

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT

SANGAMON COUNTY, ILLINOIS

IN RE THE MATTER OF:)	
)	
ANDREW CHESNEY,)	
CHRIS MILLER,)	
BLAINE WILHOUR)	
ADAM NIEMERG,)	
JED DAVIS,)	
DAVID FRIESS,)	
BRAD HALBROOK,)	
)	
Plaintiffs,)	
)	
Vs.)	No. 2025-
)	
EMMANUEL CHRIS WELCH, Speaker)	
Of the House of Illinois, DON HARMON,)	
President of the Illinois Senate.)	
)	
Defendants.)	

DECLARATORY JUDGMENT

NOW COMES the Plaintiffs, Andrew Chesney, Chris Miller, Blaine Wilhour, Adam Niemerg, Jed Davis, David Friess, and Brad Halbrook by their attorney, Bryan Drew of the Drew Law Group, and for their action against the Defendants, asserts and states as follows:

COUNT I

Petition for Declaratory Judgment

1. The Plaintiff, Andrew Chesney, is a resident and registered voter in the State of Illinois.
2. The Plaintiff, Andrew Chesney, is a duly elected Illinois Senator, representing the 45th District of the State of Illinois.

3. The Plaintiff, Chris Miller, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 101st District of the State of Illinois.
4. The Plaintiff, Blaine Wilhour, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 110th District of the State of Illinois.
5. The Plaintiff, Adam Niemerg, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 102nd District of the State of Illinois.
6. The Plaintiff, Jed Davis, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 75th District of the State of Illinois.
7. The Plaintiff, David Friess, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 115th District of the State of Illinois.
8. The Plaintiff, Brad Halbrook, is a resident and registered voter in the State of Illinois and the duly elected Illinois Representative, representing the 107th District of the State of Illinois.
9. The Defendant, Emmanuel Chris Welch, is an elected Illinois Representative, representing the 7th District of the State of Illinois.
10. The Defendant, Emmanuel Chris Welch, is the current elected, Speaker of the Illinois House of Representatives.

11. The Defendant, Don Harmon, is an elected Illinois Senator, representing the 39th Senate District of the State of Illinois.
12. The Defendant, Don Harmon, is the current elected, President of the Illinois Senate.
13. The 104th General Assembly of Illinois brought forth SB2510 initially on February 7, 2025 titled “\$APPROPRIATIONS-VARIOUS”.
14. The synopsis of SB2510 as introduced on February 7, 2025 was:
 - a. Appropriates \$2 from the General Revenue Fund to the Court of Claims for its FY 26 ordinary contingent expenses. That attached hereto and incorporated herein as Exhibit “1” is SB2510 as originally introduced on February 7, 2025.
15. SB 2510 had its first reading in the Senate on February 7, 2025.
16. SB 2510 had its second reading in the Senate on May 15, 2025.
17. SB 2510 had its third reading in the Senate on May 29, 2025 and was passed.
18. At the time SB2510 was passed by the Senate on May 29, 2025 it was still titled as “\$APPROPRIATIONS-VARIOUS”, and the synopsis of which was still “Appropriates \$2 from the General Revenue Fund to the Court of Claims for its FY 26 ordinary contingent expenses.”
19. SB 2510 then proceeded to the House on May 29, 2025 wherein the first reading of the bill was undertaken on the same day.
20. SB 2510 on May 29, 2025 at the first reading in the House was still titled as “\$APPROPRIATIONS-VARIOUS”, and the synopsis of which was still “Appropriates \$2 from the General Revenue Fund to the Court of Claims for its FY 26 ordinary contingent expenses.”

