

1 HOUSE JOINT RESOLUTION  
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
4 NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
5 SENATE CONCURRING HEREIN, that there shall be submitted to  
6 the electors of the State for adoption or rejection at the  
7 general election next occurring at least 6 months after the  
8 adoption of this resolution a proposition to amend Sections  
9 1, 2, and 3 of Article IV and Section 1 of Article XIV of the  
10 Illinois Constitution as follows:

11 ARTICLE IV  
12 THE LEGISLATURE

13 (ILCON Art. IV, Sec. 1)

14 SECTION 1. LEGISLATURE - POWER AND STRUCTURE

15 The legislative power is vested in a General Assembly  
16 consisting of a Senate and a House of Representatives,  
17 elected by the electors from 59 Senatorial Legislative  
18 Districts and 119 ~~118~~ Representative Districts.

19 (Source: Amendment adopted at general election November 4,  
20 1980.)

21 (ILCON Art. IV, Sec. 2)

22 SECTION 2. LEGISLATIVE COMPOSITION

23 (a) One Senator shall be elected from each Senatorial  
24 Legislative District. Immediately following each decennial  
25 redistricting, the General Assembly by law shall divide the  
26 Senatorial Legislative Districts as equally as possible into  
27 three groups. Senators from one group shall be elected for  
28 terms of four years, four years and two years; Senators from  
29 the second group, for terms of four years, two years and four  
30 years; and Senators from the third group, for terms of two  
31 years, four years and four years. The Senatorial Legislative

1 Districts in each group shall be distributed substantially  
2 equally over the State.

3 (b) ~~Each Legislative District shall be divided into two~~  
4 ~~Representative Districts. In 1982 and every two years~~  
5 thereafter One Representative shall be elected from each  
6 Representative District for a term of two years.

7 (c) To be eligible to serve as a member of the General  
8 Assembly, a person must be a United States citizen, at least  
9 21 years old, and for the two years preceding his election or  
10 appointment a resident of the district which he is to  
11 represent. In the general election following a redistricting,  
12 a candidate for the General Assembly may be elected from any  
13 district which contains a part of the district in which he  
14 resided at the time of the redistricting and reelected if a  
15 resident of the new district he represents for 18 months  
16 prior to reelection.

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

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

31 No member of the General Assembly during the term for  
32 which he was elected or appointed shall be appointed to a  
33 public office which shall have been created or the  
34 compensation for which shall have been increased by the

1 General Assembly during that term.

2 (Source: Amendment adopted at general election November 4,  
3 1980.)

4 (ILCON Art. IV, Sec. 3)

5 SECTION 3. LEGISLATIVE REDISTRICTING

6 (a) Senatorial Legislative Districts shall be compact,  
7 contiguous and substantially equal in population.  
8 Representative Districts shall be compact, contiguous, and  
9 substantially equal in population. A Representative District  
10 need not be entirely within a single Senatorial District.

11 (b) By April 15 of the year following each Federal  
12 decennial census year, the State Board of Elections, by a  
13 record vote of a majority of the total number of members  
14 authorized by law as provided in Section 5 of Article III,  
15 shall designate a computer program for redistricting the  
16 Senate and House of Representatives that meets the  
17 requirements of this Section. The designation shall include  
18 detailed specifications of the computer program.

19 Any computer program designated by the State Board of  
20 Elections under this Section shall embody the following  
21 standards and criteria, as defined by Common Law, in this  
22 order of priority:

- 23 (1) contiguity;
- 24 (2) substantial equality of population;
- 25 (3) compactness;
- 26 (4) minimization of the number of districts that  
27 cross county or municipal boundaries; and
- 28 (5) a fair reflection of minority voting strength.

29 Any computer program designated by the State Board of  
30 Elections under this Section shall not consider the following  
31 data:

- 32 (1) residency of incumbent legislators;
- 33 (2) political affiliations of registered voters;

1           (3) previous election results; and

2           (4) demographic information not required to be used  
3           by this Section or by the United States Constitution or  
4           federal law.

5           Except as specified in this Section, the computer program  
6           shall produce districts in a random manner.

7           The Senate, by resolution adopted by a record vote of  
8           three-fifths of the members elected, may by June 15 of that  
9           year designate a different computer program for redistricting  
10           the Senate. The House of Representatives, by a resolution  
11           adopted by a record vote of three-fifths of the members  
12           elected, may by June 15 of that year designate a different  
13           computer program for redistricting the House of  
14           Representatives.

