

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. J. R. No. 1

Representative Koehler

Cosponsors: Representatives Riedel, Stein, Becker



A JOINT RESOLUTION

Proposing to amend Sections 1a and 1g of Article II of 1
the Constitution of the State of Ohio to modify 2
certain signature requirements for a proposed 3
constitutional amendment by initiative petition. 4

Be it resolved by the General Assembly of the State of 5
Ohio, three-fifths of the members elected to each house 6
concurring herein, that there shall be submitted to the electors 7
of the state, in the manner prescribed by law at the general 8
election to be held on November 5, 2019, a proposal to amend 9
Sections 1a and 1g of Article II of the Constitution of the 10
State of Ohio to read as follows: 11

ARTICLE II 12

Section 1a. The first aforestated power reserved by the 13
people is designated the initiative, and the signatures of ten 14
per centum of the electors shall be required upon a petition to 15
propose an amendment to the constitution. When a petition signed 16
by the aforesaid required number of electors, shall have been 17
filed with the secretary of state, and verified as herein 18
provided, proposing an amendment to the constitution, the full 19

text of which shall have been set forth in such petition, the 20
secretary of state shall submit for the approval or rejection of 21
the electors, the proposed amendment, in the manner hereinafter 22
provided, at the next succeeding regular or general election in 23
any year occurring subsequent to one hundred twenty-five days 24
after the filing of such petition. The initiative petitions, 25
above described, shall have printed across the top thereof: 26
"Amendment to the Constitution Proposed by Initiative Petition 27
to be Submitted Directly to the Electors." 28

The petition shall include, from each of fifty-three of 29
the counties of the state, petitions bearing the signatures of 30
not less than ten per cent of the electors of that county. 31

Section 1g. Any initiative, supplementary, or referendum 32
petition may be presented in separate parts but each part shall 33
contain a full and correct copy of the title, and text of the 34
law, section or item thereof sought to be referred, or the 35
proposed law or proposed amendment to the constitution. ~~Each~~ 36

Each signer of any initiative, supplementary, or 37
referendum petition must be an elector of the state and shall 38
place on such petition after ~~his~~ the signer's name the date of 39
signing and ~~his~~ the signer's place of residence. A signer 40
residing outside of a municipality shall state the county and 41
the rural route number, post office address, or township of ~~his~~ 42
the signer's residence. A resident of a municipality shall state 43
the street and number, if any, of ~~his~~ the signer's residence and 44
the name of the municipality or post office address. The names 45
of all signers to such petitions shall be written in ink, each 46
signer for ~~himself~~ the signer's self. To each part of such 47
petition shall be attached the statement of the circulator, as 48
may be required by law, that ~~he~~ the circulator witnessed the 49
affixing of every signature. The secretary of state shall 50

determine the sufficiency of the signatures not later than one hundred five days before the election. 51
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The Ohio supreme court shall have original, exclusive jurisdiction over all challenges made to petitions and signatures upon such petitions under this section. Any challenge to a petition or signature on a petition shall be filed not later than ninety-five days before the day of the election. The court shall hear and rule on any challenges made to petitions and signatures not later than eighty-five days before the election. If no ruling determining the petition or signatures to be insufficient is issued at least eighty-five days before the election, the petition and signatures upon such petitions shall be presumed to be in all respects sufficient. 53
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If the petitions or signatures are determined to be insufficient, ten additional days shall be allowed for the filing of additional signatures to such petition. If additional signatures are filed, the secretary of state shall determine the sufficiency of those additional signatures not later than sixty-five days before the election. Any challenge to the additional signatures shall be filed not later than fifty-five days before the day of the election. The court shall hear and rule on any challenges made to the additional signatures not later than forty-five days before the election. If no ruling determining the additional signatures to be insufficient is issued at least forty-five days before the election, the petition and signatures shall be presumed to be in all respects sufficient. 64
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No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor 77
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shall the rejection of any law submitted by referendum petition 82
be held invalid for such insufficiency. ~~Upon~~ 83

Upon all initiative, supplementary, and referendum 84
petitions provided for in ~~any of the sections~~ Sections 1b and 1c 85
of this article, it shall be necessary to file from each of one- 86
half of the counties of the state, petitions bearing the 87
signatures of not less than one-half of the designated 88
percentage of the electors of such county. ~~A~~ 89

A true copy of all laws or proposed laws or proposed 90
amendments to the constitution, together with an argument or 91
explanation, or both, for, and also an argument or explanation, 92
or both, against the same, shall be prepared. The person or 93
persons who prepare the argument or explanation, or both, 94
against any law, section, or item, submitted to the electors by 95
referendum petition, may be named in such petition and the 96
persons who prepare the argument or explanation, or both, for 97
any proposed law or proposed amendment to the constitution may 98
be named in the petition proposing the same. The person or 99
persons who prepare the argument or explanation, or both, for 100
the law, section, or item, submitted to the electors by 101
referendum petition, or against any proposed law submitted by 102
supplementary petition, shall be named by the general assembly, 103
if in session, and if not in session then by the governor. The 104
law, or proposed law, or proposed amendment to the constitution, 105
together with the arguments and explanations, not exceeding a 106
total of three hundred words for each, and also the arguments 107
and explanations, not exceeding a total of three hundred words 108
against each, shall be published once a week for three 109
consecutive weeks preceding the election, in at least one 110
newspaper of general circulation in each county of the state, 111
where a newspaper is published. ~~The~~ 112

The secretary of state shall cause to be placed upon the 113
ballots, the ballot language for any such law, or proposed law, 114
or proposed amendment to the constitution, to be submitted. The 115
ballot language shall be prescribed by the Ohio ballot board in 116
the same manner, and subject to the same terms and conditions, 117
as apply to issues submitted by the general assembly pursuant to 118
Section 1 of Article XVI of this constitution. The ballot 119
language shall be so prescribed and the secretary of state shall 120
cause the ballots so to be printed as to permit an affirmative 121
or negative vote upon each law, section of law, or item in a law 122
appropriating money, or proposed law, or proposed amendment to 123
the constitution. ~~The~~ 124

The style of all laws submitted by initiative and 125
supplementary petition shall be: "Be it Enacted by the People of 126
the State of Ohio," and of all constitutional amendments: "Be it 127
Resolved by the People of the State of Ohio." ~~The~~ 128

The basis upon which the required number of petitioners in 129
any case shall be determined shall be the total number of votes 130
cast for the office of governor at the last preceding election 131
therefor. ~~The~~ 132

The foregoing provisions of this section shall be self- 133
executing, except as herein otherwise provided. Laws may be 134
passed to facilitate their operation, but in no way limiting or 135
restricting either such provisions or the powers herein 136
reserved. 137

EFFECTIVE DATE AND REPEAL 138

If adopted by a majority of the electors voting on this 139
proposal, Sections 1a and 1g of Article II of the Constitution 140
of the State of Ohio, as amended by this proposal, shall take 141
immediate effect and existing Sections 1a and 1g of Article II 142

of the Constitution of the State of Ohio shall be repealed from 143
that effective date. 144

SCHEDULE 145

The amendments to Section 1g of Article II of the Ohio 146
Constitution in part substitute gender neutral for gender 147
specific language. These gender neutralizing amendments are not 148
intended to make a substantive change in the Ohio Constitution. 149
The gender neutral language is to be construed as a restatement 150
of, and substituted in a continuing way for, the corresponding 151
gender specific language existing prior to adoption of the 152
gender neutralizing amendments. 153