



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0022

Introduced 1/5/2025, by Rep. Dan Ugaste - Joe C. Sosnowski, David Friess, Jeff Keicher, Jennifer Sanalitra, et al.

SYNOPSIS AS INTRODUCED:

ILCON Art. III, Sec. 7
ILCON Art. III, Sec. 9 new
ILCON Art. III, Sec. 10 new
ILCON Art. III, Sec. 11 new

Proposes to amend the Suffrage and Elections Article of the Illinois Constitution. Sets out a procedure for the recall of all State Executive Branch officers (rather than only the Governor), legislative leaders, the Auditor General, members of the General Assembly, and local government officials. Makes changes to the procedures for the recall of the Governor. Effective upon being declared adopted.

LRB103 43641 SPS 76987 e

1 HOUSE JOINT RESOLUTION
 2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
 4 HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
 5 SENATE CONCURRING HEREIN, that there shall be submitted to the
 6 electors of the State for adoption or rejection at the general
 7 election next occurring at least 6 months after the adoption
 8 of this resolution a proposition to amend Section 7 of Article
 9 III of the Illinois Constitution and to add Sections 9, 10, and
 10 11 of Article III as follows:

11 ARTICLE III
 12 SUFFRAGE AND ELECTIONS

13 (ILCON Art. III, Sec. 7)

14 SECTION 7. INITIATIVE TO RECALL EXECUTIVE OFFICERS ~~GOVERNOR~~

15 (a) To initiate the recall of any Executive Branch officer
 16 named in Section 1 of Article V, a petitioning elector shall
 17 file an affidavit with the State Board of Elections providing
 18 notice to circulate a petition to recall an Executive Branch
 19 officer. The affidavit shall include: (1) a general statement
 20 of not more than 200 words enumerating the individual whose
 21 recall is sought and providing the grounds for which recall is
 22 sought; (2) a petition signed by a number of electors equal in
 23 number to at least 0.1% of the total votes cast for Governor in

1 the preceding gubernatorial election; and (3) the signature of
2 the petitioning elector. Upon acceptance of the petitioning
3 elector's affidavit by the State Board of Elections, the ~~The~~
4 recall of any Executive Branch officer ~~the Governor~~ may be
5 proposed by a petition signed by a number of electors equal in
6 number to at least 12% ~~15%~~ of the total votes cast for Governor
7 in the preceding gubernatorial election, ~~with at least 100~~
8 ~~signatures from each of at least 25 separate counties.~~ A
9 petition shall have been signed by the petitioning electors
10 not more than 90 ~~150~~ days after an affidavit has been filed
11 with the State Board of Elections providing notice of intent
12 to circulate a petition to recall an Executive Branch officer
13 ~~the Governor~~. The affidavit may be filed no sooner than 6
14 months after the beginning of the Executive Branch officer's
15 ~~Governor's~~ term of office. If the State Board of Elections
16 determines the petition is valid, the Executive Branch officer
17 whose recall is sought may file a response of not more than 200
18 words with the State Board of Elections. The petitioning
19 elector's general statement and the Executive Branch officer's
20 response shall appear on the recall ballot. ~~The affidavit~~
21 ~~shall have been signed by the proponent of the recall~~
22 ~~petition, at least 20 members of the House of Representatives,~~
23 ~~and at least 10 members of the Senate, with no more than half~~
24 ~~of the signatures of members of each chamber from the same~~
25 ~~established political party.~~

26 (b) The form of the affidavit, petition, circulation, and

1 procedure for determining the validity and sufficiency of a
2 petition shall be as provided by law. If the petition is valid
3 and sufficient, the State Board of Elections shall certify the
4 petition not more than 100 days after the date the petition was
5 filed, and the question "Shall (name) be recalled from the
6 office of (office) ~~Governor~~?" must be submitted to the
7 electors at the next general election ~~a special election~~
8 ~~called by the State Board of Elections, to occur not more than~~
9 ~~100 days~~ after certification of the petition. ~~A recall~~
10 ~~petition certified by the State Board of Elections may not be~~
11 ~~withdrawn and another recall petition may not be initiated~~
12 ~~against the Governor during the remainder of the current term~~
13 ~~of office.~~ Any recall petition or recall election pending on
14 the date of the next general election at which a candidate for
15 an Executive branch office for which recall is sought ~~Governor~~
16 is elected is moot.