15           (c) (b) In the year following each Federal decennial  
16           census year, (i) the Senate, by resolution adopted by a  
17           record vote of three-fifths of the members elected, General  
18           Assembly-by-law shall redistrict the Senatorial Legislative  
19           Districts and (ii) the House of Representatives, by  
20           resolution adopted by a record vote of three-fifths of the  
21           members elected, shall redistrict the Representative  
22           Districts. Each adopted redistricting resolution shall be  
23           filed with the Secretary of State by the presiding officer of  
24           the house that adopted the resolution.

25           (d) If a Senatorial or Representative redistricting  
26           resolution is not adopted and effective by June 15 of that  
27           year, the State Board of Elections, as soon thereafter as is  
28           practicable, shall produce a Senatorial or Representative  
29           redistricting plan, or both as the case may be, through the  
30           use of the computer program designated by the affected  
31           chamber, if it made a designation under subsection (b), or  
32           else through the use of the computer program designated by  
33           the State Board of Elections under that subsection. The  
34           State Board of Elections shall file the redistricting plan

1 with the Secretary of State.

2 If no redistricting plan becomes effective by June 30 of  
3 that year, a Legislative Redistricting Commission shall be  
4 constituted not later than July 10. The Commission shall  
5 consist of eight members, no more than four of whom shall be  
6 members of the same political party. The Speaker and Minority  
7 Leader of the House of Representatives shall each appoint to  
8 the Commission one Representative and one person who is not a  
9 member of the General Assembly. The President and Minority  
10 Leader of the Senate shall each appoint to the Commission one  
11 Senator and one person who is not a member of the General  
12 Assembly. The members shall be certified to the Secretary of  
13 State by the appointing authorities. A vacancy on the  
14 Commission shall be filled within five days by the authority  
15 that made the original appointment. A Chairman and Vice  
16 Chairman shall be chosen by a majority of all members of the  
17 Commission. Not later than August 10, the Commission shall  
18 file with the Secretary of State a redistricting plan  
19 approved by at least five members.

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

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

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

31 (e) A An approved redistricting plan, adopted by  
32 redistricting resolution or produced by the State Board of  
33 Elections, that is filed with the Secretary of State shall be  
34 presumed valid, shall have the same force and effect as a of

1 law, and shall be published promptly by the Secretary of  
2 State.

3 (f) The Supreme Court shall have original and exclusive  
4 jurisdiction over actions concerning redistricting the House  
5 and Senate, ~~which shall be initiated in the name of the~~  
6 ~~People of the State by the Attorney General.~~

7 (Source: Amendment adopted at general election November 4,  
8 1980.)

9 ARTICLE XIV

10 CONSTITUTIONAL REVISION

11 (ILCON Art. XIV, Sec. 1)

12 SECTION 1. CONSTITUTIONAL CONVENTION

13 (a) Whenever three-fifths of the members elected to each  
14 house of the General Assembly so direct, the question of  
15 whether a Constitutional Convention should be called shall be  
16 submitted to the electors at the general election next  
17 occurring at least six months after such legislative  
18 direction.

19 (b) If the question of whether a Convention should be  
20 called is not submitted during any twenty-year period, the  
21 Secretary of State shall submit such question at the general  
22 election in the twentieth year following the last submission.

23 (c) The vote on whether to call a Convention shall be on  
24 a separate ballot. A Convention shall be called if approved  
25 by three-fifths of those voting on the question or a majority  
26 of those voting in the election.

27 (d) The General Assembly, at the session following  
28 approval by the electors, by law shall provide for the  
29 Convention and for the election of two delegates from each  
30 Senatorial Legislative District; designate the time and place  
31 of the Convention's first meeting which shall be within three  
32 months after the election of delegates; fix and provide for

1 the pay of delegates and officers; and provide for expenses  
2 necessarily incurred by the Convention.

3 (e) To be eligible to be a delegate a person must meet  
4 the same eligibility requirements as a member of the General  
5 Assembly. Vacancies shall be filled as provided by law.

6 (f) The Convention shall prepare such revision of or  
7 amendments to the Constitution as it deems necessary. Any  
8 proposed revision or amendments approved by a majority of the  
9 delegates elected shall be submitted to the electors in such  
10 manner as the Convention determines, at an election  
11 designated or called by the Convention occurring not less  
12 than two nor more than six months after the Convention's  
13 adjournment. Any revision or amendments proposed by the  
14 Convention shall be published with explanations, as the  
15 Convention provides, at least one month preceding the  
16 election.

17 (g) The vote on the proposed revision or amendments  
18 shall be on a separate ballot. Any proposed revision or  
19 amendments shall become effective, as the Convention  
20 provides, if approved by a majority of those voting on the  
21 question.

22 (Source: Illinois Constitution.)

23 SCHEDULE

24 This Constitutional Amendment takes effect beginning with  
25 redistricting in 2011 and applies to the election of members  
26 of the General Assembly in 2012 and thereafter.