

**THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED
DISPOSITION SPECIFICALLY ORDERED UNDER RULE 311(b) BY THE
REVIEWING COURT**

No. 1-24-0417

IN THE FIRST DISTRICT APPELLATE COURT OF ILLINOIS

BUILDING OWNERS AND MANAGERS)
ASSOCIATION OF CHICAGO, THE CHICAGOLAND)
APARTMENT ASSOCIATION, NEIGHBORHOOD) Appeal from the Circuit
BUILDING OWNERS ALLIANCE, WOMEN) Court of Cook County,
CONSTRUCTION OWNERS & EXECUTIVES) County Division
CHICAGO CAUCUS, HOME BUILDERS')
ASSOCIATION OF GREATER CHICAGO d/b/a) Case No. 2024 COEL 1
BUILDING INDUSTRY ASSOCIATION OF GREATER)
CHICAGO, SOUTHLAND BLACKCHAMBER OF)
COMMERCE FOUNDATION, CHICAGOLAND) Trial Judge Presiding:
ASSOCIATION OF SHOPPING CENTER OWNERS,) Hon. Kathleen M. Burke
MATTHEW BAUMANN, CROSSTOWN REAL)
ESTATE ADVISORS, LLC, MATT KATSAROS,)
WILDWOOD CCI, LLC, THERESA KERN, MA)
REBAR, and TRACII RANDOLPH, AJH FOREVER,)
Plaintiffs-Appellees,)
)
)
v.)
)
BOARD OF ELECTION COMMISSIONERS of the CITY)
OF CHICAGO, MARISEL A. HERNANDEZ, Chair,)
WILLIAM J. KRESSE, Commissioner/Secretary, JUNE A.)
BROWN,)
Defendants-Appellants.)

**BRIEF AMICI CURIAE OF CHICAGO COMMUNITY AND
PUBLIC INTEREST ORGANIZATIONS AND COMMUNITY LEADERS
IN SUPPORT OF APPELLANTS**

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STATEMENTS OF INTEREST OF AMICI CURIAE

This is a case about two Chicagos. The first reflects the story of Chicago’s well-known political history, a place where powerful interests join forces to shield their wealth from the inconvenience of democracy. The second is a Chicago the General Assembly intended to create and that *amici* have fought to realize, one where grassroots movements supporting popular initiatives have a meaningful opportunity to make new law. This Court must now decide which version of the city its 2.7 million residents will wake up to on Election Day.

The Circuit Court’s decision in this case was a classic example of “old” Chicago, allowing building owners and their political allies to prevent voters from moving the city toward a fair tax system. The referendum at issue, known widely as “Bring Chicago Home,” would let voters decide a simple question: whether to keep the current flat 0.75 percent real estate transfer tax (“RETT”), or to instead switch to a graduated “progressive” tax, with properties sold for more than \$1 million taxed at a higher rate and properties sold for under \$1 million taxed at a lower rate. The money generated by the new tax would be used to provide housing for the homeless and related services. However, contrary to law, the intent of the General Assembly, and the will of the Chicago City Council—which voted 32-17 to put the issue on the March 19, 2024 ballot—the Circuit Court held that the proposed referendum failed to satisfy state law requirements for such a ballot measure, and that the citizens’ votes could not be counted.

It is too late to stop voters from casting their ballots on Bring Chicago Home, but if the Circuit Court’s ruling stands, those ballots will not be counted and the voices of Chicago residents will not be heard. *Amici* represent a cross-section of local community,

grassroots, religious, and political organizations who support Bring Chicago Home and are mobilizing their neighborhoods to voice their support for the progressive tax initiative on March 19. However, *amici* submit this brief to defend *all* Chicagoans' rights to have their say on this critical matter, one of the highest importance for the city's present and future. They can only have that say in the Spring election if this Court protects their right to be heard and reverses the Circuit Court's erroneous decision.

***Amici* are as follows:**

The **11th Ward IPO** organizes for a vision of politics that is participatory, democratic, responsive, and accountable to the people. As 11th Ward residents are at risk of displacement due to predatory developers and landlords, it advocates for increasing affordable housing stock and protections for renters as well as the "Housing First" model for addressing homelessness. Its members also support voter rights by organizing against gerrymandering and the disenfranchisement and suppression of voters, particularly voters of color and incarcerated voters, and supporting canvassing events during election season.

The **12th Ward IPO** is a ward-based independent political organization composed of volunteers who have been supporting the Bring Chicago Home campaign because they believe housing is a human right. They believe that restructuring the RETT is the most progressive way to create a dedicated funding source to address the housing crisis in Chicago, and believe voters should be able to decide on the matter.

The **25th Ward IPO** is a grassroots community organization that organizes the working class Latino community of Pilsen in Chicago, particularly to defend against gentrification and to promote the construction and preservation of stable, affordable

housing. It is committed to housing justice and have a track record of working directly with its homeless neighbors and aiding them in finding shelter, employment, rehabilitation services, and more. In addition to direct services, it advocates for policies that will help end homelessness and poverty that deeply impacts its neighborhood, and promote civic engagement in elections to activate the political power of its community.

33rd Ward Working Families builds political power through advocacy and education around daily issues that affect the material well-being of residents of Chicago's 33rd Ward. It believes that the power of people is greater than the power of big money, and that housing is a human right, not a commodity. It supports more investment in public housing to better maintain existing units, and to greatly increase the rate of new construction.

39th Ward Neighbors United is an independent organization dedicated to ensuring 39th Ward residents are heard and have what they need to thrive. Its members are working and middle class Chicagoans who are dedicated to building strong, connected communities across the Northwest Side and throughout the city. As civically engaged residents, its members are deeply concerned with voter access and enfranchisement, and as working and middle class Chicagoans, those members would benefit directly and greatly from expanded access to affordable housing.

40th Ward Workers United (40WWU) is an Independent Political Organization on Chicago's North and Northwest Side seeking to build a working class political movement. 40WWU's members, many of whom are rent-burdened and/or precariously housed, support affordable and supportive housing in its ward and across the city. 40WWU furthermore supports open, popular democracy and the right of voters to

express policy preferences through referenda. Bring Chicago Home would provide a substantial revenue stream to ensure housing is a human right in the 40th Ward.

48th Ward Neighbors for Justice supports leftist causes and those that promote housing access and reduce homelessness, like Bring Chicago Home. It represents the political interests of the multiracial working class of Edgewater, Andersonville, Uptown, and other neighborhoods of Chicago.

A Safe Haven Foundation works to restore hope and opportunity to individuals in crisis by providing treatment, housing, support services, and career opportunities. The agency is committed to providing safe and affordable housing as part of its healthcare delivery system. Serving a population that has been marginalized, A Safe Haven seeks to ensure that all individuals have access to safe and affordable housing where they can live independently as productive members of its community.

Action Now fights for racial economic and social justice for working families. It works to promote affordable housing, stop foreclosures, end predatory lending practices, and to increase access to quality health care and education and living wage jobs. It works within the Austin, North Lawndale, Garfield Park, Englewood, and Auburn Gresham neighborhoods.

AFSCME Council 31 is the largest union of public service workers in Illinois and a leading voice for working people statewide. The union's 90,000 active and retired members include 15,000 who live in the city of Chicago. They work in the public service and see daily the harm done to their communities by housing insecurity which this ballot initiative is intended to help alleviate. AFSCME Council 31 believes the public interest is

best served by allowing Chicago voters to express their will through this referendum in the March primary election already underway.

Asian American Midwest Progressives builds power through collective advocacy and electoral organizing to achieve racial equity. AAMP endorses progressive candidates, mobilizes Asian American voters, and holds elected officials accountable through issue-based campaigns. AAMP is committed to advancing racially equitable outcomes for all communities of color by mobilizing its communities to organize around addressing systemic factors, including access to affordable housing.

Bickerdike Redevelopment Corp is a 55 year old not-for-profit community development corporation. Its mission is centered on community development by and for the benefit of low- and middle-income individuals and families. Bickerdike has developed over 2,000 affordable rental and for sale homes for mostly Latino and Black families on Chicago's north side. Its work is increasingly important due to the rising cost of housing in Chicago, which puts many lower income families at risk of homelessness.

The Brighton Park Neighborhood Council (BPNC) is a community based organization serving southwest Chicago. Since 1997, BPNC has addressed systemic disparities and advanced racial equity by providing free direct community services and organizing equity advocacy and policy reform campaigns. This includes campaigns and services that directly address housing and affordability issues, homeless prevention services, workforce issues and economic development issues throughout Chicago.

Casa Central Social Services Corporation is based in Humboldt Park, Chicago, and runs the La Posada Interim Housing Program for Families Experiencing Homelessness, including the provision of various wrap-around services.

Center for Housing and Health exists to improve the lives of Chicagoans experiencing homelessness and to ensure everyone has the dignity of a home. Chicago voters should have the opportunity to choose to have a dedicated funding stream to fund solutions that work.

