

As Introduced

**128th General Assembly
Regular Session
2009-2010**

S. J. R. No. 5

Senator Husted

**Cosponsors: Senators Patton, Niehaus, Wagoner, Goodman, Widener,
Schuring, Stewart, Schaffer, Seitz, Grendell**

JOINT RESOLUTION

Proposing to amend Sections 1, 2, 3, 5, 6, 7, 8, 10, 1
11, 12, 13, and 15 of Article XI, to amend, for 2
the purpose of adopting new Section numbers as 3
indicated in parentheses, Sections 5 (4), 6 (5), 7 4
(6), 8 (7), 10 (8), 11 (9), 12 (11), 13 (12), and 5
15 (13) of Article XI, to enact new Section 10 of 6
Article XI, and to repeal Sections 4, 9, and 14 of 7
Article XI of the Constitution of Ohio to revise 8
the redistricting process for General Assembly and 9
Congressional districts. 10

Be it resolved by the General Assembly of the State of Ohio, 11
three-fifths of the members elected to each house concurring 12
herein, that there shall be submitted to the electors of the 13
state, in the manner prescribed by law at the general election to 14
be held on November 3, 2009, a proposal to amend Sections 1, 2, 3, 15
5, 6, 7, 8, 10, 11, 12, 13, and 15 of Article XI, to amend, for 16
the purpose of adopting new Section numbers as indicated in 17
parentheses, Sections 5 (4), 6 (5), 7 (6), 8 (7), 10 (8), 11 (9), 18
12 (11), 13 (12), and 15 (13) of Article XI, and to enact new 19
Section 10 of Article XI of the Constitution of Ohio to read as 20
follows: 21

ARTICLE XI

Section 1. ~~The governor, auditor of state, secretary of~~ 22
~~state, one person chosen by the speaker of the house of~~ 23
~~representatives and the leader in the senate of the political~~ 24
~~party of which the speaker is a member, and one person chosen by~~ 25
~~the legislative leaders in the two houses of the major political~~ 26
~~party of which the speaker is not a member shall be the persons~~ 27
~~responsible for the apportionment of this state for members of the~~ 28
~~general assembly.~~ 29

~~Such persons, or a majority of their number, shall meet and~~ 30
~~establish in the manner prescribed in this Article the boundaries~~ 31
~~for each of ninety nine house of representatives districts and~~ 32
~~thirty three senate districts. Such meeting shall convene on a~~ 33
~~date designated by the governor between August 1 and October 1 in~~ 34
~~the year one thousand nine hundred seventy one and every tenth~~ 35
~~year thereafter. (A) The Ohio redistricting commission shall~~ 36
~~consist of seven members and shall be responsible for the~~ 37
~~redistricting of this state for congress and the general assembly.~~ 38
~~Beginning with the year 2011, after the first day of February but~~ 39
~~before the first day of March of each year ending in the numeral~~ 40
~~one, four members shall be appointed to the commission in the~~ 41
~~following manner:~~ 42

(1) The legislative leader of each of the two largest 43
political parties in the Ohio house of representatives shall each 44
appoint one member. 45

(2) The legislative leader of each of the two largest 46
political parties in the Ohio senate shall each appoint one 47
member. 48

(B)(1) All meetings of the Ohio redistricting commission 49
shall be open to the public. The governor shall give ~~such persons~~ 50
the four commission members appointed by the leaders in the 51

general assembly, and the public, at least two weeks advance 52
notice of the date, time, and place of such the first meeting- 53

The governor of the commission, which shall be held after the 54
first day of March but before the sixteenth day of March of the 55
year ending in the numeral one. At that first meeting, the four 56
members appointed under division (A) of this section shall 57
convene, select co-chairpersons, and adopt procedural rules for 58
the operation of the commission. Those four members shall then 59
proceed with a process of appointing, by unanimous vote of the 60
four members, the remaining three members of the commission. If 61
additional meetings are required for the process of selecting the 62
remaining three members of the commission, the meetings shall be 63
called by the commission co-chairpersons with at least two days 64
prior notice. 65