21. The Second Reading for SB2510 was scheduled for May 30, 2025, at which time House Floor Amendment No. 1 was filed with the Clerk and referred to the Rules Committee.
22. House Floor Amendment No. 1 filed on May 30, 2025, was a 3,363 page document placed into the original SB2510.
23. House Floor Amendment No. 1 was filed by in the General Assembly between 6:09 p.m. and 6:13 p.m. on May 30, 2025. The approximate time is due to the Clerk does not use a timestamp on amendments filed so an approximate time is all that is available.
24. The Amendment No. 1 to Senate Bill 2510 in the House filed for the first time on May 30, 2025, started out with “Amend Senate Bill 2510 by *replacing everything* after the enacting clause with the following:....” *Emphasis added*
25. The Second Reading in the House for SB2510 was held on May 30, 2025.
26. After the Second Reading in the House of SB2510, the House Floor Amendment No. 1 was recommended be adopted.
27. House Floor Amendment No. 2 was filed and referred to Rules Committee on May 31, 2025 along with House Floor Amendment No. 3 which was also referred to the Rules Committee.
28. House Floor Amendment No. 3 was adopted in the House on May 31, 2025 which was a 3,386 page budget bill for the State of Illinois for 2026.
29. On May 31, 2025, the Senate concurred in House Floor Amendment No. 3 and SB 2510 passed the House and Senate on May 31, 2025. See Attached hereto and

incorporated herein as Exhibit “2” the Bill Status of SB2510 for the 104th General Assembly from the official website of the Illinois General Assembly.

30. The Defendant, Emmanuel Chris Welch, Speaker of the Illinois House of Representatives, signed said SB2510 certifying that the procedural requirements were met for passage of the bill.

31. The Defendant, Don Harmon, President of the Illinois Senate, signed said SB2510 certifying that the procedural requirements were met for passage of the bill.

32. Article IV Section 8 of the Illinois Constitution provides in part:

(d) A bill shall be read by title on three different days in each house. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage.

Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. Appropriation bills shall be limited to the subject of appropriations.

A bill expressly amending a law shall set forth completely the sections amended.

The Speaker of the House of Representatives and the President of the Senate shall sign each bill that passes both houses to certify that the procedural requirements for passage have been met. *Illinois Constitution, Article IV, Section 8(d)*.

33. Plaintiffs assert that as duly elected representatives of their district’s constituents, that they are obligated and required to express on the floor of the General Assembly the thoughts and wishes of their constituents on each bill brought before the body.

34. The Defendants, in this case, engaged in a course of conduct and actions which has prohibited the Plaintiffs from fully, clearly and accurately participating on behalf of

- their constituents concerning proposed legislation being SB 2510 due to Defendants engaging in lawmaking which violates Article IV, Section 8 of the Illinois Constitution.
35. In this case, the House Floor Amendment No. 1 to SB 2510 was disclosed on Friday, May 30, 2025.
36. The budget which is SB 2510 was voted on and finalized just before midnight of May 31, 2025.
37. SB 2510 was brought forward with House Floor Amendment No. 1 on May 30, 2025 which took the bill from one page to over 3,000 pages.
38. The Plaintiffs had approximately 29-30 hours from the first time they were given the 3,363 pages of House Floor Amendment No. 1 before the bill had to be taken up for a vote.
39. The average silent reading rate for adults in English is 238 words per minute for non-fiction. Marc Brysbaert, *How many words do we read per minute? A review and meta-analysis of reading rate*, 109 Journal of Memory and Language, 104047, December 2019.
40. The final version of SB2510 is House Floor Amendment No. 3 which contains 3,386 pages and from 1 million to 1.7 million words. SB2510, House Floor Amendment No. 3.
41. Using the standard of 238 words per minute as set forth by Marc Brysbaert, it would take between 70 to 119 hours of reading to read the entirety of SB2510. The originators of the bill gave the first version of the bill to the Plaintiffs herein with only 28-30 hours before the mandatory vote had to take place.

42. The Plaintiffs in this case, due to the actions of the Defendants and the General Assembly, did not have enough time to read the bill much less engage in any ability to confer with their constituents, obtain their constituent's thoughts on the bill, do adequate research on the bill, nor did they have the time to fully advocate for their constituents on this SB 2510 which has \$55.2 Billion in spending.
43. There is no other motive for holding the budget portion of SB 2510 until the day before the vote other than to completely eliminate debate on the propriety and usefulness of the budget presented by the majority party to the minority party of the General Assembly.
44. The Illinois House brought forward a Revenue Bill being HB2755 which was originally filed on February 5, 2025. That attached hereto and incorporated herein as Exhibit 3 is the original bill as introduced.
45. The first reading of HB2755 in the House was on February 6, 2025.
46. The second reading of HB2755 in the House was on March 25, 2025.
47. The third reading of HB2755 in the House was on April 8, 2025.
48. The first reading of HB2755 in the Senate was on April 9, 2025.
49. The HB 2755 was amended for the first time on May 13, 2025. That attached hereto and incorporated as Exhibit 4 is the one page amendment being Senate Committee Amendment No. 1.
50. The second reading of HB2755 in the Senate was on May 15, 2025.
51. On May 31, 2025, Senate Floor Amendment No. 2 was filed which was an amendment changing everything in the prior versions of the bill and setting forth 1,289 pages of revenue.