The Chicago Alliance Against Racist and Political Repression (CAARPR) is a Black-led, left-led mass defense organization that fights for community control of the police, to free the wrongfully convicted, and to defend the democratic rights of the people. Denying the rights for Chicagoans, particularly working class and oppressed Chicagoans, to have their votes counted on this important measure is a form of political repression. In addition the police crimes and torture CAARPR fights to end, it recognizes that these issues disproportionately affect those experiencing homelessness, and that those it fights to free often struggle to find housing upon release. Defending the right to housing and the People's right to vote on this measure is vital to CAARPR's work.

Chicago House has been working for almost forty years to ensure that homeless individuals and families living with HIV/AIDS have a place to live. It believes that housing is healthcare and without it the cost of those living with HIV is a huge burden on the health system and decreases an individual's life span. The most vulnerable populations are black and brown people who are struggling through the impacts of inequity in healthcare. The increase in affordable housing opportunities for this vulnerable population is essential for their survival.

Chicago Jobs Council (CJC) is a workforce development intermediary that keeps job seekers at the center of its work. Together with community and institutional leaders, CJC seeks to ensure that all people can thrive through employment. It does this

by advocating for job seekers, building capacity for the workforce development field, and influencing city, state, and federal policies. Its vision is to create an anti-racist workforce development system and employment equity so that everyone can realize their unique pathway out of poverty. Its attention is also on the intricate housing challenges the unhoused population faces, particularly as it intersects with those who are re-entering society. For those individuals, stable housing is fundamental, as it provides the foundation for employment, mental health, and overall well-being.

Chicago Metro Retirees are retired unionists from a multitude of Unions. It is an affiliate of the Illinois Alliance for Retired Americans (IARA) and the Alliance for Retired Americans (ARA), its national organization. It fights for justice, homelessness, hunger, health care, insurance for all, and affordable prescription drugs. Chicago Metro Retirees support all unions and demands for fair wages. It also pushes for affordable housing in Chicago and nationally. Most important of all, its members are Chicago voters, and make efforts to talk to young people to encourage them to vote, as well.

The Chicago Rehab Network (CRN) has, for 47 years, worked to train, coordinate, and empower community-based organizations developing affordable housing across Chicago and the region. Today, CRN is a coalition of 37 community development corporations and housing advocates. Through educational programming, technical assistance, research, and advocacy, CRN builds the capacity of community developers to increase the affordability of existing housing, as well as ensure the development and preservation of additional housing—the foundation for ending homelessness.

The Chicago Urban League offers a wide range of programs and services to support individuals in achieving their goals, advancing in their careers, bettering their

economic condition. The League is actively engaged in advocacy efforts to address systemic barriers that prevent Black individuals from full participation in the economy and society. It works to promote policies that promote economic opportunity, equity, and social justice for all. Through its commitment to empowering individuals and communities, the League plays a vital role in creating a more inclusive, equitable, and thriving city for all residents.

Chicago Votes is an organization of young Black and Brown people committed to building a more fair and equitable city. It believes housing is a human right and fosters dignity and belonging, contributing to a more inclusive and just democracy.

Chicago Women Take Action (CWTA) is a diverse group of women from the Chicago area working to better the lives of women, their families, and communities. CWTA works on a wide range of issues, including protecting voting rights, housing, healthcare, environmental justice, criminal justice reform, and education, focusing on the particular ways these issues affect women. CWTA is committed to addressing pervasive economic, racial, and gender inequities that define every aspect of women's lives.

Citizen Action/Illinois is a coalition of individuals, labor and community organizations dedicated to promoting policies to make the tax code fairer and more equitable such as the progressive income tax and the child tax credit. In addition, it works to support public policies that reduce barriers to voting and make participating in democracy easier for underrepresented communities.

The Collaborative for Community Wellness (CCW) is a Chicago-based collaborative that brings together mental health professionals, community-based organizations, and community residents to address the lack of mental health access and to

redefine mental health to match the needs of the community. CCW leads the #TreatmentNotTrauma campaign demanding the reopening of shuttered public mental health centers and a citywide non-police crisis response.

Collective Chicago is a Chicago-based not-for-profit that seeks to disrupt cycles of poverty with dignified transitional housing, which holistically connect young men to opportunities that create and sustain personal, professional, and relational growth. Even with full-time work, many of its residents struggle to find permanent housing due to a lack of public housing that will accept tenants with criminal records, or simply due to the high cost of housing. Collective Chicago receives more homeless applicants than it can possibly help transition into permanent housing. It believes that more housing and services like those it provides are desperately needed, especially as the number of those seeking homeless services has skyrocketed since the start of the pandemic.

Cook County College Teachers Union represents 5000 faculty and staff in all community colleges in Cook County including the City Colleges of Chicago. Many of its members live in the Chicago.

The Corporation for Supportive Housing (CSH) works to advance affordable housing aligned with services as an approach to help people thrive. It does this by advocating for effective policies and funding, equitably investing in communities, and strengthening the supportive housing field.

Deborah's Place opens doors for women experiencing homelessness in Chicago. Through supportive housing and comprehensive services, it helps women to heal from the trauma of homelessness and to fulfill their own goals to move forward in their lives.

Without additional affordable housing becoming available, women will continue to experience homelessness in Chicago.

Esperanza Health Centers is a Federally Qualified Health Center operating seven primary care sites on the southwest side of Chicago. It serves nearly 50,000 low-income individuals every year, many of whom are Latino and face higher rates of uninsurance and underinsurance due to cost and immigration status. Esperanza understands that safe, stable, and accessible housing is a pillar of good health, and have an interest in supporting efforts to put housing within reach of the people we serve.

First Defense Legal Aid (FDLA) mobilizes legal workers and overpoliced community members to fill gaps in legal advocacy and create, protect, and engage replicable alternatives to the criminal legal system as it exists now, starting with its many entry points. FDLA continues to provide a diverse array of legal, educational and community-based services to overpoliced residents throughout Illinois, and unhoused folks are disproportionately part of this community.

Grace Church of Logan Square and its building partners serve vulnerable working class people in Chicago through free stores, working to house migrants, regular direct service and policy. Its community members are often homeless or in danger of being so, and would benefit greatly from increased affordable housing in Chicago. It also works every election to get out the vote.

Healthcare Alternative Systems (H.A.S.) provides a continuum of multicultural and bilingual behavioral care and social services that empower individuals, families, and communities. H.A.S. seeks to implement sustainable programs that benefit society by improving the well-being and recovery efforts of those individuals, families, and

communities impacted by behavioral health problems. The majority of its clients exist at the intersection of substance use disorder, serious mental illness, and housing instability or homelessness. The population it serves would benefit significantly from an increase in permanent subsidized housing with support services.

Housing Action Illinois is a statewide coalition that mobilizes organizations to end homelessness, address the shortage of affordable rental housing and work on related issues. Its members include homeless service providers, developers of affordable housing and others. The creation of new resources to end homelessness, in Chicago and the rest of the state, is crucial to Housing Action Illinois' mission.

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) is the Illinois' largest multiethnic immigrant organizing and advocacy organization, representing the broad diversity of immigrant and refugee communities throughout the state. ICIRR has long advocated for policies that provide support for all communities throughout Chicago and Illinois, including housing and other care. ICIRR has also worked with other Illinois advocates to expand voting rights and make sure that all eligible potential voters have the opportunity to register and the language- and culturally-appropriate information they need to exercise their right to vote.

The Illinois Collaboration on Youth (ICOY) champions the safety, wellbeing, and success of all Illinois' children, youth, and families by connecting and strengthening the organizations that serve them, and by being a collective voice for policy and practice. ICOY believes that children, youth, and families have the right to have their basic needs met, and the opportunities and resources that they need to succeed, including safe and

affordable housing. It believes Illinois only succeeds when all of its children, youth, and families thrive.

Illinois National Organization for Women (NOW) is the Illinois branch of the largest, most comprehensive feminist advocacy group in the United States, and one of the few multi-issue progressive grassroots organizations that has existed since its founding in 1966. NOW stands against all oppression, recognizing that racism, sexism, and classism are interrelated, that other forms of oppression such as homophobia and ableism work together with these three to keep power and privilege concentrated in the hands of a few.

Illinois Partners for Human Service is a statewide coalition of health and human service providers. It knows how important a dedicated revenue stream—such as that proposed by the referendum—will be in helping support individuals experiencing homelessness in Chicago.

The Illinois Union of the Homeless organizes the homeless to advocate on their own behalf. The Union works directly in the state's tent cities and sees the effects homelessness can have on people, up to and including death. Bring Chicago Home is a solution to the problem of homelessness and would directly benefit its members.

Indivisible Chicago Alliance (ICA) acts to create a more just and democratic society by working to advance progressive policies, elect candidates at the local, regional and national levels, and hold public officials accountable through mobilization, grassroots organizing, and acting collectively with others who share this mission. ICA works to promote a stronger democracy through voting rights advocacy at the national, state, and local levels. It believes it is essential for democracy that voters not only have the right to elect candidates of their choice, but also, to cast votes on critical issues and policies.