In selecting the three additional appointments under this 66
division, the four commission members appointed by the leaders in 67
the general assembly shall give due consideration to the diversity 68
of the state. 69

(2) If the four commission members appointed by the leaders 70
in the general assembly are unable to unanimously appoint the 71
required three additional members under division (B)(1) of this 72
section by the fifteenth day of April of the year ending in the 73
numeral one, the positions of the three additional members shall 74
be filled as follows not later than the twentieth day of April: 75

(a) Each member of the commission appointed by the leaders in 76
the general assembly shall submit the name of one proposed 77
commission member to the governor. No two members of the 78
commission shall submit the name of the same proposed commission 79
member to the governor under this division. 80

(b) The governor shall, in the public view, randomly select 81
the additional three members of the commission from the four 82

proposed members submitted under division (B)(2)(a) of this 83
section. 84

(3) The chief justice of the supreme court or, if the chief 85
justice is unavailable, another justice of the supreme court shall 86
administer the oath of office to each commission member. The oath 87
shall require the commissioner to support the constitution of the 88
United States and this constitution and to faithfully perform all 89
duties of office with fairness to all Ohioans. The oath also shall 90
require, in fulfilling duties under this article, the commissioner 91
to place the duties of the office of commission member before any 92
party or other affiliation. The chief justice, or other justice, 93
as the case may be, shall transmit a certificate of oath, signed 94
by the chief justice or justice administering the oath, to the 95
secretary of state. If the certificate of oath is not transmitted 96
to the secretary of state within twenty days after the 97
commencement of the commissioner's term, that commissioner is 98
deemed to have refused to accept the office, and that office shall 99
be considered vacant. 100

(C)(1) During a commission member's tenure on the Ohio 101
redistricting commission, no commission member shall: 102

(a) Hold a state or federal elective public office for which 103
candidates may be nominated by political parties; 104

(b) Be a candidate for a state or federal elective office for 105
which candidates may be nominated by political parties. 106

(2) During the ten-year period in which a congressional plan 107
or a general assembly plan is in effect, no commission member 108
shall be a candidate for or a member of the Ohio general assembly. 109

(D) Not later than the first day of May of a year ending in 110
the numeral one, the Ohio redistricting commission shall convene, 111
public notice being given, to establish a schedule that it 112
determines appropriate to carry out the duties set forth in this 113

article. Not later than the first day of October of a year ending 114
in the numeral one, the commission shall adopt, in the manner 115
prescribed in this article, the boundaries for each of the 116
ninety-nine house of representatives districts, thirty-three 117
senate districts, and the prescribed number of congressional 118
districts as apportioned to the state pursuant to Section 2 of 119
Article 1 of the Constitution of the United States. After the 120
commission adopts each plan, the commission shall file that plan 121
with the secretary of state. Upon filing with the secretary of 122
state, the plan shall become effective. 123

Immediately after the adoption of a plan under this division, 124
the commission shall prepare a report that explains the basis on 125
which the commission made its decisions to achieve the districting 126
criteria specified in this article. The commission promptly shall 127
deliver a copy of the report to the governor, the speaker of the 128
house of representatives, the minority leader of the house of 129
representatives, the president of the senate, and the minority 130
leader of the senate. 131

(E) Unless otherwise specified in this article, a simple 132
majority of its members shall be required for any action by the 133
Ohio redistricting commission. The affirmative vote of five 134
members of the commission, including at least one member of each 135
political party who was appointed to the commission by the leaders 136
in the general assembly and at least one of the three members not 137
appointed to the commission by the leaders in the general 138
assembly, shall be required to adopt any plan. 139

(F) The Ohio redistricting commission shall make the 140
necessary provisions to allow for public comment at public 141
hearings and in writing and to allow for any resident of Ohio to 142
submit a congressional plan or a general assembly plan for 143
consideration. The commission shall develop and implement a plan 144
to make available to the public all relevant data and information 145

necessary for the submission of a potential congressional plan and 146
a potential general assembly plan by any resident of Ohio. 147

