

As Introduced

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

S. J. R. No. 3

Senator LaRose

A JOINT RESOLUTION

Proposing to amend the versions of Sections 1, 2, 3, 4, 1
6, 8, and 9 of Article XI that are scheduled to take 2
effect January 1, 2021; to amend, for the purpose of 3
adopting new section numbers as indicated in 4
parentheses, the versions of Sections 1(2), 2(3), 5
3(5), 4(6), 5(7), 6(8), 7(9), 8(10), 9(11), and 10(12) 6
of Article XI that are scheduled to take effect 7
January 1, 2021; and to enact new Sections 1 and 4 of 8
Article XI of the Constitution of the State of Ohio to 9
revise the redistricting process for congressional 10
districts. 11

Be it resolved by the General Assembly of the State of 12
Ohio, three-fifths of the members elected to each house 13
concurring herein, that there shall be submitted to the electors 14
of the state, in the manner prescribed by law at the general 15
election to be held on November 7, 2017, a proposal to amend the 16
versions of Sections 1, 2, 3, 4, 6, 8, and 9 of Article XI that 17
are scheduled to take effect January 1, 2021; to amend, for the 18
purpose of adopting new section numbers as indicated in 19
parentheses, the versions of Sections 1(2), 2(3), 3(5), 4(6), 20
5(7), 6(8), 7(9), 8(10), 9(11), and 10(12) of Article XI that 21
are scheduled to take effect January 1, 2021; and to enact new 22

Sections 1 and 4 of Article XI of the Constitution of the State 23
of Ohio to read as follows: 24

ARTICLE XI 25

Section 1. (A) Not later than the first day of August of a 26
year ending in the numeral one, the general assembly may adopt a 27
congressional district plan for the boundaries for the 28
prescribed number of congressional districts as apportioned to 29
this state pursuant to Section 2 of Article I of the 30
Constitution of the United States. If the general assembly 31
adopts a congressional district plan, all of the following shall 32
apply: 33

(1) The congressional district plan shall be adopted in 34
the form of a joint resolution. 35

(2) The joint resolution shall be adopted by each house of 36
the general assembly by one of the following votes: 37

(a) The affirmative vote of a majority of the members of 38
that house, including the affirmative vote of a majority of the 39
members of each of the two largest political parties in that 40
house; 41

(b) The affirmative vote of two-thirds of the members of 42
that house. 43

(3) The congressional district plan shall comply with the 44
requirements of Sections 3, 4, 8, and 9 of this article. 45

(4) The Ohio redistricting commission created in Section 2 46
of this article shall not adopt a congressional district plan, 47
except as required under division (B) of this section or Section 48
11 of this article. 49

(B) If the general assembly does not adopt a congressional district plan on or before the first day of August of a year ending in the numeral one, the Ohio redistricting commission shall adopt a congressional district plan in accordance with this article. 50
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~~Section 1.2.~~ (A) The Except as otherwise provided in Section 1 of this article, the Ohio redistricting commission shall be responsible for the redistricting of this state for congress and for the general assembly. The commission shall consist of the following seven members: 55
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(1) The governor; 60

(2) The auditor of state; 61

(3) The secretary of state; 62

(4) One person appointed by the speaker of the house of representatives; 63
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(5) One person appointed by the legislative leader of the largest political party in the house of representatives of which the speaker of the house of representatives is not a member; 65
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(6) One person appointed by the president of the senate; 68
and 69

(7) One person appointed by the legislative leader of the largest political party in the senate of which the president of the senate is not a member. 70
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No appointed member of the commission shall be a current member of congress. 73
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The legislative leaders in the senate and the house of representatives of each of the two largest political parties represented in the general assembly, acting jointly by political 75
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party, shall appoint a member of the commission to serve as a 78
co-chairperson of the commission. 79

(B) (1) Unless otherwise specified in this article, a 80
simple majority of the commission members shall be required for 81
any action by the commission. 82

(2) (a) Except as otherwise provided in division (B) (2) (b) 83
of this section, a majority vote of the members of the 84
commission, including at least one member of the commission who 85
is a member of each of the two largest political parties 86
represented in the general assembly, shall be required to do any 87
of the following: 88

