

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-NINTH GENERAL ASSEMBLY

89TH LEGISLATIVE DAY

PERFUNCTORY SESSION

MONDAY, JANUARY 11, 2016

2:55 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
89th Legislative Day**

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NOTE: Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website (www.ilga.gov). For inquiries regarding this, please contact the House Clerk’s office.

The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

RESIGNATIONS AND APPOINTMENTS

December 2, 2015

Hon. Timothy D. Mapes
Clerk of the House
Illinois House of Representatives
Room 420, State Capitol
Springfield, IL 62706

Dear Clerk Mapes:

Effective December 7, 2015, I resign from the office of State Representative in the General Assembly from the 76th District of the State of Illinois. Please take all necessary actions to effectuate this resignation.

It was an honor and privilege to be a member of the General Assembly.

Sincerely,

s/Frank J. Mautino
Frank J. Mautino
Deputy Majority Leader
State Representative/76th District

Charles W. Scholz
Chairman
Illinois State Board of Elections
1020 S. Spring St.
Springfield, IL 62704

Hon. Jesse White
Secretary of State
213 State House
Springfield, IL 62706

Hon. Timothy D. Mapes
Clerk
Ill. House of Representatives
300 State House
Springfield, IL 62706

RE: 76th Representative District Vacancy in Office

Dear Sirs:

Please be advised that the Democratic Representative District Committee for the 76th Representative District met on December 10, 2015 to declare the existence of a vacancy in the office of Representative in the General Assembly for the 76th Representative District due to the resignation of Rep. Frank Mautino.

You are hereby notified that the vacancy in office has been filled, in accordance with the Election Code, by the appointment of Andy Skoog, who resides at 1480 Linden Avenue, LaSalle, Illinois, Zip Code 61301 in the 76th Representative District of the State of Illinois and who is a member of the Democratic Party, to fill the vacancy in office of Representative in the General Assembly for the 76th Representative District of the State of Illinois for the remainder of the term.

s/Raymond A. Lopez
Committeeman, Chair

s/John Fitzgerald Lyke
Committeeman, Secretary

CERTIFICATE OF APPOINTMENT TO FILL VACANCY IN THE OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY

WHEREAS, a vacancy currently exists in the office of Representative in the General Assembly from the 76th Representative District of the State of Illinois, by reason of Rep. Frank Mautino’s resignation on December 7, 2015; and

WHEREAS, the Democratic Representative Committee of the 76th Representative District has declared the existence of a vacancy in said office and has voted to fill the vacancy in accordance with Section 25-6 of the Election Code; and

WHEREAS, at a meeting of the Democratic Representative Committee of the 76th Representative District on December 10, 2015, Andy Skoog, who resides at 1480 Linden Avenue, LaSalle, Illinois, Zip Code 61301, in the 76th Representative District of the State of Illinois, received the required number of votes for appointment to fill the vacancy in office, pursuant to Section 25-6 of the Election Code; therefore

BE IT RESOLVED, on this 10th day of December, 2015, that the Democratic Representative Committee of the 76th Representative District of the State of Illinois hereby appoints Andy Skoog, who resides at 1480 Linden Avenue, LaSalle, Illinois, Zip Code 61301, in the 76th Representative District of the State of Illinois, who is eligible to serve as a member of the General Assembly, and who is a member of the Democratic Party, as the Representative in the General Assembly from the 76th Representative District of the State of Illinois for the remainder of the term.

s/Rocky A. Raikes
Committeeman, Democratic Representative
Committee for the 76th Representative District

s/John B. Reed Jr.
Committeeman, Democratic Representative
Committee for the 76th Representative District

State of Illinois)
)
County of LaSalle)

Subscribed and sworn to before me on this 10 day of December, 2015.

Julia I. Larkin
Notary Public

OATH OF OFFICE

State of Illinois)
)
County of LaSalle)

I, Andy Skoog, do solemnly swear and affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and I will faithfully discharge the duties of the office of Representative in the General Assembly for the 76th Representative District of the State of Illinois to the best of my ability.