(G) If, by the fifteenth day of September of a year ending in 148
the numeral one, the commission is unable to adopt a general 149
assembly redistricting plan, a congressional redistricting plan, 150
or both, then the following shall apply: 151

(1) If the four commission members appointed by the leaders 152
of the general assembly unanimously selected the three additional 153
commission members under division (B)(1) of this section, all of 154
the following shall occur: 155

(a) For each type of redistricting plan that the commission 156
was unable to adopt, the seven commission members shall determine, 157
by majority vote, the redistricting plans under consideration that 158
meet the minimum standards established by this Article, the 159
Constitution of the United States, and applicable federal 160
statutory provisions. 161

(b) Each member of the commission shall, for each type of 162
redistricting plan that the commission was unable to adopt, rank 163
the plans identified under division (G)(1)(a) of this section in 164
order of preference. Each commissioner shall assign a numerical 165
value equal to the total number of plans identified under division 166
(G)(1)(a) of this section to the plan that the commissioner most 167
prefers. The commissioner's next preferred plan shall be assigned 168
a numerical value that is one less than the previous plan, 169
continuing until each commissioner has assigned a numerical value 170
to each plan, with the commissioner's least preferred plan 171
assigned the numerical value of one. 172

(c) The overall rank score for each plan identified under 173
division (G)(1)(a) of this section shall be determined by totaling 174
the numerical values assigned to that plan by each member of the 175
commission under division (G)(1)(b) of this section. The plan with 176

the highest overall rank score shall be selected as the winning 177
plan. 178

(d) If more than one plan receives the same highest overall 179
rank score under division (G)(1)(c) of this section, the process 180
specified in divisions (G)(1)(b) and (c) of this section shall be 181
repeated, except that the commissioners shall assign numerical 182
values only to those plans that received the same highest overall 183
rank score in the previous round. This process shall be repeated 184
until a single winning plan is selected for each type of 185
redistricting plan that the commission was unable to adopt. 186

(2) If the governor randomly selected the three additional 187
commission members under division (B)(2) of this section, all of 188
the following shall occur: 189

(a) The positions of the three additional members of the 190
commission who were selected by the governor shall immediately be 191
deemed vacant. 192

(b) For each type of redistricting plan that the commission 193
was unable to adopt, the four commission members appointed by the 194
leaders of the general assembly shall determine, by majority vote, 195
the redistricting plans under consideration that meet the minimum 196
standards established by this article, the Constitution of the 197
United States, and applicable federal statutory provisions. 198

(c) Each of the four commission members appointed by the 199
leaders of the general assembly promptly shall submit the name of 200
one proposed commission member to the governor. No two members of 201
the commission shall submit the name of the same proposed 202
commission member to the governor under this division. No 203
commission member may submit the name of any of the individuals 204
whose positions on the commission were deemed vacant under 205
division (G)(2)(a) of this section. Promptly after receiving the 206
four names, the governor shall, in the public view, randomly 207

select three new additional members of the commission from the 208
four proposed members submitted under this division. 209

(d) Each of the four commission members appointed by the 210
leaders of the general assembly and each of the three additional 211
members selected by the governor under division (G)(2)(c) of this 212
section shall, for each type of redistricting plan that the 213
commission was unable to adopt, rank the plans identified under 214
division (G)(2)(b) of this section in order of preference. Each 215
commissioner shall assign a numerical value equal to the total 216
number of plans identified under division (G)(2)(b) of this 217
section to the plan that the commissioner most prefers. The 218
commissioner's next preferred plan shall be assigned a numerical 219
value that is one less than the previous plan, continuing until 220
each commissioner has assigned a numerical value to each plan, 221
with the commissioner's least preferred plan assigned the 222
numerical value of one. 223

(e) The overall rank score for each plan identified under 224
division (G)(2)(b) of this section shall be determined by totaling 225
the numerical values assigned to that plan by each member of the 226
commission under division (G)(2)(d) of this section. The plan with 227
the highest overall rank score shall be selected as the winning 228
plan. 229

