

As Introduced

131st General Assembly
Regular Session
2015-2016

H. J. R. No. 9

Representatives Amstutz, Curtin

A JOINT RESOLUTION

Proposing to enact Section 2t of Article VIII of the
Constitution of the State of Ohio to adopt the
recommendation of the Ohio Constitutional
Modernization Commission relative to the issuance of
general obligation bonds to pay the costs of
facilities for mental health and developmental
disabilities, parks and recreation, and housing of
agencies of state government.

Be it resolved by the General Assembly of the State of
Ohio, three-fifths of the members elected to each house
concurring herein, that there shall be submitted to the electors
of the state, in the manner prescribed by law at the general
election to be held on November 7, 2017, a proposal to enact
Section 2t of Article VIII of the Constitution of the State of
Ohio to read as follows:

ARTICLE VIII

Section 2t. (A) The General Assembly may provide by law,
subject to the limitations of and in accordance with this
section, for the issuance of bonds and other obligations of the
state for either of the following purposes:

(1) Paying the costs of facilities for mental health and 21
developmental disabilities (formerly referred to as "mental 22
hygiene and retardation"), parks and recreation, and housing of 23
branches and agencies of state government; 24

(2) Refunding obligations previously issued under the 25
authority of the fifth paragraph of Section 2i of Article VIII, 26
Ohio Constitution, for the purposes described in division (A) (1) 27
of this section. 28

(B) Each obligation issued under division (A) (1) of this 29
section shall mature not later than the thirty-first day of 30
December of the twenty-fifth calendar year after its issuance 31
or, if issued under division (A) (2) of this section to refund 32
obligations, not later than the thirty-first day of December of 33
the twenty-fifth calendar year after the date the debt was 34
originally contracted. If obligations are issued as notes in 35
anticipation of the issuance of bonds, provision shall be made 36
by law or in the bond or note proceedings for the establishment 37
and maintenance, during the period in which the notes are 38
outstanding, of a special fund or funds into which shall be 39
paid, from the sources authorized for the payment of such bonds, 40
the amount that would have been sufficient to pay the principal 41
that would have been payable on those bonds during that period 42
if bonds maturing serially in each year over the maximum period 43
of maturity set forth in this division had been issued without 44
the prior issuance of the notes. The fund or funds and 45
investment income on the fund or funds shall be used solely for 46
the payment of principal of those notes or the bonds in 47
anticipation of which the notes have been issued. 48

(C) The obligations issued under this section are general 49
obligations of the state. The full faith and credit, revenue, 50
and taxing power of the state shall be pledged to the payment of 51

debt service on those obligations as they become due, and bond 52
retirement provisions shall be made for payment of that debt 53
service. Provision shall be made by law for the sufficiency and 54
appropriation, for purposes of paying debt service, of excises, 55
taxes, and revenues so pledged to that debt service, and for 56
covenants to continue the levy, collection, and application of 57
sufficient excises, taxes, and revenues to the extent needed for 58
that purpose. Notwithstanding Section 22 of Article II, Ohio 59
Constitution, no further act of appropriation shall be necessary 60
for that purpose. The obligations and provisions for the payment 61
of debt service on the obligations are not subject to Sections 62
5, 6, and 11 of Article XII, Ohio Constitution. Moneys referred 63
to in Section 5a of Article XII, Ohio Constitution, may only be 64
pledged to or used for the payment of debt service on 65
obligations issued for purposes permitted by Section 5a of 66
Article XII, Ohio Constitution. 67

(D) The obligations issued under authority of this 68
section, their transfer, and the interest, interest equivalent, 69
and other income or accreted amounts on them, including any 70
profit made on their sale, exchange, or other disposition, shall 71
at all times be free from taxation within the state. 72

(E) This section shall be implemented in the manner and to 73
the extent provided by the General Assembly by law, including 74
provision for the procedure for incurring, refunding, retiring, 75
and evidencing obligations issued as referred to in this 76
section. The total principal amount of obligations issued under 77
this section shall be as determined by the General Assembly, 78
subject to the limitation provided for in Section 17 of this 79
article. 80

(F) The authorizations in this section are in addition to, 81
cumulative with, and not a limitation on, authorizations 82

contained in other sections of this article or on the authority 83
of the General Assembly under other provisions of this 84
Constitution, and do not impair any law previously enacted by 85
the General Assembly. 86

(G) As used in this section: 87

(1) "Costs of facilities" includes, without limitation, 88
the costs of acquisition, construction, improvement, expansion, 89
planning, and equipping. 90

(2) "Debt service" means the principal and interest and 91
other accreted amounts payable on the obligations referred to. 92

EFFECTIVE DATE 93

If adopted by a majority of the electors voting on the 94
proposal, Section 2t of Article VIII of the Constitution of the 95
State of Ohio shall take effect immediately. 96