17 (c) (Blank). ~~If a petition to recall the Governor has been~~
18 ~~filed with the State Board of Elections, a person eligible to~~
19 ~~serve as Governor may propose his or her candidacy by a~~
20 ~~petition signed by a number of electors equal in number to the~~
21 ~~requirement for petitions for an established party candidate~~
22 ~~for the office of Governor, signed by petitioning electors not~~
23 ~~more than 50 days after a recall petition has been filed with~~
24 ~~the State Board of Elections. The form of a successor election~~
25 ~~petition, circulation, and procedure for determining the~~
26 ~~validity and sufficiency of a petition shall be as provided by~~

1 ~~law. If the successor election petition is valid and~~
2 ~~sufficient, the State Board of Elections shall certify the~~
3 ~~petition not more than 100 days after the date the petition to~~
4 ~~recall the Governor was filed. Names of candidates for~~
5 ~~nomination to serve as the candidate of an established~~
6 ~~political party must be submitted to the electors at a special~~
7 ~~primary election, if necessary, called by the State Board of~~
8 ~~Elections to be held at the same time as the special election~~
9 ~~on the question of recall established under subsection (b).~~
10 ~~Names of candidates for the successor election must be~~
11 ~~submitted to the electors at a special successor election~~
12 ~~called by the State Board of Elections, to occur not more than~~
13 ~~60 days after the date of the special primary election or on a~~
14 ~~date established by law.~~

15 (d) The Executive Branch officer Governor is immediately
16 removed upon certification of the recall election results if a
17 three-fifths majority of the electors voting on the question
18 vote to recall the Executive Branch officer Governor. If the
19 Executive Branch officer Governor is removed, the vacancy
20 shall be filled as provided in Article V ~~then (i) an Acting~~
21 ~~Governor determined under subsection (a) of Section 6 of~~
22 ~~Article V shall serve until the Governor elected at the~~
23 ~~special successor election is qualified and (ii) the candidate~~
24 ~~who receives the highest number of votes in the special~~
25 ~~successor election is elected Governor for the balance of the~~
26 ~~term.~~

1 (e) An Executive Branch officer recalled under this
2 Section 7 is ineligible to serve again in the office in which
3 he or she was recalled for 10 years following certification of
4 the recall election.

5 (Source: Amendment adopted at general election November 2,
6 2010.)

7 (IILCON Art. III, Sec. 9 new)

8 SECTION 9. INITIATIVE TO RECALL LEGISLATIVE LEADERS AND
9 AUDITOR GENERAL

10 (a) To initiate the recall of the Speaker of the House of
11 Representatives, the President of the Senate, or the Auditor
12 General, a petitioning elector shall file an affidavit with
13 the State Board of Elections providing notice to circulate a
14 petition to recall the Speaker of the House of
15 Representatives, the President of the Senate, or the Auditor
16 General. The affidavit shall include: (1) a general statement
17 of not more than 200 words enumerating the individual whose
18 recall is sought and providing the grounds for which recall is
19 sought; (2) a petition signed by a number of electors equal in
20 number to at least 0.1% of the total votes cast for Governor in
21 the preceding gubernatorial election; and (3) the signature of
22 the petitioning elector. Upon acceptance of the petitioning
23 elector's affidavit by the State Board of Elections, the
24 recall of the Speaker of the House of Representatives, the
25 President of the Senate, or the Auditor General may be