(f) If more than one plan receives the same highest overall 230
rank score under division (G)(2)(e) of this section, the process 231
specified in divisions (G)(2)(d) and (e) of this section shall be 232
repeated, except that the commissioners shall assign numerical 233
values only to those plans that received the same highest overall 234
rank score in the previous round. This process shall be repeated 235
until a single winning plan is selected for each type of 236
redistricting plan that the commission was unable to adopt. 237

(H) The attorney general shall be responsible for defending a 238
plan adopted by the members of the Ohio redistricting commission 239

in any legal action arising from the process described in this 240
article. 241

(I) The general assembly shall be responsible for making the 242
appropriations it determines necessary in order for the Ohio 243
redistricting commission to perform its duties under this article 244
and to defend against any lawsuit arising from the performance of 245
the duties set forth in this article. 246

(J) Any vacancy on the Ohio redistricting commission shall be 247
filled in the same manner as the original appointment not later 248
than thirty days after the vacancy occurs, or in such shorter time 249
as needed to meet the requirements of this article. 250

(K) All appointments to the Ohio redistricting commission 251
shall be made anew for each successive decennial redistricting of 252
this state. Prior service on the commission shall not exclude a 253
person from being appointed to and serving on the commission. 254

(L) After the adoption of a congressional plan and a general 255
assembly plan and the completion of any necessary administrative 256
functions, the co-chairpersons of the Ohio redistricting 257
commission shall jointly dissolve the commission. Upon the 258
dissolution of the commission, the co-chairs shall arrange for all 259
records of the commission to be delivered to the Ohio historical 260
society for preservation. 261

(M) The secretary of state shall cause the ~~apportionment~~ 262
redistricting plans to be published no later than the fifth day of 263
October 5 of the year in which ~~it is~~ they are made, in such manner 264
as provided by law. 265

Section 2. The ~~apportionment~~ redistricting of this state for 266
members of congress and the general assembly shall be made in the 267
following manner: ~~The~~ 268

(A) The whole population of the state, as determined by the 269
federal decennial census, shall be divided by the number of 270

congressional districts apportioned to the state pursuant to 271
Section 2 of Article I of the Constitution of the United States, 272
and the quotient shall be the ratio of representation in the 273
congress for ten years next succeeding such apportionment. 274

(B) The whole population of the state, as determined by the 275
federal decennial census or, if such is unavailable, such other 276
basis as the general assembly may direct, shall be divided by the 277
number "ninety-nine" and the quotient shall be the ratio of 278
representation in the house of representatives for ten years next 279
succeeding such ~~apportionment~~ redistricting. The 280

(C) The whole population of the state as determined by the 281
federal decennial census or, if such is unavailable, such other 282
basis as the general assembly may direct, shall be divided by the 283
number "thirty-three" and the quotient shall be the ratio of 284
representation in the senate for ten years next succeeding such 285
~~apportionment~~ redistricting. 286

Section 3. (A) The population of each congressional district 287
shall be as equal to the ratio of representation in the congress 288
as practicable, as provided in Section 2 of this article. 289

(B) The population of each house of representatives district 290
shall be substantially equal to the ratio of representation in the 291
house of representatives, as provided in ~~section~~ Section 2 of this 292
~~Article~~ article, and in no event shall any house of 293
representatives district contain a population of less than 294
ninety-five ~~percent~~ per cent nor more than one hundred five 295
~~percent~~ per cent of the ratio of representation in the house of 296
representatives, except ~~in those instances where reasonable effort~~ 297
~~is made to avoid dividing a county in accordance with section 9 as~~ 298
otherwise provided in division (B) of Section 8 of this Article 299
article. 300

(C) The population of each senate district shall be 301

substantially equal to the ratio of representation in the senate, 302
as provided in Section 2 of this article, and in no event shall 303
any senate district contain a population of less than ninety-five 304
per cent nor more than one hundred five per cent of the ratio of 305
representation in the senate as determined pursuant to this 306
article. 307