The Indo American Center (IAC) is a social services agency serving immigrants (primarily South Asian) in the West Ridge neighborhood of Chicago through English classes, citizenship classes, immigration legal aid, public benefits aid, programs for seniors, health education, civic education, and more. IAC is committed to advocating for the equity of low income immigrants and the residents of West Ridge through providing language access and making voting more accessible to new citizens and voters. Its clients are often unstably housed, homeless, or are living with multiple families in one apartment. It believes it is crucial for its neighborhood to have increased affordable housing and has been working to get out the vote in the communities it serves.

Kimball Avenue United Church of Christ is a Logan Square-based church that has watched thousands of people be displaced from their neighborhood homes due to gentrification and rising rents. Along with other Logan Square churches, it has pushed for more affordable housing to be built. Its efforts have resulted in 100 units of affordable housing at the Lucy Gonzalez Parsons Apartments and additional units to be built at Encuentro Square. Despite these efforts, it believes more affordable housing is needed to address the increased number of homeless individuals and families who have had to double-up or who have ended up on the street.

La Casa Norte is one of the largest providers of housing and support services for youth and families facing homelessness or housing instability in Chicago. It offers a range of services, including emergency shelters, transitional housing, permanent supportive housing, food access and supportive services. Its comprehensive programs empower its clients to transform their lives and communities. La Casa Norte and similar organizations are essential for the well-being and prosperity of Chicago, which is why its

team has been helping residents register to vote, door-knocking, and participating in phone banking in support of the Bring Chicago Home referendum. It believes housing is a human right, and the first step to stabilizing youth, families, and communities.

Lutheran Social Services of Illinois is one of the largest Illinois social service providers and has served Illinoisans since 1867. It is committed to bringing healing, justice and wholeness to people and communities through behavioral health assistance, child welfare, and support and housing to senior adults and persons with disabilities.

LYTE Collective is based in Chicago and supports young people ages 16-30 with securing housing, employment, connecting to legal services, accessing public benefits, mental and physical health resources, and connecting to childcare resources. LYTE Collective also has a transitional housing program for young adults who have experienced violence and are in situations of homelessness. Its clients often sit on public housing lists with wait times of over 25 years when they urgently need housing now.

Mercy Housing Lakefront owns and operates numerous permanent supportive housing properties across Chicago that provide affordable housing and wrap-around services for over 1,500 previously homeless individuals, including families.

Metropolitan Tenants Organization is a Chicago-based tenant advocacy organization that works with primarily low-income renters who need housing stability. It believes this referendum provides a means for creating funding to support homeless prevention programs. Its members need this support.

Michael Reese Health Trust is a public foundation focused on improving public health and ensuring Chicagoans have equal access to health solutions. It focuses on domestic violence, homelessness, and workforce issues that prevent communities from

reaching and maintaining health. It honors its Jewish Legacy by investing in capacity building of Jewish-led organizations. Michael Reese uses advocacy, grantmaking, and incubation to advance its priorities and create real, lasting change. It advocates for stronger, more coordinated systems that provide stable housing, and policy-focused approaches to ending homelessness, such as a dedicated source of public funding.

The Mt. Carmel Missionary Baptist Church is a Chicago-based church that fights against voter suppression, and whose leadership is supportive of any initiative that reduces or ends homelessness.

ONE Northside is a mixed-income, multi-ethnic, intergenerational community organization that unites diverse populations on the North Side of Chicago. It believes that housing is a human right, and that preserving, maintaining and increasing the amount of affordable housing is an investment in our communities that will allow working class people, seniors, people with disabilities, people of color, LGBTQ people, and people with limited access to resources to remain in their homes and communities.

The National Museum of Puerto Rican Arts and Culture (NMPRAC) is devoted to the promotion, integration and advancement of Puerto Rican arts and culture, presenting exhibitions and programming created to enhance the visibility and importance of the rich Puerto Rican arts tradition. It achieves its mission by providing educational programs that support Puerto Rican arts, culture and history as well as collaborating with community organizations to support initiatives that contribute to holistic well-being.

The National Council of Jewish Women Chicago North Shore is the Chicago-area chapter of a national grassroots organization of volunteers and advocates who turn progressive ideals into action, and is inspired by Jewish values. It believes the Bring

Chicago Home referendum is a painless way to raise needed funds for the humanitarian crisis of homelessness in Chicago, and will provide housing and services it believes are desperately needed. Through Promote the Vote, the organization and its membership has provided a town hall educating people about the referendum, produced voting cards and social media relate to the referendum, and engaged in phone banking.

Network 49 is a progressive, community-led political organization committed to organizing and advocating for policies and elected leadership that advance a high quality of community life, benefiting all residents in Chicago's 49th Ward. Its Housing Committee advocates for equitable housing opportunities. As an organization, it also helps residents with voter registration, voter education and access, including as it relates to the referendum.

New Moms works to supports young moms and their children who experience homelessness and poverty in Chicago. New Moms provides transitional and permanent supportive housing as well as workforce development, mental health, and family support services for hundreds of young families a year as they work toward housing stability, economic mobility and family wellbeing. Its participants are stymied in their efforts toward independence without access to affordable housing in the community.

Northside Action for Justice is a member-controlled grassroots organization working in the neighborhoods of Uptown, Edgewater, Rogers Park and West Rogers Park. It has a long history in these communities of fighting against displacement and gentrification and for decent affordable housing. It is in an area that has been hit hard by the effects of gentrification, which has led to many long-time community residents finding housing unaffordable and becoming homeless. It runs a mutual aid program for

its houseless neighbors and has found that the numbers of homeless neighbors out on the street is growing.

Palenque LSNA is a Logan Square-based not-for-profit community organization committed to partnering with communities across the city to build a Chicago where everyone can thrive. It believes that housing is a fundamental human right and condition to thriving, and since 1962 has worked to advance economic conditions—including affordable housing access—in the communities it serves.

Public Health Institute of Metropolitan Chicago (PHIMC) advances health justice and strengthens public health through innovation and partnerships that align people, strategies, and resources. PHIMC envisions systems that impact how we live, work, and play as compassionate, affirming, and racially equitable, supporting health and well-being for all people. It has been active in Chicago since 1994.

Ravenswood Fellowship UMC is a Ravenswood-based church that serves vulnerable working class people and supports immigrants coming to Chicago for the first time. Its community members are often homeless or in danger of being so and would benefit greatly from increased access to affordable housing in Chicago.

Renaissance Social Services, Inc. is a not-for-profit organization whose vision is to create a Chicago without homelessness or inequities. Its mission is to empower Chicagoans for long-term success through innovative and comprehensive supportive services and housing. Renaissance offers innovative and effective solutions to individuals and families experiencing brief, situational episodes of homelessness needing short-term assistance to regain stability, to people with significant mental and physical health issues

experiencing long-term, chronic homelessness needing permanent supportive housing and ongoing services.

Southside Together Organizing for Power is a Chicago-based organization whose mission is to advance racial and economic and social human rights. It has long been supporters of Bring Chicago Home and efforts to address homelessness in the city. It has been working within the Woodlawn and Park Manor communities around the referendum and engaging with voters directly.

St. Leonard's Ministries provides holistic housing and supports to individuals impacted by incarceration. Many of its residents also have histories of homelessness and instability. Once individuals have completed its transitional housing program in their re-entry journey, obtaining safe, quality, and affordable housing in Chicago is a challenge. St. Leonard's is committed to continuing to help its alumni find and maintain housing.

St. Luke's Lutheran Church of Logan Square is a progressive Christian community seeking to enact God's love in public by organizing for justice in the city. Since 2007, St. Luke's has been involved in various movements for public and affordable housing in Logan Square. Housing is the single issue most important to its community. It believes that "all families are holy families" and that everyone has a right to a safe place to live. It has been involved with the Bring Chicago Home movement since 2022, and is involved in voter education and canvassing efforts around the referendum.

State Revenue Alliance is a network of state-based community, labor, and policy advocates that works to advance a fair tax system at the local, state and federal levels. It supports policies that ensure that tax codes are fair and equitable, and support communities that have too long been underfunded. It believes that all families, regardless

of zip code, deserve the ability to thrive and that through revenue campaigns we can win the resources and investments its communities deserve.

TASC (Treatment Alternatives for Safe Communities) is an Illinois-based statewide nonprofit organization, TASC's mission is to build a healthier, safer and more just society. It serves as navigators in the complex terrain of criminal justice and public health systems, addressing the unique needs of each person it encounters.

The Boulevard of Chicago provides high quality, cost-effective medical respite care, holistic support and housing services to help ill and injured homeless adults break the cycle of homelessness, restore their health and rebuild their lives. It serves almost 500 households experiencing homelessness each year who would directly benefit from increased affordable housing options in Chicago.

Inner Voice is a Chicago-based entity that supports people experiencing homelessness in their quest to achieve and maintain enhanced well-being, self-reliance, and a place to call home. Founded in 1984, it provides a combination of affordable housing and support services designed to help families and individuals.