(i) Adopt rules of the commission; 89

(ii) Hire staff for the commission; 90

(iii) Expend funds. 91

(b) If the commission is unable to agree, by the vote 92
required under division (B) (2) (a) of this section, on the manner 93
in which funds should be expended, each co-chairperson of the 94
commission shall have the authority to expend one-half of the 95
funds that have been appropriated to the commission. 96

(3) The affirmative vote of four members of the 97
commission, including at least two members of the commission who 98
represent each of the two largest political parties represented 99
in the general assembly shall be required for the commission to 100
adopt any congressional or general assembly district plan. For 101
the purpose of this division, a member of the commission shall 102
be considered to represent a political party if the member was 103
appointed to the commission by a member of that political party 104
or if, in the case of the governor, the auditor of state, or the 105
secretary of state, the member is a member of that political 106

party. 107

(C) At the first meeting of the commission, which the 108
governor shall convene only in a year ending in the numeral one, 109
except as provided in Sections ~~8-10~~ and ~~9-11~~ of this article, 110
the commission shall set a schedule for the adoption of 111
procedural rules for the operation of the commission. 112

The commission shall release to the public a proposed 113
general assembly district plan for the boundaries for each of 114
the ninety-nine house of representatives districts and the 115
thirty-three senate districts. If the general assembly does not 116
adopt a congressional district plan on or before the first day 117
of August of a year ending in the numeral one, the commission 118
also shall release to the public a proposed congressional 119
district plan for the boundaries for the prescribed number of 120
congressional districts as apportioned to the state pursuant to 121
Section 2 of Article I of the Constitution of the United States. 122
The commission shall draft the proposed ~~plan-plans~~ in the manner 123
prescribed in this article. ~~Before-~~ 124

Before adopting, but after introducing, a proposed plan, 125
the commission shall conduct a minimum of three public hearings 126
across the state to present the proposed plan and shall seek 127
public input regarding the proposed plan. All meetings of the 128
commission shall be open to the public. Meetings shall be 129
broadcast by electronic means of transmission using a medium 130
readily accessible by the general public. 131

~~The~~ Except as otherwise provided in Section 1 of this 132
article, the commission shall adopt a final congressional 133
district plan and a final general assembly district plan not 134
later than the first day of September of a year ending in the 135
numeral one. After the commission adopts a final plan, the 136

commission shall promptly file the plan with the secretary of 137
state. Upon filing with the secretary of state, the plan shall 138
become effective. 139

Four weeks after the adoption of a general assembly 140
district plan, or, if applicable, four weeks after the adoption 141
of the later of a congressional district plan or a general 142
assembly district plan, the commission shall be automatically 143
dissolved. 144

(D) The general assembly shall be responsible for making 145
the appropriations it determines necessary in order for the 146
commission to perform its duties under this article. 147

Section-2_3. Each congressional district shall be entitled 148
to a single representative in the United States house of 149
representatives in each congress. Each house of representatives 150
district shall be entitled to a single representative in each 151
general assembly. Each senate district shall be entitled to a 152
single senator in each general assembly. 153

Section 4. (A) The whole population of the state, as 154
determined by the federal decennial census or, if such is 155
unavailable, such other basis as the general assembly may 156
direct, shall be divided by the number of congressional 157
districts apportioned to the state pursuant to Section 2 of 158
Article I of the Constitution of the United States, and the 159
quotient shall be the congressional ratio of representation for 160
ten years next succeeding such redistricting. 161

(B) A congressional district plan shall comply with all of 162
the requirements of division (B) of this section. 163

(1) The extent to which each congressional district's 164
population differs from the congressional ratio of 165

representation shall be minimized to the extent practicable, 166
while taking into account other legitimate state objectives in 167
the creation of congressional districts. A congressional 168
district plan may include an explanation of the reason that any 169
district contains a population that is not equal to the 170
congressional ratio of representation. 171

(2) Any congressional district plan shall comply with all 172
applicable provisions of the constitutions of Ohio and the 173
United States and of federal law. 174

(3) Every congressional district shall be composed of 175
contiguous territory, and the boundary of each district shall be 176
a single nonintersecting continuous line. 177