1 proposed by a petition signed by a number of electors equal in
2 number to at least 12% of the total votes cast for Governor in
3 the preceding gubernatorial election. A petition shall have
4 been signed by the petitioning electors not more than 90 days
5 after an affidavit has been filed with the State Board of
6 Elections providing notice of intent to circulate a petition
7 to recall the Speaker of the House of Representatives, the
8 President of the Senate, or the Auditor General. The affidavit
9 may be filed no sooner than 6 months after the beginning of the
10 Speaker's, the President's, or the Auditor General's term of
11 office. If the State Board of Elections determines the
12 petition is valid, the officer whose recall is sought may file
13 a response of not more than 200 words with the State Board of
14 Elections. The petitioning elector's general statement and the
15 officer's response shall appear on the recall ballot.

16 (b) The form of the affidavit, petition, circulation, and
17 procedure for determining the validity and sufficiency of a
18 petition shall be as provided by law. If the petition is valid
19 and sufficient, the State Board of Elections shall certify the
20 petition not more than 100 days after the date the petition was
21 filed, and the question "Shall (name) be recalled from the
22 office of (office)?" must be submitted to the electors at the
23 next general election after certification of the petition.

24 (c) The Speaker of the House of Representatives, the
25 President of the Senate, or the Auditor General is immediately
26 removed upon certification of the recall election results if a

1 three-fifths majority of the electors voting on the question
2 vote to recall the officer. If the Speaker of the House of
3 Representatives, the President of the Senate, or the Auditor
4 General is removed, the vacancy shall be filled as provided by
5 rule of the appropriate chamber or by law. The removal of the
6 Speaker of the House of Representatives or the President of
7 the Senate does not remove from the General Assembly the
8 Representative or Senator who held that position.

9 (d) A Speaker of the House of Representatives, a President
10 of the Senate, or an Auditor General recalled under this
11 Section 9 is ineligible to serve again in the office in which
12 he or she was recalled for 10 years following certification of
13 the recall election.

14 (e) The procedure and manner of recalling the Speaker of
15 the House of Representatives, the President of the Senate, or
16 the Auditor General shall be in addition to and not excluding
17 any other method of removing an elected official as provided
18 by law.

19 (ILCON Art. III, Sec. 10 new)

20 SECTION 10. INITIATIVE TO RECALL MEMBERS OF THE GENERAL
21 ASSEMBLY

22 (a) The recall of a member of the General Assembly may be
23 proposed by a petition signed by a number of electors equal in
24 number to at least 12% of the total votes cast for Governor in
25 the preceding gubernatorial election in the Legislative

1 District or Representative District represented by the member
2 of the General Assembly. A petition shall have been signed by
3 the petitioning electors not more than 90 days after an
4 affidavit has been filed with the State Board of Elections
5 providing notice of intent to circulate a petition to recall
6 the member. The petition shall include the signature of the
7 petitioning elector and a general statement of not more than
8 200 words enumerating the individual whose recall is sought
9 and providing the grounds for which recall is sought. The
10 affidavit may be filed no sooner than 6 months after the
11 beginning of the member's term of office. If the State Board of
12 Elections determines the petition is valid, the member whose
13 recall is sought may file a response of not more than 200 words
14 with the State Board of Elections. The petitioning elector's
15 general statement and the member's response shall appear on
16 the recall ballot.

17 (b) The form of the affidavit, petition, circulation, and
18 procedure for determining the validity and sufficiency of a
19 petition shall be as provided by law. If the petition is valid
20 and sufficient, the State Board of Elections shall certify the
21 petition not more than 100 days after the date the petition was
22 filed, and the question "Shall (name) be recalled from the
23 office of (office)?" must be submitted to the electors at the
24 next general election after certification of the petition.

25 (c) The member of the General Assembly is immediately
26 removed upon certification of the recall election results if a

1 three-fifths majority of the electors voting on the question
2 vote to recall the member. If the member is removed, the
3 vacancy shall be filled as provided by Section 2 of Article IV.