52. Revenue Bill HB2755 with the 1,289 pages of Senate Floor Amendment No. 2 was filed for the first time on May 31, 2025, between 6:16 p.m. and 6:44 p.m. The approximate time is due to the Clerk does not use a timestamp on amendments filed so an approximate time is all that is available.
53. The third reading of HB2755 in the Senate was on May 31, 2025.
54. Revenue Bill HB2755 was passed by both Houses shortly after 12:00 a.m. on June 1, 2025, which is less than 6 hours after the 1,289 page amendment was first brought. That attached hereto and incorporated herein as Exhibit 5 is the history as set forth in the 104th General Assembly records for the Bill Status of HB2755.
55. The Illinois House also brought forward the Budget Implementation Act (BIMP) being HB1075 which was originally filed on January 9, 2025. That attached hereto and incorporated herein as Exhibit 6 is the original bill filed.
56. The first reading in the House of HB1075 was on January 9, 2025.
57. The second reading in the House of HB 1075 was on March 18, 2025.
58. The third reading in the House of HB 1075 was on April 7, 2025.
59. The first reading in the Senate of HB 1075 was on April 8, 2025.
60. The HB 1075 (BIMP) was amended for the first time by the Senate on May 13, 2025 which was a one page amendment. That attached hereto and incorporated herein as Exhibit 7 is the Senate Committee Amendment No. 1.
61. The second reading in the Senate of HB 1075 was on May 15, 2025.
62. On May 31, 2025, Senate Floor Amendment No. 2 was filed which was an amendment changing everything in the prior versions of the bill and setting forth 691 pages of budget implementation laws.

63. HB 1075 (BIMP) with the 691 pages of Senate Floor Amendment No. 2 was filed for the first time on May 31, 2025 between 10:44 p.m. and 11:13 p.m. The approximate time is due to the Clerk does not use a timestamp on amendments filed so an approximate time is all that is available.
64. The third reading in the Senate of HB 1075 was on May 31, 2025.
65. The HB 1075 (BIMP) legislation passed both Houses on May 31, 2025 at approximately just before midnight which is less than 2 hours from the time the substantive change being Senate Floor Amendment No. 2 was filed for the first time. That attached hereto and incorporated as Exhibit 8 is the Bill Status from the Illinois General Assembly records for HB 1075.
66. The Three Readings rule applies not only to the original bill, but to amendments when they represent a substantial departure from the original bill.
67. “In Giebelhausen v. Daley, 407 Ill. 25, 48 (1950), our Supreme Court held that the “complete substitution of a new bill under the original number, dealing with a subject which was not akin or closely allied to the original bill, and which was not read three times in each House, after it has been so altered, [was a] clear violation of a similar three-readings rule in the 1870 Constitution. See Ill. Const. 1870, art. IV, § 13 (“Every bill shall be read at large on three different days, in each house***.”).” Doe v. Lyft, Inc., 2020 IL App (1st) 191328, ¶ 53 (1st Dist. 2021).
68. As more fully laid out in this matter, the amendments made to SB 2510 by the House represented an absolute departure from the original bill which originated in the Senate.