Signed: s/Andy Skoog

Date: 12-16-2015

Subscribed and Sworn to before me on this 16th day of December, 2015.

s/H. Chris Ryan Jr.
Judge

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Status Report - December 1, 2015, submitted by the State Board of Elections on December 3, 2015.

2015 Annual Report, submitted by the Illinois Power Agency on December 3, 2015.

Small Business Set-Aside Program Annual Report Fiscal Year 2015, submitted by the Illinois Chief Procurement Office on December 3, 2015.

Quarterly Report October 1, 2015, submitted by the Illinois Department of Juvenile Justice on December 8, 2015.

Civil Service Commission - Compliance Examination, submitted by the Office of the Auditor General on December 8, 2015.

Commission on Government Forecasting and Accountability - Compliance Examination, submitted by the Office of the Auditor General on December 8, 2015.

For the Record –Report 2015 is available on the website at <http://www.idot.illinois.gov/fortherecord2015>, submitted by the Illinois Department of Transportation on December 8, 2015.

2016 Tentative Budget, submitted by the Illinois Tollway on December 8, 2015.

Transitional Housing Facilities for Sex Offenders Report, submitted by the Illinois Department of Correction on December 9, 2015.

Legislative Research Unit, State Compliance Examination, submitted by the Office of the Auditor General on December 11, 2015.

Deaf and Hard of Hearing Commission, State Compliance Examination, submitted by the Office of the Auditor General on December 11, 2015.

Fiscal Year 2017 Higher Education Budget Recommendations, submitted by the Board of Higher Education on December 14, 2015.

Report of an Inadvertent Disclosure of Protected Personal Information, submitted by the Illinois Department of Healthcare and Family Services on December 14, 2015.

Special Pension Briefing: State Retirement Overview, submitted by the Commission on Government Forecasting and Accountability on December 14, 2015.

Report of the Small Business Set-Aside Program FY 2015, submitted by the Chief Procurement Office on December 16, 2015.

Compost and Recycled Landscaping Materials and Utilization Report, submitted by the Chicago State University on December 16, 2015.

Village of Roanoke, Illinois Flood Hazard Mitigation Project Woodford County November 2015, submitted by the Illinois Department of Natural Resources Office of Water Resources on December 16, 2015.

Report on the Financial Condition of the Illinois Municipal Chicago and Cook County Pension Funds of Illinois, submitted by the Illinois Public Retirement Systems on November 2015.

Illinois State University - Financial Audit, Single Audit and State Compliance Examination, submitted by the Office of the Auditor General on December 17, 2015.

Chicago State University - Financial Audit, submitted by the Office of the Auditor General on December 17, 2015.

Guardianship and Advocacy Commission - State Compliance Examination, submitted by the December 17, 2015.

Illinois Conservation Foundation, Financial Audit and State Compliance Examination, submitted by the Office of the Auditor General on December 17, 2015.

Office of the Architect of the Capital - State Compliance Examination, submitted by the Office of the Auditor General on December 17, 2015.

Vector Control Program Used Tire Fund Status Report January 2016, submitted by the Illinois Department of Public Health on December 21, 2015.

Illinois Abortion Statistics 2014, submitted by the Illinois Department of Public Health on December 21, 2015.

Notice Pursuant to the Illinois Personal Information Protection Act, submitted by the Office of the Attorney General on December 22, 2015.

Annual Report of the Violent Crimes Advisory Commission, submitted by the Office of the Attorney General on December 23, 2015.

Use of Emerging Investment Managers December 1, 2015, submitted by the State University Retirement System on December 23, 2015.

House of Representatives Compliance Examination for Two Years Ended June 30, 2015, submitted by the Special Assistant Auditors For the Auditor General on December 23, 2015.

Illinois Housing Development Authority - Financial Audit, submitted by the Office of the Auditor General on December 23, 2015.

