting Transparency and Public Participation Act.

LRB099 04326 MGM 24353 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 1. Short title. This Act may be cited as the
5 Redistricting Standards Act.

6 Section 5. Definitions. As used in this Act, unless the
7 context requires otherwise:

8 "Chief election officer" means the Executive Director of
9 the State Board of Elections.

10 "Commission" means the Temporary Redistricting Advisory
11 Commission established under this Act.

12 "Federal census" means the federal decennial census
13 required by federal law to be conducted by the United States
14 Bureau of the Census in every year ending in zero.

15 "Four selecting authorities" means:

16 (a) the President of the Senate;

17 (b) the Minority Leader of the Senate;

18 (c) the Speaker of the House; and

19 (d) the Minority Leader of the House of
20 Representatives.

21 "Partisan public office" means:

22 (a) an elective or appointive office in the executive
23 or legislative branch or in an independent establishment of

1 the federal government;

2 (b) an elective office in the executive or legislative
3 branch of the government of this State, or an office which
4 is filled by appointment and is exempt from any portion or
5 all of the Personnel Code; or

6 (c) an office of a county, city or other political
7 subdivision of this State which is filled by an election
8 process involving nomination and election of candidates on
9 a partisan basis.

10 "Plan" means a plan for Legislative, Representative, and
11 Congressional District reapportionment drawn up under the
12 requirements of this Act.

13 "Political party office" means an elective office in the
14 national, State, or local organization of a political party.

15 "Relative" means an individual who is related to the person
16 in question as father, mother, son, daughter, brother, sister,
17 uncle, aunt, first cousin, nephew, niece, husband, wife,
18 grandfather, grandmother, father-in-law, mother-in-law,
19 son-in-law, daughter-in-law, brother-in-law, sister-in-law,
20 stepfather, stepmother, stepson, stepdaughter, stepbrother,
21 stepsister, half-brother, or half-sister.

22 Section 10. Preparations for redistricting.

23 (a) The State Board of Elections shall acquire appropriate
24 information, review and evaluate available facilities, and
25 develop programs and procedures in preparation for drawing

1 congressional, representative, and legislative redistricting
2 plans on the basis of each federal census.

3 (b) By December 31 of each year ending in zero, the State
4 Board of Elections shall obtain from the United States Bureau
5 of the Census information regarding geographic and political
6 units in this State for which federal census population data
7 has been gathered and will be tabulated. The State Board of
8 Elections shall use the data received from the United States
9 Bureau of the Census to:

10 (1) prepare necessary descriptions of geographic and
11 political units for which census data will be reported, and
12 which are suitable for use as components of Congressional,
13 Legislative, and Representative Districts; and

14 (2) prepare maps of counties, cities, and other
15 geographic units within the State, which may be used to
16 illustrate the locations of Congressional, Legislative,
17 and Representative District boundaries proposed in plans
18 drawn in accordance with Section 20.

19 (c) As soon as possible after January 1 of each year ending
20 in one, the State Board of Elections shall obtain from the
21 United States Bureau of the Census the population data needed
22 for legislative redistricting which the Census Bureau is
23 required to provide this State under United States Pub. L. No.
24 94-171, and shall use that data to assign a population figure
25 based upon certified federal census data to each geographic or
26 political unit described under paragraph (1) of subsection (b)

1 of this Section. Upon completing that task, the State Board of
2 Elections shall begin the preparation of Congressional,
3 Legislative, and Representative redistricting plans as
4 required by Section 15.

5 (d) Upon each delivery by the State Board of Elections to
6 the General Assembly of a bill embodying a plan, pursuant to
7 Section 15, the State Board of Elections shall at the earliest
8 feasible time make available to the public the following
9 information:

10 (1) copies of the bill delivered by the State Board of
11 Elections to the General Assembly;

12 (2) maps illustrating the plan;

13 (3) a summary of the standards prescribed by Section 15
14 for development of the plan; and

15 (4) a statement of the population of each district
16 included in the plan, and the relative deviation of each
17 district population from the ideal district population.