69. Plaintiffs acknowledge that a challenge to legislation under the Three Readings rule provided in Article IV, Section 8(d) implicates the Enrolled Bill doctrine, which provides that, once the Speaker of the House and President of the Senate certify that the procedural requirements for passing legislation have been met, there is a presumption the procedural requirements have been satisfied.
70. However, Plaintiffs do not concede this ends the inquiry and affirmatively assert that the Enrolled Bill Doctrine must fail as it cannot be reconciled with Article IV, Section 8(d) and our Illinois Supreme Court made it clear continued abuses of this constitutional requirement would result in the Courts' stepping in.
71. Any further deference under the Enrolled Bill Doctrine by the Courts allows the General Assembly to blatantly and systematically continue its subversion of this unambiguous constitutional mandate by certifying, with no discernable standards, penalty, or review, that it has complied with Article IV, Section 8 when unequivocal violations are in plain sight.
72. The Enrolled Bill Doctrine has been subject to significant abuse by the General Assembly, which has not escaped the notice of the Supreme Court. In Geja's Cafe v. Metro. Pier & Exposition Auth., 153 Ill. 2d 239, 260 (1992), the Supreme Court explained that, "if the General Assembly continues its poor record of policing itself, we reserve the right to revisit this issue on another day to decide the continued propriety of ignoring this constitutional violation." In Friends of Parks v. Chicago Park Dist., 203 Ill. 2d 312, 329 (2003), the Illinois Supreme Court reiterated this concern, citing previous instances where it "noted . . . that the legislature has shown remarkably poor self-discipline in policing itself in regard to the three-readings.

73. The Illinois Supreme Court stated, “ignoring the three-readings requirement has become a procedural regularity.” Cutinello vs. Whitley, 161 Ill.2d 409, 425 (1994). Cited by the Dissent by Justice Holder White, Caulkins vs. Pritzker, 2023 IL 129453 (2023).
74. In People vs. Dunigan, 165 Ill.2d 235, 257-258 (1995), Justice Heiple stated:
- “....A literal adherence to this so-called enrolled-bill doctrine means that a bill need never be read or presented in either house, need never receive a majority vote, and need never even be voted on. Two people, the Speaker of the House and the President of the Senate, need merely sign and certify a bill and, unless vetoed by the Governor pursuant to article IV, section 9, the bill becomes ipso facto the law of Illinois. Contrary to today’s ruling, I believe that the constitutional requirements for the enactment of a bill should be followed and enforced. While separation of powers is a valid doctrine and a presumption of legislative regularity is its proper corollary, this court should reserve the right of review to ensure the General Assembly’s compliance with constitutional mandates.” Cited by, Caulkins vs. Pritzker, 2023 IL 129453 (2023).
75. The initial holding set forth that the Speaker of the House and the President of the Senate have taken “an oath of office to ..support the constitution of the United States, and the constitution of the state of Illinois.” Accuracy Firearms, 2023 IL App (5th) 230035.
76. Justice Holder White clearly and accurately set out the need for the three readings requirement in citing to League of Women Voters of Honolulu v. State, 499 P.3d 382, 396 (Haw.2021), “The three readings requirement serves three important purposes: it

(1) provides the opportunity for the full debate on the proposed legislation; (2) ensures that members of each legislative house are familiar with a bill's contents and have time to give sufficient consideration to its effects; and (3) provides the public with notice and an opportunity to comment on proposed legislation.” Caulkins vs. Pritzker, 2023 IL 129453 (2023).

77. The Defendants have engaged in repeated abuses of the Three Readings Rule of the Illinois Constitution being Article IV Section 8(d), in certifying numerous bills which includes but is not limited to the following bills when they violated this Article and the Illinois Constitution:

- a. Protect Illinois Communities Act (HB 5471);
- b. SAFE-T Act (HB3653);
- c. Fiscal State Budget 2022;
- d. Fiscal State Budget 2024; and
- e. Enacting Statutes 720 ILCS 5/24-1.09 and 720 ILCS 5/24-1.10.

78. The Defendants have engaged in continuous and repeated conduct in violation of the Illinois Constitution, specifically, Article IV Section 8 on numerous occasions and are doing so for the intent and purpose of limiting the input of the citizens of the State of Illinois and preventing them from participating in the legislative process through their duly elected representatives to the House and Senate.

79. The actions of the General Assembly majority party in using shell bills and using the gut and replace method of bill presentation is done for the sole purpose of silencing the voices of opposition. The majority party of the General Assembly uses said shell bills and the gut and replace method of bill presentation to prevent the citizens of

Illinois from actively participating in the legislative process through their duly elected representatives in the Illinois House and the Illinois Senate.

80. For the judiciary branch to refuse to weigh in the continued and repeated violations of the three readings rule in Illinois would be to turn over their constitutional duty under the Illinois Constitution to ensure that the legislature is abiding by the provisions of the Constitution of Illinois when passing legislation to two men, the Speaker of the House and the President of the Senate, who have shown that their oath to uphold the Constitution and all its provisions means little more than the time it takes them to sign their names.