(C) Congressional districts shall be created and numbered 178
in the following order of priority, to the extent that such 179
order is consistent with the foregoing standards: 180

(1) Proceeding in succession from the largest to the 181
smallest, each county containing population greater than one 182
congressional ratio of representation shall be divided into as 183
many congressional districts as it has whole ratios of 184
representation. Any fraction of the population in excess of a 185
whole ratio shall be a part of only one adjoining congressional 186
district. 187

(2) Each county containing population equal to one 188
congressional ratio of representation shall be designated a 189
congressional district. 190

(3) The remaining territory of the state shall be divided 191
into congressional districts by combining the areas of whole 192
counties, municipal corporations, and townships. 193

(D) (1) (a) Except as otherwise provided in divisions (D) (1) 194

(b) and (c) of this section, a county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one district. 195
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(b) If a municipal corporation or township has territory in more than one county, the contiguous portion of that municipal corporation or township that lies in each county shall be considered to be a separate municipal corporation or township for the purposes of this section. 198
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(c) If a municipal corporation or township that is located in a county that contains a municipal corporation or township that has a population of more than one ratio of representation is split for the purpose of complying with division (E) (1) (a) of this section, each portion of that municipal corporation or township shall be considered to be a separate municipal corporation or township for the purposes of this section. 203
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(2) Congressional districts shall be drawn so as to split the smallest possible number of municipal corporations and townships whose contiguous portions contain a population of more than fifty per cent, but less than one hundred per cent, of one ratio of representation. 210
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(3) Where the requirements of divisions (B), (C), and (D) of this section cannot feasibly be attained by forming a congressional district from whole counties, municipal corporations, and townships, not more than one county and not more than one municipal corporation or township may be split per congressional district. 215
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(E) (1) If it is not possible to comply with all of the requirements of divisions (B), (C), and (D) of this section in drawing a particular congressional district, the first action listed below that makes it possible for the commission to draw 221
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that district shall be taken: 225

(a) Notwithstanding division (D) (3) of this section, the 226
district shall be created by splitting two municipal 227
corporations or townships. If it is necessary to choose between 228
more than two municipal corporations or townships, the municipal 229
corporations or townships shall be split in order of population, 230
proceeding from the smallest to the largest. 231

(b) Notwithstanding division (D) (3) of this section, the 232
district shall be created by splitting two counties. 233

(c) Notwithstanding division (C) (2) of this section, the 234
district shall be created by splitting, once, a single county 235
that contains a population equal to the congressional ratio of 236
representation. 237

(d) Notwithstanding division (C) (1) of this section, the 238
district shall be created by including in two districts portions 239
of the territory that remains after a county that contains a 240
population equal to more than one congressional ratio of 241
representation has been divided into as many congressional 242
districts as it has whole ratios of representation. 243

(2) If it is not possible to comply with division (E) (1) 244
of this section in drawing a particular congressional district, 245
the first action listed below that makes it possible to draw 246
that district shall be taken: 247

(a) The district shall be created by taking two of the 248
actions described in divisions (E) (1) (a) to (d) of this section. 249

(b) The district shall be created by taking three of the 250
actions described in divisions (E) (1) (a) to (d) of this section. 251

(c) The district shall be created by taking all four of 252

the actions described in divisions (E) (1) (a) to (d) of this 253
section. 254

(3) If a congressional district is drawn in accordance 255
with division (E) (1) or (2) of this section, the congressional 256
district plan shall include a statement explaining the action or 257
actions taken and the reason for the action or actions. 258

(4) If the requirements of divisions (E) (1), (2), and (3) 259
of this section are met in drawing a district, division (C) (1), 260
(C) (2), or (D) (3) of this section, as applicable, shall not be 261
considered to have been violated in drawing that district, for 262
the purpose of an analysis under division (D) of Section 11 of 263
this article. 264

Section-3_5. (A) The whole population of the state, as 265
determined by the federal decennial census or, if such is 266
unavailable, such other basis as the general assembly may 267
direct, shall be divided by the number "ninety-nine" and by the 268
number "thirty-three" and the quotients shall be the ratio of 269
representation in the house of representatives and in the 270
senate, respectively, for ten years next succeeding such 271
redistricting. 272