The Network is a collaborative membership dedicated to improving the lives of those impacted by gender-based violence. The Network has worked tirelessly to end society's tolerance of gender-based violence through public policy and advocacy work, educational opportunities, connecting the public to services, and by providing centralized resources to service providers in the gender-based violence community for the past 40 years. The Network engages in housing advocacy focused on assisting housing providers in providing trauma-informed, confidential, and safe services, increasing access to housing for survivors of gender-based violence, and improving system responses to those

who are at risk of experiencing homelessness due to gender-based violence. It also works directly with survivors who are experiencing housing issues related to gender-based violence. The Networks works in and with the City of Chicago to advance this mission.

The Night Ministry is a Chicago-based organization whose mission is to provide human connection, housing support, and health care to members of its community who are unhoused or experiencing poverty. The Night Ministry works with both young adults experiencing homelessness and individuals living unsheltered on the street. Its biggest barrier to helping its clients find stability is a lack of affordable housing across Chicago.

The Owens Foundation is a charitable foundation founded in 1986. It has provided grants to Chicagoland nonprofit organizations that focus on economic stability and empowerment by providing resources, hope and opportunity to those affected by poverty, addiction, incarceration, domestic abuse and homelessness in the city of Chicago.

The People's 32nd is a community organization in Chicago's 32nd Ward whose focused on bridging people and policy. Above and beyond responding to and combating voter suppression—such as in this case—the organization talks with neighbors within the 32nd Ward on the desperate need for a dedicated fund to house its neighbors, and the need for more affordable housing so its community does not continue to get priced out.

Trilogy Inc. is a not-for-profit organization in Chicago that works with people who struggle to find affordable housing, and often wind up in unstable housing, or on the street, or in shelters.

Trinity United Church of Christ is based in Washington Heights, Chicago, and has a long history of integrating social justice within the framework of its serving Jesus

Christ. From its long standing fight to end mass incarceration, to feeding its community with monthly food boxes, to job development and college tours, Trinity works to build up its community. It believes Bring Chicago Home is a critical component of its justice work, as homelessness is an issue that feeds into many others, including mental health, education, and over incarceration.

Únete is a community organization that engages in grassroots organizing, local engagement, political education, policy advocacy and mutual aid to promote housing as a human right, protect renter's rights, advocate for accountable community-driven development, and affordable housing in La Villita, North Lawndale, and surrounding communities.

United Church of Rogers Park serves vulnerable working class people through food programs, direct services and community support. Its community members are often homeless or in danger of being so, and would benefit greatly from increased affordable housing in Chicago.

United Neighbors of the 26th Ward (UN26) is a grassroots, independent political organization rooted in Humboldt Park, Hermosa, Belmont Cragin, and Logan Square. Its mission is to build and sustain its communities and to help those within them to prosper. UN26 believes in increasing the availability of affordable housing, supporting its unhoused neighbors, supporting alternative systems of care for the benefit of public safety not rooted in punitive forms of "justice," and engaging youth who are not of voting age to become agents of change through civic duty. UN26 has been organizing canvassing efforts around the referendum alongside with its local Alderperson Jessie

Fuentes for the past seven weeks, and has participated in phone banking alongside its local State Representative Lilian Jiménez, as well.

United Northwest Side is an independent political organization of Northwest Side Chicago residents who believe its community deserves politics that work for working people. It brings neighbors together to build political power, strengthen public institutions, and to fight for the common good and material improvements in people's lives on the Northwest Side and across the city. It is committed to advocating for everyone's fair share of opportunity, dignity and economic stability.

The Chicago and Midwest Joint Board of Workers United is one of the most active labor unions in the country. It strives in being the leaders in union activism and education. Its goal is to make sure its members get the best representation at work, while they learn about their rights in an unfair economic system.

Better Streets Chicago is an organization that fights for safe streets and increased access for those who walk, roll, bike, and take transit. In its focus on public transit, it has seen how many of its unhoused neighbors depend on trains and buses for shelter due to a lack of options. It believes it is critical for both its unhoused neighbors and the future of public transit that sustainable mechanisms of housing and supportive services be created, so that everyone has access to dignified and affordable housing.

SEIU Local 73 is a local labor union in Chicago that represents public sector workers. It has organized in support of the referendum.

She Votes Illinois is a statewide political action committee that focuses on ensuring the political system reflects the voices of women, femmes, and girls in Illinois. It aims to increase voter turnout, provide civics education, get more women involved in

politics, and pass legislation on issues important to women. Given that women disproportionately face economic insecurity and are more prone to housing instability compared to men, the organization is committed to tackling these challenges through policy and legislative advocacy. Additionally, it strives to ensure Illinois residents facing homelessness or transitional living circumstances have access to voting information.

Illinois Public Health Institute's (IPHI) mission is to mobilize stakeholders, catalyze partnerships and lead action to improve public health systems to maximize health, health equity, and quality of life for people and communities. IPHI is committed to addressing health inequities across Illinois and locally in Chicago. IPHI takes a cross-sectorial approach to public health systems change. Housing and health has been one of its focus areas for the past eight years. IPHI leads and participates in many collaborative housing and health initiatives in Chicago, including leading collaborative strategy groups for medical respite, healthcare partnerships for addressing homelessness, and supporting public sector partners to implement integrated health and housing services initiatives.

30th United is an Independent Political Organization in the 30th Ward of Chicago. It works to empower community members' voices, build politics that work for working people and families, elect people who share its visions and values, and model inclusivity and transparency. Its goal is to build political power and win policies that will improve the lives of all Chicagoans in the 30th Ward, as well as all across the city.

Seminarians+ for Justice (SFJ) is an organization of people of faith who enact God's love by organizing for social justice in Chicago. It follows the biblical imperative to work for justice, which includes securing basic necessities of shelter for all God's people, striving for the world God has imagined for us all. SFJ is actively organizing

people of faith in spreading the word about the Bring Chicago Home referendum by having conversations with its neighbors, phone banking, and canvassing across Chicago.

The Working Families Party is the party for the multiracial working class, fighting for a Chicago—and a nation—that cares for all of us. The right to decent and affordable housing for all is a cornerstone value for the Party. Furthermore, as a political organization, it is a fierce defender of the right to vote, as elections are a crucial way for people to make change in their communities.

Amin Al-Musaddiq is the Imam of Masjid Al-Ma'un Temple in Chicago. The outcome of the referendum is important to him because of what it offers to those in need. He believes we should ask for support from those who are fortunate enough to help.

Larry Lawrence is the Pastor of Praise Temple of Restoration in Chicago. His church runs a food pantry that serves the community twice per month. The people in his community are in great need of resources for affordable housing, better paying jobs and youth programs. He believes that we need change so that all in Chicago can have an equal opportunity to live better

Legal Action Chicago addresses, through litigation and policy, problems stemming from and exacerbated by racial inequities, challenges policies that harm those who are living in poverty, and promotes policies that enhance such individuals' quality of life and economic mobility. Legal Action Chicago also works to help communities and their leaders have a voice in policy discussions and decisions.

Community Change is a national organization that builds power from the ground up. It believes that effective and enduring social movements must be led by those most impacted by injustice themselves. Since its founding in 1968, it has built the power of

people most marginalized by injustice—especially people of color, women, immigrants, people struggling to make ends meet—to envision and fight for a society where all communities thrive. Access to affordable housing is core to our vision of thriving people, families, and communities.

Rainbow PUSH Coalition was formed in December 1996 by Reverend Jesse L. Jackson, Sr. through the merging of two organizations he founded earlier, People United to Serve Humanity (PUSH, 1971) and the Rainbow Coalition (1984). With headquarters in Chicago, it works to make the American Dream a reality for all citizens, and advocates for peace and justice around the world. It is dedicated to improving the lives of all people by serving as a voice for the voiceless. Its mission is to protect, defend, and gain civil rights by leveling the economic and educational playing fields, and to promote peace and justice around the world.

The 290 IPO is the progressive, people-powered independent political organization and political home for residents from the Westside of Chicago to Proviso Township. The 290 IPO is committed to engaging, educating and activating the working class through grassroots organizing and electoral politics. Many 290 IPO members and communities have been harmed by a lack of affordable housing options. It strongly believes in Bring Chicago Home and has canvassed its communities, unapologetically advocating and fighting for housing as a human right.

United Neighbors of the 35th Ward (UN35) is a grassroots, independent political organization that organizes in Hermosa, Logan Square, Avondale, Irving Park, and Albany Park. UN35 organizes to unite and amplify the voices of poor and working people in its communities to participate in our local political process. It is a volunteer-led,

community-funded organization. Some of the key issues facing its communities are housing instability and homelessness. As its communities rapidly gentrify, and cost of living increases, UN35's neighbors struggle to stay in its neighborhoods. Bring Chicago Home would ensure that there's a path to house unhoused neighbors, while also making homeownership more accessible for our low and moderate income residents.

Access Living is a disability rights and services organization based in Chicago. It serves and advocates for people with all types of disabilities, especially disabled people of color. It has a longstanding history of disability civil rights advocacy in housing, including two pending lawsuits against the City of Chicago related to lack of accessibility in City-funded affordable housing and homeless shelters.

