Amendment

January Session, 2019

LCO No. 8155

Offered by:
SEN. FASANO, 34th Dist.  SEN. KELLY, 21st Dist.
SEN. WITKOS, 8th Dist.  SEN. KISSEL, 7th Dist.
SEN. BERTHEL, 32nd Dist. SEN. LOGAN, 17th Dist.
SEN. BIZZARRO, 6th Dist. SEN. MARTIN, 31st Dist.
SEN. CHAMPAGNE, 35th Dist. SEN. MINER, 30th Dist.
SEN. FORMICA, 20th Dist. SEN. SAMPSON, 16th Dist.
SEN. HWANG, 28th Dist.  SEN. SOMERS, 18th Dist.

To: Subst. House Joint Resolution  File No. 818  Cal. No. 429
No. 161

"RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING."

1 Strike everything after the resolving clause and substitute the
2 following in lieu thereof:

"Section 1. That the following be proposed as an amendment to the
3 Constitution of the State, which, when approved and adopted in the
4 manner provided by the Constitution, shall, to all intents and
5 purposes, become a part thereof:

6 Section 7 of article third of the Constitution is amended to read as
7 follows:

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Sec. 7. The treasurer, secretary of the state, and comptroller shall canvass publicly the votes for senators and representatives. Except as otherwise provided in this section, the person in each senatorial district having the greatest number of votes for senator shall be declared to be duly elected for such district, and the person in each assembly district having the greatest number of votes for representative shall be declared to be duly elected for such district. The general assembly shall provide by law the manner in which an equal and the greatest number of votes for two or more persons so voted for for senator or representative shall be resolved. The return of votes, and the result of the canvass, shall be submitted to the house of representatives and to the senate on the first day of the session of the general assembly. [Each house shall be the final judge of the election returns and qualifications of its own members] Jurisdiction over the election returns and qualifications of the members of the general assembly shall be vested in the judicial power of the state.

RESOLVED: That the foregoing proposed amendment to the Constitution be continued to the next session of the General Assembly elected at the general election to be held on November 3, 2020, and published with the laws passed at the present session, or be presented to the electors at the general election to be held on November 3, 2020, whichever the case may be, according to article sixth of the amendments to the Constitution. The designation of said proposed amendment to be used on the ballots at such election shall be "Shall the Constitution of the State be amended to vest jurisdiction in the Judicial Branch over the election returns and qualifications of the members of the General Assembly?"