(B) A general assembly district plan shall comply with all 273
of the requirements of division (B) of this section. 274

(1) The population of each house of representatives 275
district shall be substantially equal to the ratio of 276
representation in the house of representatives, and the 277
population of each senate district shall be substantially equal 278
to the ratio of representation in the senate, as provided in 279
division (A) of this section. In no event shall any district 280
contain a population of less than ninety-five per cent nor more 281
than one hundred five per cent of the applicable ratio of 282

representation. 283

(2) Any general assembly district plan adopted by the 284
commission shall comply with all applicable provisions of the 285
constitutions of Ohio and the United States and of federal law. 286

(3) Every general assembly district shall be composed of 287
contiguous territory, and the boundary of each district shall be 288
a single nonintersecting continuous line. 289

(C) House of representatives districts shall be created 290
and numbered in the following order of priority, to the extent 291
that such order is consistent with the foregoing standards: 292

(1) Proceeding in succession from the largest to the 293
smallest, each county containing population greater than one 294
hundred five per cent of the ratio of representation in the 295
house of representatives shall be divided into as many house of 296
representatives districts as it has whole ratios of 297
representation. Any fraction of the population in excess of a 298
whole ratio shall be a part of only one adjoining house of 299
representatives district. 300

(2) Each county containing population of not less than 301
ninety-five per cent of the ratio of representation in the house 302
of representatives nor more than one hundred five per cent of 303
the ratio shall be designated a representative district. 304

(3) The remaining territory of the state shall be divided 305
into representative districts by combining the areas of 306
counties, municipal corporations, and townships. Where feasible, 307
no county shall be split more than once. 308

(D) (1) (a) Except as otherwise provided in divisions (D) (1) 309
(b) and (c) of this section, a county, municipal corporation, or 310
township is considered to be split if any contiguous portion of 311

its territory is not contained entirely within one district. 312

(b) If a municipal corporation or township has territory 313
in more than one county, the contiguous portion of that 314
municipal corporation or township that lies in each county shall 315
be considered to be a separate municipal corporation or township 316
for the purposes of this section. 317

(c) If a municipal corporation or township that is located 318
in a county that contains a municipal corporation or township 319
that has a population of more than one ratio of representation 320
is split for the purpose of complying with division (E) (1) (a) or 321
(b) of this section, each portion of that municipal corporation 322
or township shall be considered to be a separate municipal 323
corporation or township for the purposes of this section. 324

(2) Representative districts shall be drawn so as to split 325
the smallest possible number of municipal corporations and 326
townships whose contiguous portions contain a population of more 327
than fifty per cent, but less than one hundred per cent, of one 328
ratio of representation. 329

(3) Where the requirements of divisions (B), (C), and (D) 330
of this section cannot feasibly be attained by forming a 331
representative district from whole municipal corporations and 332
townships, not more than one municipal corporation or township 333
may be split per representative district. 334

(E) (1) If it is not possible for the commission to comply 335
with all of the requirements of divisions (B), (C), and (D) of 336
this section in drawing a particular representative district, 337
the commission shall take the first action listed below that 338
makes it possible for the commission to draw that district: 339

(a) Notwithstanding division (D) (3) of this section, the 340

commission shall create the district by splitting two municipal 341
corporations or townships whose contiguous portions do not 342
contain a population of more than fifty per cent, but less than 343
one hundred per cent, of one ratio of representation. 344

(b) Notwithstanding division (D) (2) of this section, the 345
commission shall create the district by splitting a municipal 346
corporation or township whose contiguous portions contain a 347
population of more than fifty per cent, but less than one 348
hundred per cent, of one ratio of representation. 349

(c) Notwithstanding division (C) (2) of this section, the 350
commission shall create the district by splitting, once, a 351
single county that contains a population of not less than 352
ninety-five per cent of the ratio of representation, but not 353
more than one hundred five per cent of the ratio of 354
representation. 355

(d) Notwithstanding division (C) (1) of this section, the 356
commission shall create the district by including in two 357
districts portions of the territory that remains after a county 358
that contains a population of more than one hundred five per 359
cent of the ratio of representation has been divided into as 360
many house of representatives districts as it has whole ratios 361
of representation. 362