18 Section 15. Timetable for preparation of plan.

19 (a) No later than April 1 of each year ending in one, the
20 State Board of Elections shall deliver to the Secretary of the
21 Senate and the Chief Clerk of the House of Representatives
22 identical bills embodying a plan of Legislative,
23 Representative, and Congressional redistricting prepared in
24 accordance with Section 20. It is the intent of this Act that
25 the General Assembly shall bring the bill to a vote in either

1 the Senate or the House of Representatives expeditiously, but
2 not less than 3 days after the report of the Commission
3 required by Section 30 is received and made available to the
4 members of the General Assembly, under a procedure or rule
5 permitting no amendments except those of a purely corrective
6 nature. It is further the intent of this Act that if the bill
7 is approved by the first house in which it is considered, it
8 shall expeditiously be brought to a vote in the second house
9 under a similar procedure or rule. If the bill embodying the
10 plan submitted by the State Board of Elections under this
11 subsection fails to be approved by a majority in either the
12 Senate or the House of Representatives, the Secretary of the
13 Senate or the Chief Clerk of the House, as the case may be,
14 shall at once, but in no event later than 7 days after the date
15 the bill failed to be approved, transmit to the State Board of
16 Elections information which the Senate or House of
17 Representatives may direct by resolution regarding reasons why
18 the plan was not approved.

19 (b) However, if the population data for Congressional,
20 Representative, and Legislative redistricting which the United
21 States Bureau of the Census is required to provide this State
22 under Pub. L. No. 94-171 and the corresponding topologically
23 integrated geographic encoding and referencing data file for
24 that population data, if used by the State Board of Elections,
25 are not available to the State Board of Elections on or before
26 February 15 of the year ending in one, the dates set forth in

1 subsection (a) shall be extended by a number of days equal to
2 the number of days after February 15 of the year ending in one
3 that the federal census population data and the topologically
4 integrated geographic encoding and referencing data file for
5 redistricting become available.

6 (c) If the bill embodying the plan submitted by the State
7 Board of Elections under subsection (a) fails to be enacted,
8 the State Board of Elections shall prepare a bill embodying a
9 second plan of Legislative, Representative, and Congressional
10 redistricting. The bill shall be prepared in accordance with
11 Section 20, and, insofar as it is possible to do so within the
12 requirements of Section 20, with the reasons cited by the
13 Senate or House of Representatives by resolution, or the
14 Governor by veto message, for the failure to approve the plan.
15 If a second plan is required under this subsection (c), the
16 bill embodying the plan shall be delivered to the Secretary of
17 the Senate and the Chief Clerk of the House of Representatives
18 no later than 15 days after: (1) the date of the vote by which
19 the Senate or the House of Representatives fails to approve the
20 bill submitted under subsection (a) or (b); or (2) the date the
21 Governor vetoes or fails to approve the bill, but only if such
22 bill can be delivered before July 1 of that year. If it is
23 necessary to submit a bill under this subsection (c), the bill
24 shall be brought to a vote no less than 7 days after the bill is
25 submitted and made available to the members of the General
26 Assembly, under a procedure or rule permitting no amendments

1 except those of a purely corrective nature. It is further the
2 intent of this Act that if the bill is approved by the first
3 house in which it is considered, it shall expeditiously be
4 brought to a vote in the second house under a similar procedure
5 or rule. If the bill embodying the plan submitted by the State
6 Board of Elections under this subsection (c) fails to be
7 approved by a majority in either the Senate or the House of
8 Representatives, the Secretary of the Senate or the Chief Clerk
9 of the House, as the case may be, shall transmit to the State
10 Board of Elections in the same manner as described in
11 subsections (a) and (b), information which the Senate or House
12 of Representatives may direct by resolution regarding reasons
13 why the plan was not approved.

14 (d) If the bill embodying the plan submitted by the State
15 Board of Elections under subsection (c) fails to be enacted,
16 the same procedure as prescribed by subsection (c) shall be
17 followed. If a third plan is required under this subsection
18 (d), the bill embodying it shall be delivered to the Secretary
19 of the Senate and the Chief Clerk of the House of
20 Representatives no later than 15 days after: (1) the date of
21 the vote by which the Senate or the House of Representatives
22 fails to approve the bill submitted under subsection (c); or
23 (2) the date the Governor vetoes or fails to approve the bill,
24 but only if such bill can be delivered before July of that
25 year.

26 If it is necessary to submit a bill under this subsection

1 (d), the bill shall be brought to a vote within the same time
2 period after its delivery to the Secretary of the Senate and
3 the Chief Clerk of the House of Representatives as is
4 prescribed for the bill submitted under subsection (c), but
5 shall be subject to amendment in the same manner as other
6 bills.