4 (d) A member of the General Assembly recalled under this
5 Section 10 is ineligible to serve in public office (or
6 specified non-elected office) for 10 years following
7 certification of the recall election.

8 (e) The procedure and manner of recalling a member of the
9 General Assembly shall be in addition to and not excluding any
10 other method of removing an elected official as provided by
11 law.

12 (ILCON Art. III, Sec. 11 new)

13 SECTION 11. INITIATIVE TO RECALL LOCAL GOVERNMENT OFFICIALS

14 (a) The recall of a local government official may be
15 proposed by a petition signed by a number of electors equal to
16 a percentage of the total votes cast for Governor in the
17 preceding gubernatorial election as determined by the
18 population of the unit of local government that the local
19 government official represents: for a jurisdiction of not more
20 than 1,000 qualified electors, 30%; for a jurisdiction of more
21 than 1,000 qualified electors but not more than 10,000
22 qualified electors, 25%; for a jurisdiction of more than
23 10,000 qualified electors but not more than 50,000 qualified
24 electors, 20%; for a jurisdiction of more than 50,000
25 qualified electors but not more than 100,000 qualified

1 electors, 15%; for a jurisdiction of more than 100,000
2 qualified electors, 10%. A petition shall have been signed by
3 the petitioning electors not more than 90 days after an
4 affidavit has been filed with the State Board of Elections
5 providing notice of intent to circulate a petition to recall
6 the local government official. The petition shall include the
7 signature of the petitioning elector and a general statement
8 of not more than 200 words enumerating the individual whose
9 recall is sought and providing the grounds for which recall is
10 sought. The affidavit may be filed no sooner than 6 months
11 after the beginning of the local government official's term of
12 office. If the State Board of Elections determines the
13 petition is valid, the local government official whose recall
14 is sought may file a response of not more than 200 words with
15 the State Board of Elections. The petitioning elector's
16 general statement and the local government official's response
17 shall appear on the recall ballot.

18 (b) The local government officials who serve on a public
19 body must be recalled individually.

20 (c) The form of the affidavit, petition, circulation, and
21 procedure for determining the validity and sufficiency of a
22 petition shall be as provided by law. If the petition is valid
23 and sufficient, the State Board of Elections shall certify the
24 petition not more than 100 days after the date the petition was
25 filed, and the following question must be submitted to the
26 electors at the next general election or general consolidated

1 election after certification of the petition:

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

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

6 (Elected official).

7 (Candidate).

8 (Candidate)."

9 (d) The local government official is immediately removed
10 upon certification of the recall election results if a
11 three-fifths majority of the electors voting on the question
12 vote to recall the local government official.

13 (e) Replacement candidates wishing to be listed on the
14 recall ballot shall be certified under the same procedures as
15 if the candidate was running for the applicable office in a
16 standard election, except the petition circulation and filing
17 of petitions shall only be between the time the intent to
18 recall is filed and 90 days before the election. Candidates
19 running to replace the recalled officeholder shall state
20 clearly on the candidate's petitions which officeholder they
21 are seeking to replace.

22 (f) There shall be no primary or runoff election after a
23 recall election. The top vote-getter or vote-getters in the
24 recall election shall replace the elected official or
25 officials who were recalled.

26 (g) The procedure to be certified to run in the recall

1 election shall be the same as the procedure for being
2 nominated and certified in the standard election for the
3 office to be filled. Challenges to recall petitions shall
4 follow the same procedures as challenges to petitions under
5 the Election Code.

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

11 (i) If the local government official is removed from a
12 unit of government over 1,000,000 persons, the vacancy shall
13 be filled as provided by law.

14 (j) A local government official recalled under this
15 Section is ineligible to serve in public office (or specified
16 non-elected office) for 10 years following certification of
17 the recall election.

18 (k) The procedure and manner of recalling a local
19 government official shall be in addition to and not excluding
20 any other method of removing an elected official as provided
21 by law.

22 SCHEDULE

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