(2) If the commission takes an action under division (E) 363
(1) of this section, the commission shall include in the general 364
assembly district plan a statement explaining which action the 365
commission took under that division and the reason the 366
commission took that action. 367

(3) If the commission complies with divisions (E) (1) and 368
(2) of this section in drawing a district, the commission shall 369
not be considered to have violated division (C) (1), (C) (2), (D) 370

(2), or (D) (3) of this section, as applicable, in drawing that 371
district, for the purpose of an analysis under division (D) of 372
Section ~~9-11~~ of this article. 373

Section-4_6. (A) Senate districts shall be composed of 374
three contiguous house of representatives districts. 375

(B) (1) A county having at least one whole senate ratio of 376
representation shall have as many senate districts wholly within 377
the boundaries of the county as it has whole senate ratios of 378
representation. Any fraction of the population in excess of a 379
whole ratio shall be a part of only one adjoining senate 380
district. 381

(2) Counties having less than one senate ratio of 382
representation, but at least one house of representatives ratio 383
of representation, shall be part of only one senate district. 384

(3) If it is not possible for the commission to draw 385
representative districts that comply with all of the 386
requirements of this article and that make it possible for the 387
commission to comply with all of the requirements of divisions 388
(B) (1) and (2) of this section, the commission shall draw senate 389
districts so as to commit the fewest possible violations of 390
those divisions. If the commission complies with this division 391
in drawing senate districts, the commission shall not be 392
considered to have violated division (B) (1) or (2) of this 393
section, as applicable, in drawing those districts, for the 394
purpose of an analysis under division (D) of Section ~~9-11~~ of 395
this article. 396

(C) The number of whole ratios of representation for a 397
county shall be determined by dividing the population of the 398
county by the ratio of representation in the senate determined 399
under division (A) of Section ~~3-5~~ of this article. 400

(D) Senate districts shall be numbered from one through 401
thirty-three and as provided in Section ~~5-7~~ of this article. 402

~~Section-5_7.~~ At any time the boundaries of senate 403
districts are changed in any general assembly district plan made 404
pursuant to any provision of this article, a senator whose term 405
will not expire within two years of the time the plan becomes 406
effective shall represent, for the remainder of the term for 407
which the senator was elected, the senate district that contains 408
the largest portion of the population of the district from which 409
the senator was elected, and the district shall be given the 410
number of the district from which the senator was elected. If 411
more than one senator whose term will not so expire would 412
represent the same district by following the provisions of this 413
section, the plan shall designate which senator shall represent 414
the district and shall designate which district the other 415
senator or senators shall represent for the balance of their 416
term or terms. 417

~~Section-6_8.~~ The Ohio redistricting commission shall 418
attempt to draw a general assembly district plan, and the Ohio 419
redistricting commission or the general assembly, as applicable, 420
shall attempt to draw a congressional district plan, that meets 421
all of the following standards: 422

(A) No congressional district plan or general assembly 423
district plan shall be drawn primarily to favor or disfavor a 424
political party. 425

(B) The statewide proportion of districts whose voters, 426
based on statewide state and federal partisan general election 427
results during the last ten years, favor each political party 428
shall correspond closely to the statewide preferences of the 429
voters of Ohio. 430

(C) ~~General~~Congressional and general assembly districts 431
shall be compact. 432

Nothing in this section permits ~~the commission to violate~~ 433
a violation of the district standards described in Section ~~2, 3,~~ 434
4, 5, ~~or 6, 7, or 9~~ of this article. 435

~~Section 7~~9. Notwithstanding the fact that boundaries of 436
counties, municipal corporations, and townships within a 437
district may be changed, district boundaries shall be created by 438
using the boundaries of counties, municipal corporations, and 439
townships as they exist at the time of the federal decennial 440
census on which the redistricting is based, or, if unavailable, 441
on such other basis as the general assembly has directed. 442

~~Section 8~~10. (A) (1) If ~~the Ohio redistricting commission~~ 443
~~fails to adopt a final congressional district plan or a final~~ 444
general assembly district plan ~~not later than is not adopted on~~ 445
or before the first day of September of a year ending in the 446
numeral one, in accordance with ~~Section Sections 1 and 2~~ of this 447
article, the Ohio redistricting commission shall introduce a 448
proposed ~~general assembly~~ district plan of the applicable type 449
by a simple majority vote of the commission. 450

