

Constitutional Change

There has been lots of recent discussion in Illinois about a series of hot topics including adopting a progressive tax, redistricting, and pension reform among others. It should be noted that these significant changes can only be made by changing the Illinois constitution. We all need to be very cautious about the process of changing the constitution.

BACKGROUND

The Illinois constitution was first adopted in 1818 and most recently changed in 1970. Voters are asked every twenty years whether a constitutional convention should be held to consider adopting a new constitution. 3/5 of the General Assembly and 3/5 of voters must vote positively for such a convention to be held. In 2008 the General Assembly voted to hold a constitutional convention by a large margin. The proposal was then rejected by the voters of Illinois. The constitution can also be changed by amendment which also requires a 3/5 vote of the General Assembly and 3/5 of the voters of Illinois. The next time a vote on a constitutional convention will automatically be on the ballot is 2028. In the area of pension reform the General Assembly adopted a constitutional amendment in 2008 which was rejected by the voters

CONCERN/CAUTION

We should all be very concerned about advocating for legislative change (progressive tax, pension reform, redistricting) in the form of a constitutional convention. Once such a convention has been convened, there are no limits on what can be considered. Any issue or topic can be on the table. This process could easily get out of control. Targeted amendments that are narrow in focus might be more advisable.

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