Illinois State Board of Investment - Financial Audit, submitted by the Office of the Auditor General on December 23, 2015.

Appropriations from the General Professions Dedicated Fund for Pharmacy Programs at State Universities, submitted by the Office of the Auditor General on December 23, 2015.

2015 Annual Review of Information Submitted by the Chicago Transit Authority's Retiree Health Care Trust, submitted by the Office of the Auditor General on December 23, 2015.

Notice Pursuant to the Illinois Personal Information Protection Act, submitted by the Office of the Attorney General on December 28, 2016.

Report of the School Security and Standards Task Force, submitted by the Illinois State Board of Education on December 29, 2015.

2016 Budget, submitted by the Illinois Tollway on December 29, 2015.

Report of the Illinois Delegation to the National Conference of Commissioners on Uniform State Laws, submitted by the Legislative Reference Bureau on December 29, 2015.

Report on the Illinois Collections Act, submitted by the Illinois Department of Revenue on December 30, 2015.

Social Security Number Protection Task force Report for 2015, submitted by the Office of the Attorney General on December 30, 2015.

2014 Audit of the Office of Special Deputy Receiver and Various Estates, submitted by the Illinois Department of Insurance on December 30, 2015.

Report to the Governor and the General Assembly, submitted by the Office of the Inspector General on December 30, 2015.

Senate and House Compliance Examination For the Two Years Ended June 30, 2015, submitted by the Office of the Auditor General on December 30, 2015.

Illinois Power Agency - Financial Audit and State Compliance Examination, Office of the Comptroller - Fiscal Officer-Financial Audit and State Compliance Examination, General Assembly-House-State Compliance Examination, General Assembly-Senate-State Compliance Examination, Legislative Audit Commission - State Compliance Examination, State Actuary's Report on the Actuarial Assumptions and Valuations of Five State-Funded Retirement Systems, Regional Office of Education #28-Bureau/Henry/Stark Counties, submitted by the Office of the Auditor General on December 30, 2015.

Report of Recommendations to Address the Needs of Persons with Multiple Sclerosis, submitted by the Illinois Department of Public Health on January 3, 2016.

Legislative Report December 1, 2015 Illiana Expressway Will, Kankakee (IL) and Lake (IN) Counties, submitted by the Illinois Department of Corrections on January 3, 2016.

Notice Pursuant to the Illinois Personal Information Protection Act, submitted by the Office of the Attorney General on January 3, 2016.

Illinois Workforce Development FPY' 14/SFY'15 Annual Report, submitted by the Department of Commerce and Economic Opportunity on January 3, 2016.

2015 Annual report, submitted by the Office of Inspector General Chicago Board of Education on January 4, 2016.

Report on Emerging Money Managers (Public Act 96-0006), submitted by the Illinois State Board of Investments on January 4, 2016.

Report on the Activities and Enforcement of the Child Labor Law - Fiscal Year 2015, submitted by the Illinois Department of Labor on January 4, 2016.

Equal Pay Act/2015 Annual Report Administration and Enforcement Activities, submitted by the Illinois Department of Labor on January 4, 2016.

Budgeting For Results Transparency Report, submitted by the Budgeting for Results Commission on January 4, 2016.

Report on the Governor and General Assembly on the Use of Emerging Investment Managers and Broker/Dealers, submitted by the Cook County Pension Fund on January 4, 2016.

FY15 Report on the Hiring of Veterans by Sate Vendors, submitted by the Illinois Department of Central Management Services on January 4, 2016.

FY15 Report on the Hiring of Ex-Offenders by State Vendor, submitted by the Illinois Department of Central Management Services on January 4, 2016.

State Government Suggestion Award Board 2015 Annual Report to the General Assembly, submitted by the Illinois Department of Central Management Services on January 4, 2016.

State of Illinois Annual Report Summary 2015, submitted by the Illinois Department of Central Management Services on January 4, 2015.

State Employee Child Care Centers 2015 Annual Report, submitted by the Illinois Department of Central Management Services on January 4, 2016.