7 Section 20. Redistricting standards.

8 (a) Legislative, Representative, and Congressional
9 Districts shall be established on the basis of population.

10 (b) Legislative and Representative Districts,
11 respectively, shall each have a population as nearly equal as
12 practicable to the ideal population for such districts,
13 determined by dividing the number of districts to be
14 established into the population of the State reported in the
15 federal census. Legislative Districts and Representative
16 Districts shall not vary in population from the respective
17 ideal district populations except as necessary to comply with
18 one of the other standards enumerated in this Section. In no
19 case shall the quotient, obtained by dividing the total of the
20 absolute values of the deviations of all district populations
21 from the applicable ideal district population by the number of
22 districts established, exceed one percent of the applicable
23 ideal district population. No Legislative District shall have a
24 population which exceeds that of any other Legislative District
25 by more than 5 percent, and no Representative District shall

1 have a population which exceeds that of any other
2 Representative District by more than 5 percent.

3 (c) Congressional districts shall each have a population as
4 nearly equal as practicable to the ideal district population,
5 derived as prescribed in paragraph (b) of this Section. No
6 Congressional district shall have a population which varies by
7 more than one percent from the applicable ideal district
8 population.

9 (d) If a challenge is filed with the Supreme Court alleging
10 excessive population variance among districts established in a
11 plan adopted by the General Assembly, the General Assembly has
12 the burden of justifying any variance in excess of one percent
13 between the population of a district and the applicable ideal
14 district population.

15 (e) To the extent consistent with subsections (a) through
16 (d), district boundaries shall coincide with the boundaries of
17 political subdivisions of the State. The number of counties and
18 cities divided among more than one district shall be as small
19 as possible. When there is a choice between dividing local
20 political subdivisions, the more populous subdivisions shall
21 be divided before the less populous, but this statement does
22 not apply to a Legislative or Representative District boundary
23 drawn along a county line which passes through a city that lies
24 in more than one county.

25 (f) Districts shall be composed of convenient contiguous
26 territory. Areas which meet only at the points of adjoining

1 corners are not contiguous.

2 (g) Districts shall be reasonably compact in form, to the
3 extent consistent with the standards established by
4 subsections (a) through (f). In general, reasonably compact
5 districts are those which are square, rectangular, or hexagonal
6 in shape, and not irregularly shaped, to the extent permitted
7 by natural or political boundaries. If it is necessary to
8 compare the relative compactness of 2 or more districts, or of
9 2 or more alternative redistricting plans, the tests prescribed
10 by subsections (h) and (i) shall be used.

11 (h) The compactness of a district is greatest when the
12 length of the district and the width of the district are equal.
13 The measure of a district's compactness is the absolute value
14 of the difference between the length and the width of the
15 district. In general, the length-width compactness of a
16 district is calculated by measuring the distance from the
17 northernmost point or portion of the boundary of a district to
18 the southernmost point or portion of the boundary of the same
19 district and the distance from the westernmost point or portion
20 of the boundary of the district to the easternmost point or
21 portion of the boundary of the same district. The absolute
22 values computed for individual districts under this paragraph
23 may be cumulated for all districts in a plan in order to
24 compare the overall compactness of 2 or more alternative
25 redistricting plans for the State, or for a portion of the
26 State.

1 (i) The compactness of a district is greatest when the
2 distance needed to traverse the perimeter boundary of a
3 district is as short as possible. The total perimeter distance
4 computed for individual districts under this paragraph may be
5 cumulated for all districts in a plan in order to compare the
6 overall compactness of 2 or more alternative redistricting
7 plans for the State, or for a portion of the State.

8 (j) No district shall be drawn for the purpose of favoring
9 a political party, incumbent legislator or member of Congress,
10 or other person or group, or for the purpose of augmenting or
11 diluting the voting strength of a language or racial minority
12 group. In establishing districts, no use shall be made of any
13 of the following data:

14 (1) addresses of incumbent legislators or members of
15 Congress;

16 (2) political affiliations of registered voters;

17 (3) previous election results; or

18 (4) demographic information, other than population
19 head counts, except as required by the Constitution and the
20 laws of the United States.

21 (k) In order to minimize electoral confusion and to
22 facilitate communication within Legislative and Representative
23 Districts, each plan drawn under this Section shall provide
24 that each Representative District is wholly included within a
25 single Legislative District and that, so far as possible, each
26 Representative and each Legislative District shall be included

1 within a single Congressional District. However, the standards
2 established by subsections (a) through (j) shall take
3 precedence where a conflict arises between these standards and
4 the requirement, so far as possible, of including a Legislative
5 or Representative District within a single Congressional
6 District.

