

**As Introduced**

**132nd General Assembly  
Regular Session  
2017-2018**

**H. J. R. No. 3**

**Representative Brenner**

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**A JOINT RESOLUTION**

Proposing to enact Section 12 of Article VIII of the 1  
Constitution of the State of Ohio to conditionally 2  
authorize the issuance of state obligations to refund 3  
pending school district obligations, to conditionally 4  
waive, beginning in 2020, the requirement that schools 5  
levy property taxes to pay debt charges on their 6  
obligations, and to conditionally authorize a treasury 7  
fund that is restricted exclusively to educational 8  
purposes. 9

Be it resolved by the General Assembly of the State of 10  
Ohio, three-fifths of the members elected to each house 11  
concurring herein, that there shall be submitted to the electors 12  
of the state, in the manner prescribed by law at the general 13  
election to be held on November 5, 2019, a proposal to enact 14  
Section 12 of Article VIII of the Constitution of the State of 15  
Ohio to read as follows: 16

**ARTICLE VIII** 17

Section 12. (A) (1) Except as provided by division (C) of 18

this section, the General Assembly may provide by law, subject 19  
to the limitations of and in accordance with this section, for 20  
the issuance of bonds and other obligations of the state to 21  
refund obligations issued on or before November 5, 2019, of 22  
school districts, county school financing districts, regional 23  
student education districts, and partnerships consisting of 24  
multiple school districts, notwithstanding the applicability to 25  
those obligations of Section 11 of Article XII of the 26  
Constitution of the State of Ohio. This section shall be 27  
implemented in the manner and to the extent provided by the 28  
General Assembly by law, including provision for procedures for 29  
incurring, refunding, retiring, and evidencing state obligations 30  
issued pursuant to this section. Obligations issued under this 31  
section, including obligations issued to refund or retire other 32  
obligations issued under this section, shall mature not later 33  
than the thirty-first day of December of the twentieth calendar 34  
year after the year in which the original obligation to pay was 35  
issued or entered into. The total principal amount of 36  
obligations issued under this section shall be as determined by 37  
the General Assembly and shall not be subject to the limitation 38  
provided for in Section 17 of this article. 39

(2) Obligations issued under this section are general 40  
obligations of the state. The full faith and credit, revenue, 41  
and taxing power of the state shall be pledged to the payment of 42  
the principal of and premium and interest and other accreted 43  
amounts on outstanding obligations as they become due 44  
(hereinafter called debt service). For the purpose of the full 45  
and timely payment of that debt service, appropriate provisions 46  
shall be made or authorized by law for bond retirement funds and 47  
for the sufficiency and appropriation of excises, taxes, and 48  
revenues so pledged to that debt service, for which purpose no 49

further act of appropriation shall be necessary notwithstanding 50  
Section 22 of Article II of the Constitution of the State of 51  
Ohio, and provision shall be made or authorized by law for 52  
covenants to continue the levy, collection, and application of 53  
sufficient excises, taxes, and revenues to the extent needed for 54  
that purpose. The obligations and the provisions for the payment 55  
of debt service on them are not subject to Section 11 of Article 56  
XII of the Constitution of the State of Ohio. 57

(3) Obligations issued under this section, their transfer, 58  
and the interest, interest equivalent, and other income or 59  
accreted amounts on them, including any profit made on their 60  
sale, exchange, or other disposition, shall at all times be free 61  
from taxation within this state. 62

(4) The powers herein granted shall be in addition to and 63  
not in derogation of existing powers of the state. 64

(B) As applicable under division (C) of this section and 65  
notwithstanding Section 11 of Article XII of the Constitution of 66  
the State of Ohio, a school district, county school financing 67  
district, regional student education district, or partnership 68  
consisting of multiple school districts is not required to levy 69  
property tax on or after January 1, 2020, to pay the interest on 70  
obligations issued by the district or partnership. 71

(C) The proceeds of any tax on property levied by the 72  
state for the purpose of funding the primary and secondary 73  
education of students in this state shall be paid into a fund of 74  
the state treasury that shall be used solely to fund the primary 75  
and secondary education of students in this state and to which 76  
other revenue may be credited. 77

(D) The General Assembly shall not issue obligations under 78  
the authority of this section, nor shall division (B) or (C) of 79

this section apply, unless electors approve the levy of a 80  
property tax by the state for the purpose of funding the primary 81  
and secondary education of students in this state at the general 82  
election to be held on November 5, 2019. 83

EFFECTIVE DATE 84

If adopted by a majority of the electors voting on this 85  
proposal, the enactment of Section 12 of Article VIII of the 86  
Constitution of the State of Ohio shall take immediate effect. 87