Section 5 4. ~~Each~~ (A) Each congressional district shall be 308
entitled to a single representative in the United States house of 309
representatives in each congress. 310

(B) Each house of representatives district shall be entitled 311
to a single representative in each ~~General Assembly~~ general 312
assembly. ~~Every~~ 313

(C) Each senate district shall be entitled to a single 314
senator in each ~~General Assembly~~ general assembly. 315

Section 6 5. District boundaries established pursuant to this 316
~~Article~~ article shall not be changed until the ensuing federal 317
decennial census and the ensuing ~~apportionment~~ redistricting or as 318
provided in ~~section 13~~ this section and Section 12 of this ~~Article~~ 319
article, notwithstanding the fact that boundaries of political 320
subdivisions or ~~city~~ municipal wards within the district may be 321
changed during that time. District boundaries shall be created by 322
using the boundaries of political subdivisions and ~~city~~ municipal 323
wards as they exist at the time of the federal decennial census on 324
which the ~~apportionment~~ redistricting is based, or, if 325
unavailable, on such other basis as the general assembly has 326
directed. 327

If the currently applicable redistricting plan is determined 328
to be invalid by an unappealed final order of a court of competent 329
jurisdiction, the court shall convene the Ohio redistricting 330
commission to adopt a new plan that is in compliance with the law, 331
including the provisions of this article. In convening the 332

commission under this section, the court may adjust the timelines 333
established in this article as necessary for the timely adoption 334
of a new plan. In such a circumstance, the leaders in the general 335
assembly at the time shall each make a new appointment in the 336
manner specified in division (A) of Section 1 of this article. 337
Those four commission members shall then select the remaining 338
three commission members in the manner specified in division (B) 339
of Section 1 of this article. 340

No court shall, in any circumstance, order the implementation 341
or enforcement of any plan that has not been approved by the Ohio 342
redistricting commission in the manner prescribed by this article. 343

Section 7 6. (A) Any plan adopted by the Ohio redistricting 344
commission shall comply with all applicable Ohio and federal 345
constitutional provisions and all applicable federal statutory 346
provisions, including, but not limited to, those dealing 347
specifically with the protection of minority voting rights. 348

(B) Every house of representatives congressional and general 349
assembly district shall be compact and composed of contiguous 350
territory, and the boundary of each district shall be a single 351
nonintersecting continuous line. To the extent consistent with the 352
requirements of section 3 of this Article article, the boundary 353
lines of districts shall be so drawn as to delineate an area 354
containing one or more whole counties. 355

(B)(C) Where the requirements of section 3 of this Article 356
article cannot feasibly be attained by forming a district from a 357
whole county or counties, such district shall be formed by 358
combining the whole areas of governmental units giving preference 359
in the order named to counties, townships, municipalities, and 360
city municipal wards. 361

(C)(D) Where the requirements of section 3 of this Article 362
article cannot feasibly be attained by combining the areas of 363

governmental units as prescribed in division ~~(B)~~(C) of this 364
section, only ~~one~~ two such ~~unit~~ units may be divided ~~between two~~ 365
~~districts, giving preference in~~ per house of representatives 366
district. In the case of congressional districts, the number of 367
units divided per district may be more than two, but not more than 368
necessary to achieve the ratio of representation in the congress 369
as required by this article. In the selection of a unit for 370
division under division (D) of this section, preference shall be 371
given to a contiguous township, a ~~city ward~~, a city contiguous 372
municipality, and a village in the order named. 373

~~(D) In making a new apportionment, district boundaries~~ 374
~~established by the preceding apportionment shall be adopted to the~~ 375
~~extent reasonably consistent with the requirements of section 3 of~~ 376
~~this Article.~~ 377

(E) When the formation of competitive districts does not 378
conflict with the other principles established by this article, 379
the Ohio redistricting commission shall make its best efforts to 380
maximize the number of competitive districts using the following 381
criteria: 382