7 (1) Each bill embodying a plan drawn under this Section
8 shall provide that any vacancy in the General Assembly which
9 takes office in the year ending in one, occurring at a time
10 which makes it necessary to fill the vacancy at a special
11 election, shall be filled from the same district which elected
12 the Senator or Representative whose seat is vacant.

13 Section 25. Temporary Redistricting Advisory Commission.

14 (a) No later than February 15 of each year ending in one, a
15 5-member Temporary Redistricting Advisory Commission shall be
16 established as provided by this Section. The Commission's only
17 functions shall be those prescribed by Section 30.

18 (b) Each of the 4 selecting authorities shall certify to
19 the chief election officer the authority's appointment of a
20 person to serve on the Commission. The certifications may be
21 made at any time after the President and Minority Leader of the
22 Senate and the Speaker and Minority Leader of the House of
23 Representatives have been selected for the General Assembly
24 which takes office in the year ending in one, even though that
25 General Assembly's term of office has not actually begun.

1 (c) Within 30 days after the 4 selecting authorities have
2 certified their respective appointments to the Commission, but
3 in no event later than February 15 of the year ending in one,
4 the 4 Commission members so appointed shall select, by a vote
5 of at least 3 members, and certify to the chief election
6 officer the fifth Commission member, who shall serve as
7 chairperson.

8 (d) A vacancy on the Commission shall be filled by the
9 initial selecting authority within 15 days after the vacancy
10 occurs.

11 (e) Members of the Commission shall receive a per diem and
12 travel expenses at the rates allowed under the General Assembly
13 Compensation Act, and such expenses and per diems shall be paid
14 from the same fund used to pay per diems and travel expenses to
15 members on session days. Members shall also receive
16 reimbursement for other necessary expenses incurred in
17 performing their duties under this Section and Section 30.

18 (f) No person shall be appointed to the Commission who:

19 (1) is not an eligible elector of the State at the time
20 of appointment;

21 (2) holds partisan public office or political party
22 office; or

23 (3) is a relative of or is employed by a member of the
24 General Assembly or of the United States Congress, or is
25 employed directly by the General Assembly or by the United
26 States Congress.

1 Section 30. Duties of the Commission.

2 (a) The functions of the Commission shall be as follows:

3 (1) If, in preparation of plans as required by this
4 Act, the State Board of Elections is confronted with the
5 necessity to make any decision for which no clearly
6 applicable guideline is provided by Section 20, the State
7 Board of Elections may submit a written request for
8 direction to the Commission.

9 (2) Prior to delivering any plan and the bill embodying
10 that plan to the Secretary of the Senate and the Chief
11 Clerk of the House of Representatives in accordance with
12 Section 15, the State Board of Elections shall provide to
13 persons outside State Board of Elections staff only such
14 information regarding the plan as may be required by
15 policies agreed upon by the Commission. This subsection
16 does not apply to population data furnished to the State
17 Board of Elections by the United States Bureau of the
18 Census.

19 (3) Upon the delivery by the State Board of Elections
20 to the General Assembly of a bill embodying an initial
21 plan, as required by subsection (a) of Section 15, the
22 Commission shall:

23 (A) As expeditiously as reasonably possible,
24 schedule and conduct at least 4 public hearings, in
25 different geographic regions of the State, on the plan

1 embodied in the bill delivered by the State Board of
2 Elections to the General Assembly.

3 (B) Following the hearings, promptly prepare and
4 submit to the Secretary of the Senate and the Chief
5 Clerk of the House of Representatives, a report
6 summarizing information and testimony received by the
7 Commission in the course of the hearings. The
8 Commission's report shall include any comments and
9 conclusions which its members deem appropriate on the
10 information and testimony received at the hearings, or
11 otherwise presented to the Commission. The report
12 shall be submitted no later than 14 days after the date
13 the bill embodying an initial plan of Congressional,
14 Representative, and Legislative redistricting is
15 delivered to the General Assembly.

16 (10 ILCS 120/Act rep.)

17 Section 35. The Illinois Voting Rights Act of 2011 is
18 repealed.

19 (10 ILCS 125/Act rep.)

20 Section 40. The Redistricting Transparency and Public
21 Participation Act is repealed.