15th Ward Neighbors is a community and political organization based in Chicago's 15th Ward which has been organizing in support of the referendum. It is made up of everyday Chicagoans who live, work, and advocate for a 15th Ward where working families can thrive. It believes policy in the city of Chicago has historically discriminated against members of marginalized communities, directly contributing to the disinvestment and crisis levels of homelessness and lack of affordable housing that seen in the 15th Ward today.

50th Ward United Working Families is a chapter of United Working Families based in the 50th Ward where its members live, work, and organize with neighbors to ensure that all Chicagoans have high-quality schools, affordable homes, community input in their government, city services that work, and other essential resources that have long been neglected in the neighborhood. It has partnered with the Bring Chicago Home

coalition to door-knock, petition, phone bank, fundraise, and more to push for a Chicago that leaves no person behind.

The 22nd Ward IPO is a Chicago-based independent political organization that resolves to work for accountable, democratic, responsive and effective government in the 22nd Ward and on the Southwest Side of Chicago. The 22nd Ward IPO provides and promotes meaningful political representation by nominating and supporting candidates for public office at all levels (ward, city, county, state, and federal) who represent the best interest of our communities.

The American Postal Workers Union (APWU) represents more than 200,000 USPS employees and retirees, and nearly 2,000 private sector mail workers. For more than four decades, APWU has fought for dignity and respect on the job for the workers it represents, as well as for decent pay and benefits and safe working conditions. As an AFL-CIO affiliate, the APWU supports the struggle for social and economic justice for all working families. It supports the Bring Chicago Home referendum.

Alvin Boutte is the CEO of a leading charter school in Chicago, Bronzeville Academy. He has watched as his school's families are constantly displaced by gentrification and the rising cost of living. He believes Bring Chicago Home is necessary to right size the housing market.

Reverend Jason Coulter is a pastor and faith leader who lives in the 49th Ward. He feels strongly that an enduring solution to homelessness requires a permanent funding stream to provide housing and services for our unhoused neighbors. He supports giving Chicago the chance to vote on the referendum.

Rabbi Suzanne Griffel of is a community rabbi who lives in the 46th Ward. She is concerned about homelessness in her neighborhood and the city as a whole, and believes more should be done to make sure all Chicagoans have permanent, secure housing.

Rabbi Steven Philp is an Associate Rabbi of Mishkan, a Chicago congregation. He believes in the Jewish tradition, which teaches that all of us are obligated to share our resources with those most in need, whether we have a lot or have very little. He believes that when we come together as a community, we are able to provide for all. He believes that decisions about when and where to practice this obligation belong to the people as a whole—and thus should be put to a city-wide vote.

Rabbi Scott Gellman is the Rabbi of Temple Sholom of Chicago. His synagogue runs a weekly meal that serves hundreds of homeless people each month. He believes the people he serves are greatly in need of more resources and access to affordable housing.

Reverend David H. Messner of First Unitarian Church of Chicago is a parish minister, and the people he serves include both those living on the streets and those living in two-million-dollar houses. Conscious of that, he feels Chicago would be better off if all residents has a roof over their heads and the basic necessities of life. He believes it is consistent with our absolute moral obligations and collective interest as Chicagoans.

Equity and Transformation is a Chicago-based organization whose mission is the build social and economic equity for Black informal workers. It believes that there is no pathway to achieving that equity without increasing housing access.

Justice Informed is a Chicago-based social impact consultancy that believes the ideas, needs, histories, and truths of those holding historically marginalized identities, as

well as those negatively impacted by actions and practices of profit-first business leaders, must be engaged by all persons, companies, nonprofits, and communities. It believes housing is a human right.

State Senator Robert Peters is the state senator for Illinois' 13th senate district. He supports the "Bring Chicago Home" resolution because he believes that everyone in Chicago deserves housing, and that we can find real, budget-friendly solutions to homelessness and affordable housing.

State Representative Will Guzzardi is the state representative for Illinois' 39th house district, and is the Chair of the Housing Committee in the Illinois House of Representatives. He knows that voters in his community are eager to weigh in on this question, and that the City of Chicago desperately needs resources to end homelessness and create affordable housing. He believes his constituents deserve to have their voices heard on this vital question.

State Senator Lakesia Collins is the state senator for Illinois' 5th senate district. She is a Chicago native who experienced homelessness as a youth and struggled to keep up with the rent. She knows that for far too long, Chicago has left so many unhoused, and she knows first-hand the domino effects of being unhoused. She believes that we need to change the narrative and add balance to Chicago, where the unhoused—which is predominantly affecting African American communities—have access to good quality, affordable housing. She believes that we cannot believe in democracy when we lock out the voices who are most impacted by a decision that swayed to those who have intentions of securing housing for those in need. She strongly supports the referendum.

State Representative Kelly Cassidy is the state representative for Illinois' 14th house district. As a state representative, she has been actively engaged in seeking policy solutions to address the housing crisis. Further, in her capacity as 49th Ward Democratic Committeeperson, her organization has been working to raise awareness of the ballot initiative and grow support for it in her community.

State Representative Lindsey LaPointe is the state representative for Illinois' 19th house district, on the Northwest Side of Chicago. She has an interest in this case as many of her constituents are in need of more resources for affordable housing. She believes affordable housing is a right, and that we owe it to our communities to increase access.

State Representative Lillian Jimenez is the state representative for Illinois' 4th house district, which covers West Town, Humboldt Park, West Humboldt Park, and parts of North Austin and Hermosa. The communities she serves are experiencing skyrocketing housing costs and an increase in homelessness. She believes our communities deserve affordable housing options and housing supports that enable them to live and thrive in Chicago.

State Representative Camille Lilly is the state representative for Illinois' 78th house district. The communities she serves are experiencing skyrocketing housing costs and an increase in homelessness. She believes our communities deserve affordable options and housing supports that enable them to live and thrive in Chicago.

Commissioner Tara Stamps is the Cook County Commissioner for the 1st district, and believes housing is a human right that everyone deserves. She believes that

corporations have benefitted from the end of public housing and the lack of caps on rent. She believes that they need to pay their fair share.

Commissioner Josina Morita is the Cook County Commissioner for the 13th district, and as a commissioner represents residents of the City of Chicago. The residents he represents are in great need of more resources for affordable housing.

Commissioner Anthony Quezada is the Cook County Commissioner for the 8th district, on Chicago's Northwest Side. Housing affordability and access is one of the most important issues impacting residents of his district. He believes that the solution to homelessness and housing instability is safe, permanent affordable housing. He strongly supports the Bring Chicago Home referendum question to appear on the March 19 ballot and want the voices of his residents to be heard.

Treasurer Melissa Conyears-Ervin is the Treasurer for the City of Chicago. She has seen firsthand the need for a revenue stream to fund the services needed to help families dealing with homelessness in Chicago.

Alderman Michael D. Rodriguez represents Chicago's 22nd Ward and was a supporting vote in the Chicago City Council for placing the Bring Chicago Home referendum on the March 19, 2024 ballot. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderman Byron Sigcho Lopez represents Chicago's 25th Ward, where residents are struggling to make ends meet, where too many people—including children—are unhoused. He believes we must allow voters to weight in on critical issues like those at issue in the referendum. He believes over 80,000 Chicagoans, including over

20,000 children in the Chicago Public Schools, need a dedicated revenue stream to address decades of disinvestment in housing.

Alderman Angela Clay represents Chicago's 46th Ward and was a supporting vote in the Chicago City Council which placed the Bring Chicago Home referendum on the March 19, 2024 ballot. She has an interest in this case because she believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which she serves.

Alderman Julia Ramirez represents Chicago's 12th Ward and was a supporting vote in the Chicago City Council which placed the Bring Chicago Home referendum on the March 19, 2024 ballot. She has an interest in this case because she believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which she serves.

Alderman Walter Burnett Jr. represents Chicago's 27th Ward and co-sponsored the ordinance which led to the Bring Chicago Home referendum.

Alderman Jeylu B. Gutierrez represents Chicago's 14th Ward. She supports the referendum.

Alderman Leni Manaa-Hoppenworth represents Chicago's 48th Ward and co-sponsored the measure in the Chicago City Council which placed the Bring Chicago Home referendum on the March 19, 2024 ballot. She has an interest in this case because she believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which she serves.

Alderman Daniel La Spata represents Chicago's 1st Ward and was a supporting vote in the Chicago City Council for the measure that placed the Bring Chicago Home

referendum on the March 19, 2024 ballot. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderman William Hall represents Chicago's 6th Ward and was a supporting vote in the Chicago City Council for the measure that placed the Bring Chicago Home referendum on the March 19, 2024 ballot. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderman Lamont Robinson represents Chicago's 4th Ward and was a supporting vote in the Chicago City Council for the measure that placed the Bring Chicago Home referendum on the March 19, 2024 ballot. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderwoman Jessie Fuentes represents Chicago's 26th Ward and is a strong supporter of the referendum. She believes creating a permanent revenue stream is imperative to supporting Chicagoans experiencing homelessness, including 17,000 unhoused young people. She believes Chicagoans and the City Council want Bring Chicago Home to become a reality, because everyone deserves a home, and that the People deserve to vote on this initiative.