WHEREFORE, your Plaintiffs pray, that the Court find the Defendants to have violated the Illinois Constitution, specifically Article IV Section 8(d), for the Court to find that SB2510, HB 2755, and HB1075 to be unconstitutionally passed as in violation of Article IV Section 8(d) of the Illinois Constitution, for said SB2510, HB 2755 and HB 1075 to be found unconstitutional due to the actions of Defendants in contravention of the Illinois Constitution, and for the Court to invalidate the Enrolled Bill Doctrine of the Illinois Supreme Court and Illinois Constitution as the Defendants have continuously and repeatedly engaged in intentional conduct to violate Article IV, Section 8(d) of the Illinois Constitution to the extent that those tasked with representing the people of this great State of Illinois (the Plaintiffs herein) are foreclosed from doing their Constitutionally authorized and mandated obligation to represent those who elected them in the General Assembly in Illinois and to advocate for those same people in relation to bills brought before the body for passage.

COUNT II

Petition for Temporary Restraining Order, Preliminary Injunction and

Permanent Injunction against the Defendants

81. Plaintiffs incorporate paragraphs 1 through 80 as if each had been specifically plead herein.
82. Plaintiffs have a right to demand their Constitutional rights are not impaired by the Defendants due to their engaging in lawmaking which violates the Illinois Constitution.
83. There can be no doubt the Defendants are attempting to constrain the rights of Plaintiffs to adequately represent their constituents and for their constituents to be apprised of pending legislation.
84. It is very likely that the Plaintiffs will prevail upon the merits of the case as the violation of the Constitution is clear from the legislative record attached, the previous and current actions of the General Assembly, and the clear and repeated violation of the Illinois Constitution under Article IV Section 8(d).
85. The Plaintiffs will suffer irreparable harm if the injunction is not granted as the SB2510 calls for \$55.2 Billion in spending which will be immediately implemented to the detriment of the Plaintiffs and the citizens of the State of Illinois.
86. The Plaintiffs have no adequate remedy at law in which to seek relief from the irreparable harm caused by the Defendants, for every day the Plaintiffs are subjected to this unconstitutional presentation and passing of SB2510, they are deprived of their Constitutional right and obligation to represent and advocate for the constituents they represent.

87. The Plaintiffs have proven the Defendants have engaged in unconstitutional conduct which warrants the granting of injunctive relief in that: Defendants have violated Ill. Const. 1970, art. IV, § 8(d) for failure to comply with the Three Readings Requirement.

WHEREFORE, your Plaintiffs pray, that the Court grant the relief requested herein and enter a Temporary Restraining Order enjoining the enforcement or implementation of SB 2510, a Preliminary Injunction enjoining the enforcement or implementation of SB 2510 for the entirety of these proceedings, and a permanent injunction enjoining the enforcement or implementation of SB 2510, HB 2755, and HB 1075 on a permanent basis; and for the Court to enter a Temporary Restraining Order, Preliminary Injunction and Permanent Injunction enjoining the Speaker of the House, Emmanuel Welch and the President of the Senate, Tom Harmon, from certifying bills as having complied with all Constitutional requirements unless and until the bill has been read three (3) times in both the House and the Senate and to prevent them from certifying bills as having met Constitutional requirements when said bills have been subject to the gut and replace method of legislation.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.

Andrew Chesney
Andrew Chesney (Jun 4, 2025 21:01 CDT)


Andrew Chesney, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.

 (Jun 5, 2025 08:35 CDT)

Chris Miller, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.



Blaine Wilhour (Jun 5, 2025 06:40 CDT)

Blaine Wilhour, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.



Adam M Niemerg (Jun 5, 2025 06:38 CDT)

Adam Niemerg, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.



Jed Davis (Jun 5, 2025 07:55 CDT)

Jed Davis, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.



David H. Friess (Jun 5, 2025 07:02 CDT)

David Friess, Plaintiff

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that he verily believes the same to be true.

Brad Halbrook

Brad Halbrook (Jun 5, 2025 06:44 CDT)

Brad Halbrook , Plaintiff

Bryan A. Drew

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Bryan A. Drew IL #06271184

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