The Bilingual Needs and Bilingual Pay Survey Report for Fiscal Year July 1, 2014-June 30, 2015, submitted by the Illinois Department of Central Management Services on January 4, 2016.

Annual Report of Collections and Distributions 2015, submitted by the Illinois Department of Revenue on January 4, 2016.

Public Library Capital Needs Assessment Report, submitted by the Office of the Secretary of State on January 4, 2016.

Illinois Historic Preservation Tax Credit Pilot Program, submitted by the Illinois Department of Commerce and Economic Opportunity January 4, 2016.

Report on Emerging Money Managers, submitted by the Illinois State Board of Investments on January 4, 2016.

2016 Perinatal Report, submitted by the Illinois Department of Healthcare and Family Services on January 4, 2016.

Veterans' Health Insurance Program Act/2015 Annual Report, submitted by the Illinois Department of Healthcare and Family Services and Illinois Department of Veterans' Affairs on January 4, 2016.

LETTERS OF TRANSMITTAL

December 4, 2015

Timothy D. Mapes
Chief Clerk of the House
300 State House
Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Action Deadline to January 29, 2016 for the following House and Senate Bills:

**House Bills: 166,531,532,533,534,535,575,577,578,580,644,645,646,647,648,649,650,677,678,
679,680,681,682,683,684,685,686,687,688,689,691,695,696,697,699,739,741,742,851,852,853,
972,973,1096,1190,1192,1193,1286,1289,1290,2570,2571,2572,2573,2663,3820,4104,4271,**

4288 and 4326.

Senate Bills: 26,29,273,318,417,637,674,870,1447,1488,1506,1562,1564,1629,1673,1741, 1751,1810,1907,1919 and 1941.

With kindest personal regards, I remain

Sincerely yours,

s/Michael J. Madigan
Speaker of the House

December 10, 2015

Mr. Tim Mapes
Clerk of the House
420 State House
Springfield, IL 62706

Dear Mr. Clerk:

Representative Sara Wojcicki Jimenez has been appointed to the following 99th General Assembly Committees. These appointments are effective immediately.

- **Agriculture & Conservation**
- **Appropriations – Higher Education**
- **Business & Occupational Licenses**
- **International Trade & Commerce**

Thank you for your attention regarding this matter.

Sincerely,

s/Jim Durkin
House Republican Leader

December 14, 2015

Mr. Tim Mapes
Clerk of the House
420 State House
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised of the following appointment to the 99th General Assembly Personnel and Pensions Committee.

- **Personnel & Pensions**
Representative Grant Wehrli is appointed

Thank you for your attention regarding this matter.

[January 11, 2016]

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Sincerely,

s/Jim Durkin
House Republican Leader

January 3, 2016

Timothy D. Mapes
Chief Clerk of the House
300 State House
Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Action Deadline to January 29, 2016 for the following House and Senate Bills:

House Bills: 110, 116, 140, 222, 231, 241, 301, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 1341, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2400, 2619, 2632, 2638, 2651, 2668, 2703, 2732, 2749, 2920, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 3228, 3254, 3483, 3653, 3770, 3777, 3778, 3821, 3946, 3991, 4141, 4142, 4143, 4144, 4145, 4149, 4150, 4155, 4156, 4194, 4210, 4232, 4320.

Senate Bills: 2038, 2043, 2046.

With kindest personal regards, I remain

Sincerely yours,

s/Michael J. Madigan
Speaker of the House

Memorandum

To: All House Members (District Office & Springfield Office)

Date: January 8, 2016

Re: **House Session changes**

The House will convene on Wednesday, January 13, 2016 and Thursday, January 14, 2016 in **Perfunctory Session** at 12 noon.

Members should plan on returning to Springfield for Session on Wednesday, January 27, 2016 at 11:30 a.m.