Alderwoman Rossana Rodríguez Sánchez represents Chicago's 33rd Ward, supports the referendum, and believes the people of Chicago deserve to be able to vote on this urgent initiative.

Alderman Desmon Yancy represents Chicago's 5th Ward. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderman Jason C. Ervin represents Chicago's 28th Ward. He was a supporting vote in the Chicago City Council for the measure that placed the Bring Chicago Home referendum on the March 19, 2024 ballot. He has an interest in this case because he believes Plaintiffs have sought to interfere with the legislative process of the Chicago City Council in which he serves.

Alderwoman Ruth Cruz represents Chicago's 30th Ward. She voted "yes" on the referendum proposal at the City Council in November 2023. She believes it is critical to have the necessary funding to offer affordable housing and related services for Chicago's unhoused population and those in need.

Alderman Ronnie L. Mosley represents Chicago's 21st Ward, and is the alderman of the area containing among the city's largest unhoused population. He supports the referendum.

Leonardo Quintero is the Chair of Chicago's 12th Police District Council. He has worked in violence prevention for over 18 years and believes that providing equitable housing options and resources is key to lowering the overall crime rates throughout the city. He believes Bring Chicago Home is key to ensuring that these resources and options are available to Chicago residents.

David Orlikoff serves on Chicago's 14th Police District Council. He believes that we cannot arrest our way to safe neighborhoods, and that the city will only be safe when

people have what they need, starting with universal access to public and affordable housing.

Deirdre O'Connor serves on Chicago's 20th Police District Council. As a newly elected official and longtime Chicagoan, she feels strongly that Bring Chicago Home should be on the ballot, and that her unhoused neighbors deserve the dignity and resources to be able to go from shelters and the street to supportive housing.

Chloe Vitale serves on Chicago's 12th Police District Council and believes in the well-established correlation between housing access and crime rates. She believes the funds to be obtained through the referendum's proposed RETT increase will thus address not only homelessness, but crime, as well.

Eric Russell is the Chair of Chicago's 6th Police District Council and firmly supports the referendum, recognizing its critical role in addressing Chicago's housing crisis.

Erin Vogel serves on Chicago's 9th Police District Council and has an interest in this case because she believes equitable, safe, and accessible housing is a massive factor in community safety. She believes the referendum is a major step for public safety.

Elizabeth A. Rochford serves on Chicago's 17th Police District Council and supports the referendum because she believes public safety is tied to housing.

Ponchita Moore serves on Chicago's 5th Police District Council and firmly supports the Bring Chicago Home referendum, recognizing its critical role in addressing the city's housing crisis.

Elianne Bahena serves on Chicago's 10th Police District Council and is a lifelong resident of Little Village. She is familiar with the needs of her community when

it comes to public safety and housing, and believes the referendum is a vital initiative that will address and offer compassionate solutions to support communities across the city.

David Boykin serves on Chicago's 6th Police District Council, and believes the constituents of his police district need more affordable housing.

Alexander Perez serves on Chicago's 2nd Police District Council and supports the referendum.

Alees Edwards serves on Chicago's 11th Police District Council and is a community organizer that has worked to advocate for more opportunities for underserved communities. Edwards believes housing is a basic right and supports the referendum.

Paul Rosenfeld is the 47th Ward Democratic Committeeperson. While his community is not poor and homelessness is a bigger issue in other wards, he believes that we must all rise up to help the unhoused. He supports the Bring Chicago Home referendum.

Not Me We is a Chicago-based grassroots organization that organizes black, poor, and working-class community members in order to build grassroots infrastructure that allows for collective and individual repatriation of resources and power in South Shore and adjacent neighborhoods. Not Me We's primary tactic in addressing this is by organizing those who are homeless or on the cusp of homelessness to prevent the issue.

People United for Action is an organization dedicated to ensuring political participation on all levels to impact the electoral and policymaking process in Chicago and Illinois. It supports the referendum and believes housing is a human right.

Lugenia Burns Hope Center develops the civic engagement of residents in Chicago's Bronzeville neighborhood, and other communities, through education,

leadership development, and community organizing. It believes in community development by developing the community's most precious asset, its people. It supports the counting of the votes on the referendum.

FACTUAL AND PROCEDURAL BACKGROUND

The Bring Chicago Home initiative launched in 2018 with a goal of using an increase in the RETT to fund desperately-needed anti-homelessness efforts. Organizers brought together organizations separated by geography, race, class, and mission to fight for this goal. Many of the amici supported this effort directly and indirectly over the past several years. Success, however, was far from a given, and required organizers to spend significant time, energy, and resources to convince initially-skeptical aldermen to support the proposal. Thus, the original version of the Bring Chicago Home proposal did not pass in the Chicago City Council in 2021, 2022, and the opening months of 2023. (C 14-15, Complaint, ¶¶ 29-32.)

Those difficult years of organizing finally bore fruit on November 7, 2023. With a new mayor in place, who had been voted into office based in part on his promise to pass the measure, the Chicago City Council passed Resolution R2023-4166 by a vote of 32-17. This resolution authorized a referendum required under state law for local legislation that would increase a home rule municipality's RETT. *See* 65 ILCS 5/8-3-19(d). The Board of Elections then approved the following referendum for the March 19, 2024 ballot:

Amending the Real Estate Transfer Tax

Shall the City of Chicago impose: 1) a real estate transfer tax decrease of 20% to establish a new transfer tax rate of \$3 for every \$500 of the transfer price, or fraction thereof, for that part of the transfer price under \$1,000,000 to be paid by the buyer of the real estate transferred unless the buyer is

exempt from the tax solely by operation of state law, in which case the tax is to be paid by the seller; AND (2) a real estate transfer tax increase of 166.67% to establish a new transfer tax rate of \$10 for every \$500 of the transfer price or fraction thereof, for that part of the transfer price between \$1,000,000 and \$1,500,000 (inclusive) to be paid by the buyer of the real estate transferred unless the buyer is exempt from the tax solely by operation of state law, in which case the tax is to be paid by the seller; AND (3) a real estate transfer tax increase of 300% to establish a new transfer tax rate of \$15 for every \$500 of the transfer price, or fraction thereof, for that part of the transfer price exceeding \$1,500,000 to be paid by the buyer of the real estate transferred unless the buyer is exempt from the tax solely by operation of state law, in which case the tax is to be paid by the seller? The current rate of the real estate transfer tax is \$3.75 per \$500 of the entire transfer price, or fraction thereof, and the revenue is used for general corporate purposes. The revenue from the increase (the difference between revenue generated under the increased rate and the current rate) is to be used for the purpose of addressing homelessness, including providing permanent affordable housing and the services necessary to obtain and maintain permanent housing in the City of Chicago.

Yes or No

(Id.) This was not a set of three proposals, but rather, was a unified proposal with component parts. Together, these parts would move the RETT in Chicago to a graduated “progressive” model, producing a net increase in revenue to be used for the public purpose of addressing homelessness.

Plaintiffs in the underlying action, led by the Building Owners and Managers Association (BOMA), did not race to the courthouse to challenge the legality of the resolution. Instead, they waited almost two months to file suit against the Chicago Board of Elections. The Plaintiffs are individuals, companies and organizations that own or have interests in buying, developing, and selling commercial real estate and apartment buildings across Chicago. (C 11-13, Complaint ¶¶ 6-20.) Chief among them is BOMA, an

association that “represent[s] the interests of Chicago office building owners and managers, as well as companies that” service said buildings. *Bldg. Owners & Managers Ass’n of Chicago v. City of Chicago*, 513 F. Supp. 3d 1017, 1022 (N.D. Ill. 2021).

Plaintiffs moved for judgment on the pleadings shortly after filing suit, and asked for an injunction that would bar counting the votes on Bring Chicago Home. On February 23, 2024, the Circuit Court granted Plaintiffs’ request for an injunction “suppressing any votes cast for or against the referendum,”¹ but did not explain its reasoning in open court. Further, the Circuit Court’s written order—issued on February 26, 2024—provided no reasoning for its decision. Defendants’ expedited appeal followed.

ARGUMENT

Plaintiffs, and without explanation, the Circuit Court, have chosen to read the Municipal Code to leave voters in the cold. Plaintiffs, the beneficiaries of the current flat system, fear that they cannot win the public argument about the referendum, and so they have fought to undermine the letter and intent of the Municipal Code in a way that silences the public. *Amici* are working hard to educate the public and encourage them to turn out and exercise their right to vote and be heard. (So are Plaintiffs, who have spent untold sums of money to fight the referendum—as is their right in a democracy.) The Circuit Court’s ruling is not only wrong on the law: if upheld, it will disenfranchise every Chicago voter who wants to express their position on this issue at the ballot box.

The Circuit Court’s hasty decision has undermined the referendum process, but this Court has an historic opportunity to act quickly and right this wrong. *Amici* ask that

¹ This description of the requested injunction is quoted from the Conclusion of Plaintiffs’ Memorandum of Law in Support of Their Motion for Judgment on the Pleadings in the Circuit Court, on page thirteen. (C 64.)

this Court do so, because the Bring Chicago Home referendum is a clear, specific proposal made in accordance with state law and basic democratic principles in Illinois.

