

1 AMENDMENT TO HOUSE BILL 3642

2 AMENDMENT NO. _____. Amend House Bill 3642, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing
6 Section 28-1 as follows:

7 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

8 Sec. 28-1. The initiation and submission of all public
9 questions to be voted upon by the electors of the State or of
10 any political subdivision or district or precinct or
11 combination of precincts shall be subject to the provisions
12 of this Article.

13 Questions of public policy which have any legal effect
14 shall be submitted to referendum only as authorized by a
15 statute which so provides or by the Constitution. Advisory
16 questions of public policy shall be submitted to referendum
17 pursuant to Section 28-5 or pursuant to a statute which so
18 provides.

19 The method of initiating the submission of a public
20 question shall be as provided by the statute authorizing such
21 public question, or as provided by the Constitution.

22 All public questions shall be initiated, submitted and

1 printed on the ballot in the form required by Section 16-7 of
2 this Act, except as may otherwise be specified in the statute
3 authorizing a public question.

4 Whenever a statute provides for the initiation of a
5 public question by a petition of electors, the provisions of
6 such statute shall govern with respect to the number of
7 signatures required, the qualifications of persons entitled
8 to sign the petition, the contents of the petition, the
9 officer with whom the petition must be filed, and the form of
10 the question to be submitted. If such statute does not
11 specify any of the foregoing petition requirements, the
12 corresponding petition requirements of Section 28-6 shall
13 govern such petition.

14 Irrespective of the method of initiation, not more than 3
15 public questions other than (a) back door referenda, (b)
16 referenda to determine whether a disconnection may take place
17 where a city coterminous with a township is proposing to
18 annex territory from an adjacent township, ~~or~~ (c) referenda
19 held under the provisions of the Property Tax Extension
20 Limitation Law in the Property Tax Code, or (d) advisory
21 referenda held under Section 2-3002 of the Counties Code may
22 be submitted to referendum with respect to a political
23 subdivision at the same election.

24 If more than 3 propositions are timely initiated or
25 certified for submission at an election with respect to a
26 political subdivision, the first 3 validly initiated, by the
27 filing of a petition or by the adoption of a resolution or
28 ordinance of a political subdivision, as the case may be,
29 shall be printed on the ballot and submitted at that
30 election. However, except as expressly authorized by law not
31 more than one proposition to change the form of government of
32 a municipality pursuant to Article VII of the Constitution
33 may be submitted at an election. If more than one such
34 proposition is timely initiated or certified for submission

1 at an election with respect to a municipality, the first
2 validly initiated shall be the one printed on the ballot and
3 submitted at that election.

4 No public question shall be submitted to the voters of a
5 political subdivision at any regularly scheduled election at
6 which such voters are not scheduled to cast votes for any
7 candidates for nomination for, election to or retention in
8 public office, except that if, in any existing or proposed
9 political subdivision in which the submission of a public
10 question at a regularly scheduled election is desired, the
11 voters of only a portion of such existing or proposed
12 political subdivision are not scheduled to cast votes for
13 nomination for, election to or retention in public office at
14 such election, but the voters in one or more other portions
15 of such existing or proposed political subdivision are
16 scheduled to cast votes for nomination for, election to or
17 retention in public office at such election, the public
18 question shall be voted upon by all the qualified voters of
19 the entire existing or proposed political subdivision at the
20 election.

21 Not more than 3 advisory public questions may be
22 submitted to the voters of the entire state at a general
23 election. If more than 3 such advisory propositions are
24 initiated, the first 3 timely and validly initiated shall be
25 the questions printed on the ballot and submitted at that
26 election; provided however, that a question for a proposed
27 amendment to Article IV of the Constitution pursuant to
28 Section 3, Article XIV of the Constitution, or for a question
29 submitted under the Property Tax Cap Referendum Law, shall
30 not be included in the foregoing limitation.

31 (Source: P.A. 88-116; 89-510, eff. 7-11-96.)

32 Section 10. The Counties Code is amended by changing
33 Section 2-3002 as follows:

1 (55 ILCS 5/2-3002) (from Ch. 34, par. 2-3002)

2 Sec. 2-3002. Counties with population of less than
3 3,000,000 and with township form of government.

4 (a) Reapportionment required. By July 1, 1971, and each
5 10 years thereafter, the county board of each county having a
6 population of less than 3,000,000 inhabitants and the
7 township form of government shall reapportion its county so
8 that each member of the county board represents the same
9 number of inhabitants. In reapportioning its county, the
10 county board shall first determine the size of the county
11 board to be elected, which may consist of not less than 5 nor
12 more than 29 members and may not exceed the size of the
13 county board in that county on October 2, 1969. The county
14 board shall also determine whether board members shall be
15 elected at large from the county or by county board
16 districts.

17 If the chairman of the county board is to be elected by
18 the voters in a county of less than 450,000 population as
19 provided in Section 2-3007, such chairman shall not be
20 counted as a member of the county board for the purpose of
21 the limitations on the size of a county board provided in
22 this Section.

23 (b) Advisory referenda. The voters of a county may
24 advise the county board, through an advisory referendum, on
25 questions concerning (i) the number of members of the county
26 board to be elected, (ii) whether the board members should be
27 elected from single-member districts, multi-member districts,
28 or at-large, or (iii) both. The advisory referendum may be
29 initiated either by petition or by ordinance of the county
30 board. A written petition for an advisory referendum
31 authorized by this Section must contain the signatures of at
32 least 1% of the registered voters of the county and must be
33 filed with the appropriate election authority. An ordinance
34 initiating an advisory referendum authorized by this Section

1 must be approved by a majority of the members of the county
2 board and must be filed with the appropriate election
3 authority. An advisory referendum initiated under this
4 Section shall be placed on the ballot at the general election
5 designated in the petition or ordinance.

6 (Source: P.A. 86-962.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law."