January 11, 2016

Tim Mapes
Chief Clerk of the House

300 State House
Springfield, IL 62706

Dear Clerk Mapes:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session on Monday, December 11, 2015.**

With kindest personal regards, I remain

Sincerely yours,

s/Michael J. Madigan
Speaker of the House

MESSAGES FROM THE SENATE

A message from the Senate by
Mr. Anderson, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 155

A bill for AN ACT concerning civil law.
House Amendment No. 1 to SENATE BILL NO. 155.
House Amendment No. 2 to SENATE BILL NO. 155.
Action taken by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

A message from the Senate by
Mr. Anderson, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 377

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 377.
Action taken by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

A message from the Senate by
Mr. Anderson, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1369

A bill for AN ACT concerning government.
House Amendment No. 1 to SENATE BILL NO. 1369.
Action taken by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

A message from the Senate by
Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1380

A bill for AN ACT concerning local government.
House Amendment No. 2 to SENATE BILL NO. 1380.
Action taken by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2039

A bill for AN ACT concerning appropriations.
House Amendment No. 1 to SENATE BILL NO. 2039.
House Amendment No. 4 to SENATE BILL NO. 2039.
Action taken by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 382

A bill for AN ACT concerning local government.
Passed by the Senate, December 7, 2015.

Tim Anderson, Secretary of the Senate

The foregoing SENATE BILL 382 was ordered reproduced and placed on the appropriate order of business.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Batinick introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 44**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 Section 7 of Article III of the Illinois Constitution and to add Section 13 of Article VII as follows:

ARTICLE III

SUFFRAGE AND ELECTIONS

SECTION 7. INITIATIVE TO RECALL EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY GOVERNOR

(a) The recall of any Executive Branch officer named in Section 1 of Article V ~~the Governor~~ may be proposed by a petition signed by a number of electors equal in number to at least 15% of the total votes cast for Governor in the preceding gubernatorial election, with at least 100 signatures from each of at least 25 separate counties. In addition, the recall of any member of the General Assembly may be proposed by a petition signed by a number of electors equal in number to at least 15% of the total votes cast for Governor in the member's Legislative District or Representative District, as applicable, in the most recent Gubernatorial election. A petition shall have been signed by the petitioning electors not more than 150 days after an affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the Executive Branch officer or member of the General Assembly ~~Governor~~. The affidavit may be filed no sooner than 6 months after the beginning of the officer's or member's ~~Governor's~~ term of office. ~~The affidavit shall have been signed by the proponent of the recall petition, at least 20 members of the House of Representatives, and at least 10 members of the Senate, with no more than half of the signatures of members of each chamber from the same established political party.~~

(b) The form of the petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition was filed, and the question "Shall (name) be recalled from the office of (office) ~~Governor~~?" must be submitted to the electors at a special election called by the State Board of Elections, to occur not more than 100 days after certification of the petition. A recall petition certified by the State Board of Elections may not be withdrawn and another recall petition may not be initiated against the same officer or member ~~Governor~~ during the remainder of his or her ~~the~~ current term of office. In the case of an Executive Branch officer, any ~~Any~~ recall petition or recall election pending on the date of the next general election at which a candidate for that office ~~a candidate for Governor~~ is elected is void ~~not~~. In the case of a member of the General Assembly, any recall petition or recall election pending on the date of the next general election at which a member is elected from that member's Legislative or Representative District is void.

(c) If a petition to recall an Executive Branch officer or member of the General Assembly ~~the Governor~~ has been filed with the State Board of Elections, a person eligible to serve in the office with respect to which the recall petition has been filed ~~as Governor~~ may propose his or her candidacy by a petition signed by a number of electors equal in number to the requirement for petitions for an established party candidate for the office ~~of Governor~~, signed by petitioning electors not more than 50 days after a recall petition has been filed with the State Board of Elections. The form of a successor election petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the successor election petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the recall petition to recall the Governor was filed. Names of candidates for nomination to serve as the candidate of an established political party must be submitted to the electors at a special primary election, if necessary, called by the State Board of Elections to be held at the same time as the special election on the question of recall established under subsection (b). Names of candidates for the successor election must be submitted to the electors at a special successor election called by the State Board of Elections, to occur not more than 60 days after the date of the special primary election or on a date established by law.

