



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2101

Introduced 2/6/2025, by Sen. Erica Harriss

SYNOPSIS AS INTRODUCED:

10 ILCS 5/28-6	from Ch. 46, par. 28-6
10 ILCS 5/28-7	from Ch. 46, par. 28-7
10 ILCS 5/28-9	from Ch. 46, par. 28-9

Amends the Election Code. Provides that a public question may be initiated by the filing with the clerk or secretary of the governmental unit of a petition signed by a number of qualified electors equal to or greater than at least 4% of the total votes cast for candidates for Governor in the preceding gubernatorial election (rather than 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election), requesting the submission of the proposal for such action to the voters of the governmental unit at a regular election. Makes conforming changes.

LRB104 11329 SPS 21416 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 5. The Election Code is amended by changing
5 Sections 28-6, 28-7, and 28-9 as follows:

6 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

7 Sec. 28-6. Petitions; filing.

8 (a) On a written petition signed by a number of voters
9 equal to at least 4% ~~8%~~ of the total votes cast for candidates
10 for Governor in the preceding gubernatorial election by the
11 registered voters of the municipality, township, county or
12 school district, it shall be the duty of the proper election
13 officers to submit any question of public policy so petitioned
14 for, to the electors of such political subdivision at any
15 regular election named in the petition at which an election is
16 scheduled to be held throughout such political subdivision
17 under Article 2A. Such petitions shall be filed with the local
18 election official of the political subdivision or election
19 authority, as the case may be. Where such a question is to be
20 submitted to the voters of a municipality which has adopted
21 Article 6, or a township or school district located entirely
22 within the jurisdiction of a municipal board of election
23 commissioners, such petitions shall be filed with the board of

1 election commissioners having jurisdiction over the political
2 subdivision.

3 (b) In a municipality with more than 1,000,000
4 inhabitants, when a question of public policy exclusively
5 concerning a contiguous territory included entirely within but
6 not coextensive with the municipality is initiated by
7 resolution or ordinance of the corporate authorities of the
8 municipality, or by a petition which may be signed by
9 registered voters who reside in any part of any precinct all or
10 part of which includes all or part of the territory and who
11 equal in number to at least 4% ~~8%~~ of the total votes cast for
12 candidates for Governor in the preceding gubernatorial
13 election by the voters of the precinct or precincts in the
14 territory where the question is to be submitted to the voters,
15 it shall be the duty of the election authority having
16 jurisdiction over such municipality to submit such question to
17 the electors throughout each precinct all or part of which
18 includes all or part of the territory at the regular election
19 specified in the resolution, ordinance or petition initiating
20 the public question. A petition initiating a public question
21 described in this subsection shall be filed with the election
22 authority having jurisdiction over the municipality. A
23 resolution, ordinance or petition initiating a public question
24 described in this subsection shall specify the election at
25 which the question is to be submitted.

26 (c) Local questions of public policy authorized by this

1 Section and statewide questions of public policy authorized by
2 Section 28-9 shall be advisory public questions, and no legal
3 effects shall result from the adoption or rejection of such
4 propositions.

5 (d) This Section does not apply to a petition filed
6 pursuant to Article IX of the Liquor Control Act of 1934.

7 (Source: P.A. 97-81, eff. 7-5-11.)

8 (10 ILCS 5/28-7) (from Ch. 46, par. 28-7)

9 Sec. 28-7. Except as provided in Article 24 of the
10 Township Code, in any case in which Article VII or paragraph
11 (a) of Section 5 of the Transition Schedule of the
12 Constitution authorizes any action to be taken by or with
13 respect to any unit of local government, as defined in Section
14 1 of Article VII of the Constitution, by or subject to approval
15 by referendum, any such public question shall be initiated in
16 accordance with this Section.

17 Any such public question may be initiated by the governing
18 body of the unit of local government by resolution or by the
19 filing with the clerk or secretary of the governmental unit of
20 a petition signed by a number of qualified electors equal to or
21 greater than at least 4% ~~8%~~ of the total votes cast for
22 candidates for Governor in the preceding gubernatorial
23 election, requesting the submission of the proposal for such
24 action to the voters of the governmental unit at a regular
25 election.