(1) The commission shall determine the three most competitive 383
general elections by percentage for nonjudicial statewide state or 384
federal office, including the elections of a president and vice 385
president of the United States, in which the candidates receiving 386
the highest and second highest number of votes were the nominees 387
of political parties, held in the three previous even-numbered 388
years immediately preceding the year in which the commission meets 389
to adopt new plans, provided that the two partisan candidates 390
combined received at least ninety-five per cent of the total votes 391
cast. 392

(2) Using the three most competitive elections selected under 393
division (E)(1) of this section, the commission shall determine 394
the average partisan indexes for each proposed district by doing 395

the following: 396

(a) Taking the percentage of the vote received in the 397
district for each of the two partisan candidates who received the 398
highest vote totals counting only the votes cast for those two 399
partisan candidates, then 400

(b) Averaging together the three voting percentages for the 401
candidates with the same partisan affiliation by dividing the sum 402
of the percentages by the number three to yield the average 403
partisan indexes for that district. 404

(3) A "competitive district" is a district where the average 405
partisan indexes determined by this section are not more than five 406
per cent apart. 407

Section 8 7. A county having at least one house of 408
representatives ratio of representation shall have as many house 409
of representatives districts wholly within the boundaries of the 410
county as it has whole ratios of representation. Any fraction of 411
the population in excess of a whole ratio shall be a part of only 412
one adjoining house of representatives district. 413

The number of whole ratios of representation for a county 414
shall be determined by dividing the population of the county by 415
the ratio of representation for the house of representatives 416
determined under ~~section~~ Section 2 of this ~~Article~~ article. 417

Section 10 8. The standards prescribed in ~~sections~~ this 418
section and Sections 3, 6, and 7, 8, and 9 of this ~~Article~~ article 419
shall govern the establishment of house of representatives 420
districts, which shall be created and numbered in the following 421
order to the extent that such order is consistent with the 422
foregoing standards: 423

(A) Each county containing population substantially equal to 424
one ratio of representation in the house of representatives, as 425
provided in ~~section~~ Section 2 of this ~~Article~~ article, but in no 426

event less than ninety-five ~~percent~~ per cent of the ratio nor more 427
than one hundred five ~~percent~~ per cent of the ratio shall be 428
designated a representative district. 429

(B) Each county containing population between ninety and 430
ninety-five ~~percent~~ per cent of the ratio or between one hundred 431
five and one hundred ten ~~percent~~ per cent of the ratio may be 432
designated a representative district. 433

(C) Proceeding in succession from the largest to the 434
smallest, each remaining county containing more than one whole 435
ratio of representation shall be divided into house of 436
representatives districts. Any remaining territory within such 437
county containing a fraction of one whole ratio of representation 438
shall be included in one representative district by combining it 439
with adjoining territory outside the county. 440

(D) The remaining territory of the state shall be combined 441
into representative districts. 442

Section 11 9. Senate districts shall be composed of three 443
contiguous house of representatives districts. A county having at 444
least one whole senate ratio of representation shall have as many 445
senate districts wholly within the boundaries of the county as it 446
has whole senate ratios of representation. Any fraction of the 447
population in excess of a whole ratio shall be a part of only one 448
adjoining senate district. Counties having less than one senate 449
ratio of representation, but at least one house of representatives 450
ratio of representation shall be part of only one senate district. 451

The number of whole ratios of representation for a county 452
shall be determined by dividing the population of the county by 453
the ratio of representation in the senate determined under ~~section~~ 454
Section 2 of this ~~Article~~ article. 455

Senate districts shall be numbered from one through 456
thirty-three and as provided in ~~section 12~~ Section 11 of this 457

Article ~~article~~. 458

Section 10. The standards prescribed in this section and 459
Sections 3 and 6 of this article shall govern the establishment of 460
congressional districts, which shall be created in the following 461
order to the extent that such order is consistent with the 462
foregoing standards: 463

(A) The number of whole ratios of representation for a county 464
shall be determined by dividing the population of the county by 465
the ratio of representation in the congress determined under 466
Section 2 of this article. 467