(d) The Executive Branch officer or member of the General Assembly ~~Governor~~ is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote in favor of recall ~~to recall the Governor~~. If the Governor is removed, then (i) an Acting Governor determined under subsection (a) of Section 6 of Article V shall serve until the Governor elected at the special successor election is qualified and (ii) the candidate who receives the highest number of votes in the special successor election is elected Governor for the balance of the term. If an Executive Branch officer other than the Governor is removed, then the Governor shall appoint a successor as provided in Section 7 of Article V to serve until a successor is elected at the special successor election and qualified. If a member of the General Assembly is removed, then a successor shall be appointed as provided in Section 2 of Article IV to serve until a successor is elected at the special successor election and qualified.

(e) If the petition to recall receives a number of signatures less than 15% (of the total votes cast for Governor in the preceding gubernatorial election), either statewide, for a Governor recall, or within a Legislative District or Representative District, for a member of the General Assembly recall, but receives more than 10%, the recall election shall be held during the next statewide election, as provided by law.

(Source: Amendment adopted at general election November 2, 2010.)

ARTICLE VII

LOCAL GOVERNMENT

SECTION 13. INITIATIVE TO RECALL LOCAL GOVERNMENT OFFICIALS

(a) The recall of an individual holding a local elected office, including, but not limited to, mayors, village presidents, council members, school board members, community college officials, and county officials, may be proposed by a petition signed by a number of electors equal in number to at least 15% of the total votes cast for Governor in that election unit in the preceding gubernatorial election, provided that the total votes cast from that unit in the previous Gubernatorial election totals above 500. A petition shall have been signed by the petitioning electors not more than 150 days after an affidavit has been filed with the local election official providing notice of intent to circulate a petition to recall the official. The affidavit may be filed no sooner than 6 months after the beginning of the official's term of office. The affidavit shall have been signed by the proponent of the recall petition.

(b) The form of the petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the local election official shall certify the petition not more than 100 days after the date the petition was filed, and the following question must be submitted to the electors at a special recall election called by the local election official, to occur not more than 100 days after certification of the petition:

"Should (elected official) be recalled from (his or her) position(s) as (title of position)? (YES/NO)

If (elected official) is recalled, who do you support to replace (him or her)?

(Elected official).

(Candidate).

(Candidate)."

(c) Replacement candidates wishing to be listed on the recall ballot shall be certified under the same procedures as if they were running for the applicable office in a standard election, except for the petition circulation and filing of petitions shall only be between the time the intent to recall is filed and 90 days before the election. Candidates running to replace the recalled officeholder shall state clearly on their petitions which officeholder they are seeking to replace.

(d) There shall be no primary or runoff election after a recall election. The top vote-getter or vote-getters in the recall election shall replace the elected official or officials that were recalled.

(e) The procedure to be certified to run in the recall election shall be the same as being nominated and certified in the standard election for the office to be filled. Challenges to recall petitions shall follow the same procedures as challenges to petitions under the Election Code.

(f) If multiple officeholders from the same public office or district are being recalled, each recall question must be asked separately. All candidates running as replacements for that office and the current officeholder shall be on the ballot beneath the recall question.

(g) A recall petition certified by the local election official may not be withdrawn and another recall petition may not be initiated against the mayor or village president during the remainder of the current term of office. Any recall petition or recall election pending on the date of the next election at which a candidate for the office is elected is void.

(h) If the petition to recall the official receives a number of signatures less than 15% (of the total votes cast for the Governor in that election unit in the preceding gubernatorial election), but receives more than 10% (of the total votes cast for the Governor in that election unit in the preceding gubernatorial election), the recall election for the official shall be held during the next election in that unit of government.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 44 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

At the hour of 3:05 o'clock p.m., the House Perfunctory Session adjourned.