(2) After introducing a proposed ~~general assembly~~ district 451
plan under division (A) (1) of this section, the commission shall 452
hold a public hearing concerning the proposed plan, at which the 453
public may offer testimony and at which the commission may adopt 454
amendments to the proposed plan. Members of the commission 455
should attend the hearing; however, only a quorum of the members 456
of the commission is required to conduct the hearing. 457

(3) After the hearing described in division (A) (2) of this 458
section is held, and not later than the fifteenth day of 459
September of a year ending in the numeral one, the commission 460

shall adopt a final ~~general assembly~~ district plan of the 461
applicable type, either by the vote required to adopt a plan 462
under division (B) (3) of Section ~~1-2~~ of this article or by a 463
simple majority vote of the commission. 464

(B) If the commission adopts a final ~~general assembly~~ 465
district plan in accordance with division (A) (3) of this section 466
by the vote required to adopt a plan under division (B) (3) of 467
Section ~~1-2~~ of this article, the plan shall take effect upon 468
filing with the secretary of state and shall remain effective 469
until the next year ending in the numeral one, except as 470
provided in Section ~~9-11~~ of this article. 471

(C) (1) (a) Except as otherwise provided in division (C) (1) 472
(b) of this section, if the commission adopts a final 473
congressional district plan in accordance with division (A) (3) 474
of this section by a simple majority vote of the commission, and 475
not by the vote required to adopt a plan under division (B) (3) 476
of Section 2 of this article, the plan shall take effect upon 477
filing with the secretary of state and shall remain effective 478
until two general elections for the United States house of 479
representatives have occurred under the plan. 480

Except as otherwise provided in division (C) (1) (b) of this 481
section, if the commission adopts a final general assembly 482
district plan in accordance with division (A) (3) of this section 483
by a simple majority vote of the commission, and not by the vote 484
required to adopt a plan under division (B) (3) of Section ~~1-2~~ of 485
this article, the plan shall take effect upon filing with the 486
secretary of state and shall remain effective until two general 487
elections for the house of representatives have occurred under 488
the plan. 489

(b) If the commission adopts a final ~~general assembly~~ 490

district plan in accordance with division (A) (3) of this section 491
by a simple majority vote of the commission, and not by the vote 492
required to adopt a plan under division (B) of Section ~~1-2~~ of 493
this article, and that plan is adopted to replace a plan that 494
ceased to be effective under division (C) (1) (a) of this section 495
before a year ending in the numeral one, the plan adopted under 496
this division shall take effect upon filing with the secretary 497
of state and shall remain effective until a year ending in the 498
numeral one, except as provided in Section ~~9-11~~ of this article. 499

(2) A final ~~general assembly~~-district plan adopted under 500
division (C) (1) (a) or (b) of this section shall include a 501
statement explaining what the commission determined to be the 502
statewide preferences of the voters of Ohio and the manner in 503
which the statewide proportion of districts in the plan whose 504
voters, based on statewide state and federal partisan general 505
election results during the last ten years, favor each political 506
party corresponds closely to those preferences, as described in 507
division (B) of Section ~~6-8~~ of this article. At the time the 508
plan is adopted, a member of the commission who does not vote in 509
favor of the plan may submit a declaration of the member's 510
opinion concerning the statement included with the plan. 511

(D) After a ~~general assembly~~-district plan adopted under 512
division (C) (1) (a) of this section ceases to be effective, and 513
not earlier than the first day of July of the year following the 514
year in which the plan ceased to be effective, the commission 515
shall be reconstituted as provided in Section ~~1-2~~ of this 516
article, convene, and adopt a new ~~general assembly~~-district plan 517
of the applicable type in accordance with this article, to be 518
used until the next time for redistricting under this article. 519
The commission shall draw the new ~~general assembly~~-district plan 520
using the same population and county, municipal corporation, and 521

township boundary data as were used to draw the previous plan 522
adopted under division (C) of this section. 523