(B) Proceeding in succession from the largest to the 468
smallest, each county containing more than one whole ratio of 469
representation shall be divided into the appropriate number of 470
congressional districts. Any fraction of the county population in 471
excess of a whole ratio of representation shall be included in one 472
congressional district by combining it with adjoining territory 473
outside the county. 474

(C) The remaining territory of the state shall be combined 475
into congressional districts. 476

Section 12 11. At any time the boundaries of senate districts 477
are changed in any plan of ~~apportionment~~ redistricting made 478
pursuant to any provision of this ~~Article~~ article, a senator whose 479
term will not expire within two years of the time the plan of 480
~~apportionment~~ redistricting is made shall represent, for the 481
remainder of the term for which ~~he~~ the senator was elected, the 482
senate district which contains the largest portion of the 483
population of the district from which ~~he~~ the senator was elected, 484
and the district shall be given the number of the district from 485
which the senator was elected. If more than one senator whose term 486
will not so expire would represent the same district by following 487
the provisions of this section, the ~~persons responsible for~~ 488

~~apportionment, by a majority of their number, Ohio redistricting~~ 489
~~commission~~ shall designate which senator shall represent the 490
district and shall designate which district the other senator or 491
senators shall represent for the balance of their term or terms. 492

Section 13 12. The supreme court of Ohio ~~or an applicable~~ 493
~~federal court~~ shall have exclusive, original jurisdiction in all 494
cases arising under this ~~Article~~ article. In the event that any 495
section of this Constitution relating to ~~apportionment~~ 496
~~redistricting~~ or any plan of ~~apportionment~~ redistricting made by 497
the ~~persons responsible for apportionment, by a majority of their~~ 498
~~number, Ohio redistricting commission~~ is determined to be invalid 499
by either the ~~supreme court of Ohio, or the supreme court of the~~ 500
~~United States~~ an unappealed final order of a court of competent 501
jurisdiction, then notwithstanding any other provisions of this 502
Constitution, the ~~persons responsible for apportionment by a~~ 503
~~majority of their number~~ Ohio redistricting commission shall 504
ascertain and determine a plan of ~~apportionment~~ redistricting in 505
conformity with such provisions of this Constitution as are then 506
valid, including establishing terms of office and election of 507
members of the general assembly from districts designated in the 508
plan, to be used until the next regular ~~apportionment~~ 509
redistricting in conformity with such provisions of this 510
Constitution as are then valid. 511

Notwithstanding any provision of this Constitution or any law 512
regarding the residence of senators and representatives, a plan of 513
~~apportionment~~ redistricting made pursuant to this section shall 514
allow thirty days for persons to change residence in order to be 515
eligible for election. 516

~~The governor shall give the persons responsible for~~ 517
~~apportionment two weeks advance written notice of the date, time,~~ 518
~~and place of any meeting held pursuant to this section.~~ 519

Section 15 13. The various provisions of this ~~Article XI~~ 520

article are intended to be severable, and the invalidity of one or 521
more of such provisions shall not affect the validity of the 522
remaining provisions. 523

EFFECTIVE DATE AND REPEAL 524

If adopted by a majority of the electors voting on this 525
proposal, Sections 1, 2, 3, 5 (4), 6 (5), 7 (6), 8 (7), 10 (8), 11 526
(9), 12 (11), 13 (12), and 15 (13) of Article XI amended or 527
amended and renumbered by this proposal and new Section 10 of 528
Article XI enacted by this proposal shall take effect on January 529
1, 2010, and existing Sections 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 530
13, and 15 of Article XI and Sections 4, 9, and 14 of Article XI 531
of the Constitution of Ohio are repealed from that effective date. 532

533

SCHEDULE 534

The amendments to Section 12 (11) of Article XI of the Ohio 535
Constitution in part substitute gender neutral for gender specific 536
language. These gender neutralizing amendments are not intended to 537
make a substantive change in the Ohio Constitution. The gender 538
neutral language is to be construed as a restatement of, and 539
substituted in a continuing way for, the corresponding gender 540
specific language existing prior to adoption of the gender 541
neutralizing amendments. 542