I. THE LANGUAGE AND INTENT OF THE STATE MUNICIPAL CODE'S REQUIREMENTS FOR RETT REFERENDA SUPPORTS REVERSAL.

A key error in the Circuit Court's decision and the Plaintiffs' principal case is one of statutory interpretation. The goal of statutory interpretation is to give effect to the legislature's intent. *People v. Lane*, 2023 IL 128269, ¶ 11. This process starts by looking at the plain and ordinary meaning of the statutory language, read "in light of the subject it addresses and the apparent intent of the legislature in enacted it." *Id.*

The controlling statute in this case is not complex and plainly promotes the voters' role in RETT changes. 65 ILCS 5/8-3-19 is a portion of the Illinois Municipal Code governing RETTs for home rule municipalities like Chicago. In relevant part, subsection (d) of the statute provides that "no home rule municipality shall impose a new real estate transfer tax after the effective date of this ... Act ... without prior approval by referendum." Subsection (d) further provides, in relevant part, that an existing transfer tax "may" be "amended without approval by referendum if the amendment does not increase the rate of the tax[.]" In this case, the Circuit Court appears to have adopted Plaintiffs' argument that the language of the Bring Chicago Home referendum violates 65 ILCS 5/8-3-19(d) because it does not simply ask voters to cast ballots regarding a tax increase on sales of \$1 million or more, but also asks for approval of a tax *reduction* on sales under \$1 million.

This reasoning fundamentally adds words and requirements not found in the text of the statute. Subsection (d) requires a referendum prior to implementing RETT increases, and permits—but does not require—a referendum prior to a decrease. Nothing

in the statute *prohibits* a covered home rule municipality from pairing an increase with a decrease—or more accurately in this case, changing from a flat tax to a progressive tax, which will result in some property sellers paying more in taxes and the vast majority paying less, producing a net “increase” in revenue and requiring a referendum.

Interpreting “may” in the RETT decrease portion of subsection (d) to mean “may, unless a proposed decrease is paired with a simultaneous RETT increase for some taxpayers” would render the General Assembly’s use of the term “may” pointless. *Lane*, 2023 IL 128269, ¶ 11 (“No part of a statute should be rendered ... superfluous.”)

The General Assembly knows how to make referendum requirements mandatory when it wants, as shown by the way they treated tax increases versus decreases in 65 ILCS 5/8-3-19(d). Further, the General Assembly knows how to strictly limit the subjects of ballot measures when it wants to. *See, e.g.*, 55 ILCS 5/5-44025(e) (expressly limiting municipal dissolution referenda to a specific question about whether or not a local governmental unit should be dissolved); 10 ILCS 5/28-1 (“[A] community mental health public question may not be placed on the 2024 primary or general election ballot in the same township where a community mental health public question was approved on the 2022 general election ballot”); 10 ILCS 5/28-8 (expressly limiting home rule referenda to a specific question about a municipal body becoming a home rule unit); 10 ILCS 5/28-3 (limiting public question ballot measures to one question per petition). Because the legislature did not expressly prohibit combining a change in the real estate transfer tax that will cause a tax increase for some and a tax decrease for others, as a home rule unit Chicago has the right to certify a ballot measure that does so. Ill. Const., art. VII sec. 6(m) (home rule units have the “power to ... tax”); *Palm v. 2800 Lake Shore Drive*

Condominium Ass’n, 2013 IL 110505, ¶¶ 29, 31 (section 6 was intended to give home rule units the broadest powers possible, restricted only by “express” limits imposed by the General Assembly); *see also* Congressional Research Service, *Statutory Interpretation: Theories, Tools, and Trends*, at 51 (Mar. 10, 2023) (describing canon of *casus omissus pro omisso habendust est*, or, a matter not covered by a statute is treated as intentionally omitted); *Hoagland v. Crum*, 113 Ill. 365 (1885) (referring to use of *casus omissus* interpretative canon); *McMurphy v. Boyles*, 49 Ill. 110 (1868) (same).

Even if the Court does not apply the law to the whole “increase” proposed in the referendum, and separates the proposal into components, it is clear that the statute permits a referendum of this structure given the background of 65 ILCS 5/8-3-19. The law was adopted in 1996 at the end of the 89th General Assembly. It followed then-Cook County Board President John Stroger’s proposal—withdrawn days later—to raise the county’s transfer tax by 1,400%, a part of a trend in that era of local governments moving to raise the RETT.² The General Assembly, its attention fully trained on the issue, clearly wanted to limit local governments’ ability to raise the RETT without voter approval. However, it left those same governments leeway to decide how RETT *reductions* would be presented to constituents, allowing but not requiring a referendum. Thus, through its silence, the General Assembly plainly did not intend to prohibit what Bring Chicago Home proposes: a move from a flat transfer tax to a progressive transfer tax, which pairs a tax increase for some with a tax decrease for most.

² Staff Reports, *Transfer Tax Revolt Sends Aftershocks*, Chi. Trib. (Dec. 29, 1996) <https://www.chicagotribune.com/1996/12/29/transfer-tax-revolt-sends-aftershocks/>; Laura Zahl Pohl, *Trustees Protect Powers on Real Estate Transfer Tax*, Chi. Trib. (Dec. 18, 1996), <https://www.chicagotribune.com/1996/12/18/trustees-protect-powers-on-real-estate-transfer-tax/>.

Plaintiffs’ and the Circuit Court’s view is an affront to the role the General Assembly envisioned voters would play in the RETT-setting process. Under their view, voters have the right to vote on RETT increases, but lack the right—and indeed, are functionally forbidden—from voting either on (i) RETT decreases, and/or (ii) moving to a progressive RETT where most residential property sellers pay less, as the Bring Chicago Home referendum proposes. This is contrary to 65 ILCS 5/8-13-19’s basic and most obvious goal: increasing citizens’ say in their local governments making *any* changes to the RETT.

Finally, the Circuit Court’s reasoning for disallowing Bring Chicago Home produces a bizarre, unjust result. *Cassidy v. China Vitamins, LLC*, 2018 IL 122873, ¶ 17 (interpretation of a statute “must fail if it yields absurd, inconvenient, or unjust results.”) Under the lower court’s reading of 65 ILCS 5/8-3-19(d), Chicago could convert to a progressive transfer tax system without altering the amounts of the tax, and then hold a referendum on increasing the tax for higher-value sales only; or, it could raise the transfer tax on all sales following a referendum, then convert to a progressive transfer tax system and lower the tax on all sales under \$1 million. Yet a referendum asking for voter consent regarding *every* aspect of this proposal somehow violates the law, because referenda on transfer tax decreases are permissive under 65 ILCS 5/8-3-19(d) and not mandatory? This Court must avoid interpreting this statute to create such absurdities.

The language, intent, and history of the transfer tax referendum provision of the Illinois Municipal Code fully permits the type of referendum embodied by Bring Chicago Home. In fact, if properly treated as a referendum as a package that produces a revenue “increase,” the Municipal Code requires it. The statute emphatically endorses the role of

voters in deciding whether this referendum should become law. The Circuit Court’s decision was in error and should be reversed.

II. THE CIRCUIT COURT’S DECISION HARMS THE PEOPLES’ RIGHT TO HAVE THEIR SAY

To the extent the Circuit Court’s unstated reasoning for issuing the injunction relies on the concept of “logrolling”—or combining multiple, unrelated provisions in a single legislative proposal—it was in error. In fact, the referendum is a straightforward question about moving to a progressive RETT system to fund “permanent affordable housing and the services necessary” to provide and maintain such housing, per its language. Plaintiffs’ arguments on this point rely on a complete misrepresentation of what “logrolling” actually is. The concept does not even apply to this referendum—and if it did, the referendum is not logrolling because the Bring Chicago Home proposal is specific, on a single subject, and does not combine popular and unpopular measures.

A. The Concept of Logrolling Does Not Apply To This Referendum.

In the lower court, Plaintiffs cited no authority for the proposition that the logrolling concept even applies to a local RETT referendum under 65 ILCS 5/8-3-19. The body of law defining and applying the concept of logrolling stems from the provision in the Illinois Constitution requiring the General Assembly to limit the matters in legislation to a “single subject.” Ill. Const., art. IV, section 8(d). On its face, the provision applies to the General Assembly and not to local lawmaking. There is no precedent or authority for applying it to local lawmaking. *See* Michael J. Kasper, *Using Article IV of the Illinois Constitution to Attack Legislation Passed By the General Assembly*, 40 Loy. U. Chi. L.J. 847, 848-56 (2009) (exhaustive study of single subject law in Illinois identifies no connection to local lawmaking). Nevertheless, Plaintiffs’ argument here is that a

constitutional provision that does not apply should trump the clear instruction and preference in the Municipal Code for the voters to decide on the referendum.