~~Section 9~~ 11. (A) The supreme court of Ohio shall have 524
exclusive, original jurisdiction in all cases arising under this 525
article. 526

(B) In the event that any section of this constitution 527
relating to redistricting, any congressional or general assembly 528
district plan ~~made by the Ohio redistricting commission~~, or any 529
district is determined to be invalid by an unappealed final 530
order of a court of competent jurisdiction then, notwithstanding 531
any other provisions of this constitution, the Ohio 532
redistricting commission shall be reconstituted as provided in 533
Section ~~1-2~~ of this article, convene, and ascertain and 534
determine a ~~general assembly~~ district plan of the applicable 535
type in conformity with such provisions of this constitution as 536
are then valid, including, if applicable, establishing terms of 537
office and election of members of the general assembly from 538
districts designated in the plan, to be used until the next time 539
for redistricting under this article in conformity with such 540
provisions of this constitution as are then valid. 541

(C) Notwithstanding any provision of this constitution or 542
any law regarding the residence of senators and representatives, 543
a general assembly district plan made pursuant to this section 544
shall allow thirty days for persons to change residence in order 545
to be eligible for election. 546

(D) (1) No court shall order, in any circumstance, the 547
implementation or enforcement of any congressional or general 548
assembly district plan that has not been approved by the 549
commission or by the general assembly in the manner prescribed 550
by this article. 551

(2) No court shall order the commission or the general 552
assembly to adopt a particular congressional or general 553
assembly district plan or to draw a particular district. 554

(3) If the supreme court of Ohio determines that a 555
congressional or general assembly district plan ~~adopted by the~~ 556
~~commission~~ does not comply with the requirements of Section ~~2,~~ 557
3, 4, 5, ~~or 6,~~ 7, or 9 of this article, the available remedies 558
shall be as follows: 559

(a) If the court finds that the plan contains one or more 560
isolated violations of those requirements, the court shall order 561
the commission to amend the plan to correct the violation. 562

(b) ~~If~~ In the case of a congressional district plan, if 563
the court finds that it is necessary to amend not fewer than two 564
congressional districts to correct violations of those 565
requirements, the court shall declare the plan invalid and shall 566
order the commission to adopt a new congressional district plan 567
in accordance with this article. 568

In the case of a general assembly district plan, if the 569
court finds that it is necessary to amend not fewer than six 570
house of representatives districts to correct violations of 571
those requirements, to amend not fewer than two senate districts 572
to correct violations of those requirements, or both, the court 573
shall declare the plan invalid and shall order the commission to 574
adopt a new general assembly district plan in accordance with 575
this article. 576

(c) If, in considering a plan adopted under division (C) 577
of Section ~~8-10~~ of this article, the court determines that both 578
of the following are true, the court shall order the commission 579
to adopt a new congressional or general assembly district plan, 580
as applicable, in accordance with this article: 581

(i) The plan significantly violates those requirements in 582
a manner that materially affects the ability of the plan to 583
contain districts whose voters favor political parties in an 584
overall proportion that corresponds closely to the statewide 585
political party preferences of the voters of Ohio, as described 586
in division (B) of Section ~~6~~8 of this article. 587

(ii) The statewide proportion of districts in the plan 588
whose voters, based on statewide state and federal partisan 589
general election results during the last ten years, favor each 590
political party does not correspond closely to the statewide 591
preferences of the voters of Ohio. 592

Section~~10~~12. The various provisions of this article are 593
intended to be severable, and the invalidity of one or more of 594
such provisions shall not affect the validity of the remaining 595
provisions. 596

EFFECTIVE DATE AND REPEAL 597

If adopted by a majority of the electors voting on this 598
proposal, Sections 1(2), 2(3), 3(5), 4(6), 5(7), 6(8), 7(9), 599
8(10), 9(11), and 10(12) of Article XI amended by this proposal 600
and Sections 1 and 4 of Article XI enacted by this proposal take 601
effect January 1, 2021, and the existing versions of Sections 1, 602
2, 3, 4, 5, 6, 7, 8, 9, and 10 of Article XI of the Constitution 603
of the State of Ohio that were scheduled to take effect January 604
1, 2021, are repealed from that effective date. 605