1 If the action to be taken requires a referendum involving
2 2 or more units of local government, the proposal shall be
3 submitted to the voters of such governmental units by the
4 election authorities with jurisdiction over the territory of
5 the governmental units. Such multi-unit proposals may be
6 initiated by appropriate resolutions by the respective
7 governing bodies or by petitions of the voters of the several
8 governmental units filed with the respective clerks or
9 secretaries.

10 This Section is intended to provide a method of submission
11 to referendum in all cases of proposals for actions which are
12 authorized by Article VII of the Constitution by or subject to
13 approval by referendum and supersedes any conflicting
14 statutory provisions except those contained in Division 2-5 of
15 the Counties Code or Article 24 of the Township Code.

16 Referenda provided for in this Section may not be held
17 more than once in any 23-month period on the same proposition,
18 provided that in any municipality a referendum to elect not to
19 be a home rule unit may be held only once within any 47-month
20 period.

21 (Source: P.A. 100-863, eff. 8-14-18; 101-230, eff. 8-9-19.)

22 (10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

23 Sec. 28-9. Petitions for proposed amendments to Article IV
24 of the Constitution pursuant to Section 3, Article XIV of the
25 Constitution shall be signed by a number of electors equal in

1 number to at least 4% ~~8%~~ of the total votes cast for candidates
2 for Governor in the preceding gubernatorial election. Such
3 petition shall have been signed by the petitioning electors
4 not more than 24 months preceding the general election at
5 which the proposed amendment is to be submitted and shall be
6 filed with the Secretary of State at least 6 months before that
7 general election.

8 Upon receipt of a petition for a proposed Constitutional
9 amendment, the Secretary of State shall, as soon as is
10 practicable, but no later than the close of the next business
11 day, deliver such petition to the State Board of Elections.

12 Petitions for advisory questions of public policy to be
13 submitted to the voters of the entire State shall be signed by
14 a number of voters equal in number to 4% ~~8%~~ of the total votes
15 cast for candidates for Governor in the preceding
16 gubernatorial election. Such petition shall have been signed
17 by said petitioners not more than 24 months preceding the date
18 of the general election at which the question is to be
19 submitted and shall be filed with the State Board of Elections
20 at least 6 months before that general election.

21 The proponents of the proposed statewide advisory public
22 question shall file the original petition in bound sections.
23 Each section shall be composed of consecutively numbered
24 petition sheets containing only the signatures of registered
25 voters. Any petition sheets not consecutively numbered or
26 which contain duplicate page numbers already used on other

1 sheets, or are photocopies or duplicates of the original
2 sheets, shall not be considered part of the petition for the
3 purpose of the random sampling verification and shall not be
4 counted toward the minimum number of signatures required to
5 qualify the proposed statewide advisory public question for
6 the ballot.

7 Within 7 business days following the last day for filing
8 the original petition, the proponents shall also file copies
9 of the petition sheets with each proper election authority and
10 obtain a receipt therefor.

11 For purposes of this Act, the following terms shall be
12 defined and construed as follows:

13 1. "Board" means the State Board of Elections.

14 2. "Election Authority" means a county clerk or city or
15 county board of election commissioners.

16 3. (Blank).

17 4. "Proponents" means any person, association, committee,
18 organization or other group, or their designated
19 representatives, who advocate and cause the circulation and
20 filing of petitions for a statewide advisory question of
21 public policy or a proposed constitutional amendment for
22 submission at a general election and who has registered with
23 the Board as provided in this Act.

24 5. "Opponents" means any person, association, committee,
25 organization or other group, or their designated
26 representatives, who oppose a statewide advisory question of

1 public policy or a proposed constitutional amendment for
2 submission at a general election and who have registered with
3 the Board as provided in this Act.

4 (Source: P.A. 97-81, eff. 7-5-11; 98-1171, eff. 6-1-15.)