The only way that logrolling precedents might apply here is as a prudential guide for courts in evaluating whether to allow a referendum to go to the voters. There is no authority allowing a court to stop a local referendum out of such prudential concerns, but, applying single subject jurisprudence here as a guide forcefully shows how erroneous the Circuit Court's decision was. The first principles that apply in cases attacking the constitutionality of state legislation (where the single subject rule does apply) are that a statute is presumed to be constitutional, and therefore there is a heavy burden on those attacking it to show that it violates the constitution. *Indep. Voters of Ill. Indep. Precinct Org. v. Ahmad*, 2014 IL App (1st) 123629, ¶ 38; *People v. Shephard*, 152 Ill. 2d 489, 499, 605 N.E.2d 518, 523 (1992). In particular, as to the single subject constitutional requirement, it is Plaintiffs' "substantial burden" to show that the statutory provisions alleged to violate the requirement "bear no natural or logical connection to a single subject." *People v. Malchow*, 193 Ill. 2d 413, 428, 739 N.E.2d 433 (2000). Without meeting this burden regarding the single subject requirement, plaintiffs have no path to any legitimate claim of "logrolling", which is not a concept that exists separate from its source in the single subject requirement. *Wirtz v. Quinn*, 2011 IL 111903, ¶ 13; *Arangold v. Zehnder*, 187 Ill.2d 341, 351-52, 718 N.E.2d 191, 197-98 (1999).³

³ An excellent summary of the state of the law in Illinois on the single subject rule can be found in the recent opinion of the Circuit Court of the 23rd Judicial Circuit in Kankakee County, in the case involving the SAFE-T Act legislation that eliminated cash bail in Illinois. *Rowe v. Raoul*, 2022 Ill. Cir. LEXIS 1380, *4 (Dec. 28, 2022). While not controlling here, the opinion is a fine example of how a circuit court should analyze and apply the governing precedents in a case involving the single subject requirement.

The single subject of this referendum is the transfer tax. All components of the referendum naturally and logically relate to the transfer tax and nothing else. So the single subject requirement is met, and since it is met there is no danger of impermissible logrolling. In other words, plaintiffs cannot meet their “substantial burden” by simply making the conclusory assertion that “this is logrolling”. But that is all they did below.

There is a condescending paternalism to the arguments Plaintiffs offered on this point and the Circuit Court apparently accepted. Plaintiffs made no serious attempt below to address this key question: What is it about this RETT reform package that makes it inappropriate for the voters to vote on, as intended in the Municipal Code? The answer is nothing. Voters can figure this one out quite easily and are not the dupes Plaintiffs have painted them to be—the U.S. Supreme Court has repeatedly warned against assuming voters are easily misled. *Wash. State Grange v. Wash. State Republican Party*, 552 U.S. 442, 444 (2008) (“Our cases reflect a greater faith in the ability of individual voters to inform themselves about campaign issues.”) (quoting *Tashjian v. Republican Party*, 479 U.S. 208, 220 (1986)); *Anderson v. Celebrezze*, 460 U.S. 780, 797 (1983) (same). Chicagoans will not be unfairly seduced by a RETT decrease that most of them will not immediately benefit from (because most of them are renters) in order to support a RETT increase that will not immediately harm them (because most of them are not going to make million-plus dollar real estate purchases).⁴ They are capable, too, of understanding

⁴ Institute for Housing Studies at DePaul University, *2023 State of Rental Housing in the City of Chicago* (June 28, 2023) (per federal American Community Survey data-based report, “between 54 and 58 percent of Chicago households” rent), available at <https://www.housingstudies.org/releases/2023-state-rental-housing-city-chicago/>; U.S. Census Bureau, “QuickFacts, Chicago city, Illinois,” (last visited Feb. 29, 2024) (\$71,673 median household income in Chicago), available at <https://www.census.gov/quickfacts/fact/table/chicagocityillinois/LND110210>.

a proposition that makes the overall transfer tax system fairer and more productive of needed revenue for an important purpose: providing permanent supportive housing to the homeless.

B. The Referendum Is A Single Measure To Reform The Transfer Tax And Increase Revenues—It Is Not “Logrolling.”

The core of Plaintiffs’ argument below leaned heavily on describing the referendum as “logrolling”. The argument was threadbare and amounted to just calling the referendum by this bad name. There is not much else to support it: there is window-dressing in the briefs, but the nub of it is in the Complaint, paragraph 42, where there is the following bald assertion: “[The referendum] is a textbook example of logrolling. It combines a popular idea (lowering taxes) with an unpopular idea (raising taxes) in order to carry the unpopular idea to passage.” (C 16.) The complaint then cites the legislative history of Bring Chicago Home, during which earlier versions of the referendum that did not include a tax decrease component failed, as evidence of the relative “popularity” of the increases and decreases. Therefore, say the Plaintiffs, the referendum is “logrolling”.

The referendum asks Chicago voters to vote on a tight package of provisions that (i) reforms the RETT in Cook County, moving from a flat to a progressive or “graduated” system, and (ii) raises the current 0.75 percent RETT for property sales at or above \$1 million, while lowering them for the 90-plus percent of sales under \$1 million. Each of the provisions in the referendum involves the components of this reform, and as a package produce not only a graduated or progressive model, but also produce a higher level of total revenue. This, in the words of the Municipal Code, is a net RETT “increase”. 65 ILCS 5/8-3-19(d).

The referendum is not logrolling. As described above, the referendum is one reform with component parts, all closely related to a single subject. It asks the voters to decide if they want to switch to a graduated or progressive system that produces increased revenue. There is no trade-off of unrelated provisions. They are part of a cohesive whole.

Moreover, none of the provisions are “unpopular.” Below, Plaintiffs cited to the legislative history of Bring Chicago Home, arguing that because early versions of the reform package did not include the tax decrease feature, and those versions did not pass, the tax increase feature is “unpopular” and could only ever pass by being combined with the tax decrease. The legislative history is not the sole or even a good measure of popularity for component parts of a referendum that must work its way through the usual ups and downs of the politics, procedures, internal rivalries and working-up processes of a legislative chamber. Different versions come and go routinely until a legislative body settles on a final product.

The attitudes of voters are a much better measure for assessing whether a referendum might suffer from a logrolling problem worthy of prudential concern by the Court (even assuming it is proper for a court to reject a referendum based on such concerns). A recent review of Gallup and other polls showed that progressive taxation is solidly popular in the United States, particularly among Democrats (dominant in Chicago), with favorable percentages well into the 70s. Frank Newport, *Average American Remains OK with Higher Taxes on Rich*, Gallup (Aug. 12, 2022), available at <https://news.gallup.com/opinion/polling-matters/396737/average-american-remains-higher-taxes-rich.aspx>. Closer to home, in November 2020, 71% of Chicagoans voted yes

on the Illinois constitutional amendment referendum to adopt a progressive income tax for the state. Alexandra Arriaga, *Map: How All of Illinois Voted on a Graduated Income Tax*, City Bureau (Dec. 22, 2020), available at <https://www.citybureau.org/newswire/2020/12/22/fair-tax-map-followup>. The concept of a progressive tax system, with some increases and decreases joined together to produce a new system, is thus deeply popular in Chicago and something voters were recently exposed to in the electoral arena. (And to which they said “yes,” in Chicago.) Thus, the most basic element of logrolling is absent—there is no provision that is unpopular.

The Municipal Code squarely gives the say-so on whether to enact this reform to the voters. They get to decide whether the system should produce an “increase”. They will no doubt factor into their decision whether they prefer a progressive tax system over the current one-size-fits-all flat system. That voters have the power to consider the alternatives and decide the outcome is at the heart of the Municipal Code’s intentions.

CONCLUSION

Across Chicago, voters are paying attention to this referendum with deep interest. Both Plaintiffs and *amici* have been hard at work educating voters about “Bring Chicago Home.” Voters on both sides of the issue are ready and excited. The Court should leave the issue with those voters, where it belongs.

For the foregoing reasons, *amici* respectfully request that the Appellate Court reverse the Circuit Court, lift the injunction, and allow Chicagoans to have their say on this matter of vital importance to the 2.7 million people who call it “home.”

Dated: March 1, 2024

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rule 345. I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or works contained in the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 49 pages or 13,833 words.

Dated: March 1, 2024

/s/ Daniel J. Schneider

CERTIFICATE OF SERVICE

I, Daniel J. Schneider, an attorney, certify that on March 1, 2024, I caused the foregoing document to be submitted to the Clerk of the Supreme Court of Illinois by filing said documents using the Odyssey eFileIL system.

I further certify that on March 1, 2024, I caused a copy of the above-named motion and brief to be served upon counsel of record listed below through the filing manager, Odyssey EfileIL, and via electronic mail, to the following counsel of record:

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Pursuant to First District Local Rule 22, and upon acceptance of the electronic brief for filing as required, I certify that I will cause five copies of the file-stamped Motion Of Chicago Community And Public Interest Organizations And Community Leaders To File A Brief Instante As Amicus Curiae In Support Of Appellants to be transmitted to the Court within five days of electronic notice of acceptance.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

/s/ Daniel J. Schneider