



General Assembly

Amendment

January Session, 2021

LCO No. 8254



Offered by:
REP. PERILLO, 113th Dist.
REP. MASTROFRANCESCO, 80th Dist.

To: Subst. House Joint Resolution No. 58 File No. 96 Cal. No. 103

**"RESOLUTION PROPOSING A STATE CONSTITUTIONAL
AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. That the following be proposed as an amendment to the
4 Constitution of the State, which, when approved and adopted in the
5 manner provided by the Constitution, shall, to all intents and purposes,
6 become a part thereof:

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

9 Sec. 7. The treasurer, secretary of the state, and comptroller shall
10 canvass publicly the votes for senators and representatives. [The] Except
11 as otherwise provided in this section, the person in each senatorial
12 district having the greatest number of votes for senator shall be declared
13 to be duly elected for such district [,] and the person in each assembly

14 district having the greatest number of votes for representative shall be
15 declared to be duly elected for such district. The general assembly shall
16 provide by law the manner in which an equal and the greatest number
17 of votes for two or more persons so voted for senator or representative
18 shall be resolved. The return of votes, and the result of the canvass, shall
19 be submitted to the house of representatives and to the senate on the
20 first day of the session of the general assembly. [Each house shall be the
21 final judge of the election returns and qualifications of its own members]
22 Jurisdiction over the election returns and qualifications of the members
23 of the general assembly shall be vested in the judicial power of the state.

24 RESOLVED: That the foregoing proposed amendment to the
25 Constitution be continued to the next session of the General Assembly
26 elected at the general election to be held on November 8, 2022, and
27 published with the laws passed at the present session, or be presented
28 to the electors at the general election to be held on November 8, 2022,
29 whichever the case may be, according to article sixth of the amendments
30 to the Constitution. The designation of said proposed amendment to be
31 used on the ballots at such election shall be "Shall the Constitution of the
32 State be amended to vest jurisdiction in the Judicial Branch over the
33 election returns and qualifications of the members of the General
34 Assembly?"