

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. J. R. No. 5

Senator Blessing

A JOINT RESOLUTION

Proposing to amend Sections 1b and 1g of Article II of 1
the Constitution of the State of Ohio to modify the 2
process for statutes proposed by initiative petition. 3

Be it resolved by the General Assembly of the State of 4
Ohio, three-fifths of the members elected to each house 5
concurring herein, that there shall be submitted to the electors 6
of the state, in the manner prescribed by law at the general 7
election to be held on November 4, 2025, a proposal to amend 8
Sections 1b and 1g of Article II of the Constitution of the 9
State of Ohio to read as follows: 10

ARTICLE II 11

Section 1b. When at any time, not less than ten days prior 12
to the commencement of any session of the general assembly, 13
there shall have been filed with the secretary of state a 14
petition signed by three per centum of the electors and verified 15
as herein provided, proposing a law, the full text of which 16
shall have been set forth in such petition, ~~the secretary of~~ 17
~~state shall transmit the same to the general assembly as soon as~~ 18
~~it convenes. If said proposed law shall be passed by the general~~ 19
~~assembly, either as petitioned for or in an amended form, it~~ 20

~~shall be subject to the referendum. If it shall not be passed,~~ 21
~~or if it shall be passed in an amended form, or if no action~~ 22
~~shall be taken thereon within four months from the time it is~~ 23
~~received by the general assembly, it shall be submitted by the~~ 24
secretary of state to the electors for their approval or 25
~~rejection, if such submission shall be demanded by supplementary~~ 26
~~petition verified as herein provided and signed by not less than~~ 27
~~three per centum of the electors in addition to those signing~~ 28
~~the original petition, which supplementary petition must be~~ 29
~~signed and filed with the secretary of state within ninety days~~ 30
~~after the proposed law shall have been rejected by the general~~ 31
~~assembly or after the expiration of such term of four months, if~~ 32
~~no action has been taken thereon, or after the law as passed by~~ 33
~~the general assembly shall have been filed by the governor in~~ 34
~~the office of the secretary of state. The proposed law shall be~~ 35
submitted at the next regular or general election occurring 36
subsequent to one hundred twenty-five days after the 37
~~supplementary petition is filed in the form demanded by such~~ 38
~~supplementary petition, which form shall be either as first~~ 39
~~petitioned for or with any amendment or amendments which may~~ 40
~~have been incorporated therein by either branch or by both~~ 41
~~branches, of the general assembly with the secretary of state. If~~ 42
a proposed law so submitted is approved by a majority of the 43
electors voting thereon, it shall be the law and shall go into 44
~~effect as herein provided in lieu of any amended form of said~~ 45
~~law which may have been passed by the general assembly, and such~~ 46
~~amended law passed by the general assembly shall not go into~~ 47
~~effect until and unless the law proposed by supplementary~~ 48
~~petition shall have been rejected by the electors. All such~~ 49
initiative petitions, last above described, shall have printed 50
across the top thereof, in case of proposed laws: "Law Proposed 51
by Initiative Petition ~~First to be Submitted to the General~~" 52

~~Assembly.~~" Ballots shall be so printed as to permit an affirmative or negative vote upon each measure submitted to the electors. Any proposed law or amendment to the constitution submitted to the electors as provided in 1a and 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. If conflicting proposed laws or conflicting proposed amendments to the constitution shall be approved at the same election by a majority of the total number of votes cast for and against the same, the one receiving the highest number of affirmative votes shall be the law, or in the case of amendments to the constitution shall be the amendment to the constitution. No law proposed by initiative petition and approved by the electors shall be subject to the veto of the governor.

A law proposed by initiative petition and approved by the electors shall not be amended, repealed, or suspended by the general assembly for two years from the date the law takes effect unless by an affirmative vote of three-fifths of each house of the general assembly. Any law passed by the general assembly that amends, repeals, or suspends a law proposed by initiative petition and approved by the electors before two years from the date the law takes effect shall be void and unconstitutional unless done so by an affirmative vote of three-fifths of each house of the general assembly.

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

must be an elector of the state and shall place on such petition 84
after his name the date of signing and his place of residence. A 85
signer residing outside of a municipality shall state the county 86
and the rural route number, post office address, or township of 87
his residence. A resident of a municipality shall state the 88
street and number, if any, of his residence and the name of the 89
municipality or post office address. The names of all signers to 90
such petitions shall be written in ink, each signer for himself. 91
To each part of such petition shall be attached the statement of 92
the circulator, as may be required by law, that he witnessed the 93
affixing of every signature. The secretary of state shall 94
determine the sufficiency of the signatures not later than one 95
hundred five days before the election. 96

The Ohio supreme court shall have original, exclusive 97
jurisdiction over all challenges made to petitions and 98
signatures upon such petitions under this section. Any challenge 99
to a petition or signature on a petition shall be filed not 100
later than ninety-five days before the day of the election. The 101
court shall hear and rule on any challenges made to petitions 102
and signatures not later than eighty-five days before the 103
election. If no ruling determining the petition or signatures to 104
be insufficient is issued at least eighty-five days before the 105
election, the petition and signatures upon such petitions shall 106
be presumed to be in all respects sufficient. 107

If the petitions or signatures are determined to be 108
insufficient, ten additional days shall be allowed for the 109
filing of additional signatures to such petition. If additional 110
signatures are filed, the secretary of state shall determine the 111
sufficiency of those additional signatures not later than sixty- 112
five days before the election. Any challenge to the additional 113
signatures shall be filed not later than fifty-five days before 114

the day of the election. The court shall hear and rule on any 115
challenges made to the additional signatures not later than 116
forty-five days before the election. If no ruling determining 117
the additional signatures to be insufficient is issued at least 118
forty-five days before the election, the petition and signatures 119
shall be presumed to be in all respects sufficient. 120

No law or amendment to the constitution submitted to the 121
electors by initiative ~~and supplementary~~ petition and receiving 122
an affirmative majority of the votes cast thereon, shall be held 123
unconstitutional or void on account of the insufficiency of the 124
petitions by which such submission of the same was procured; nor 125
shall the rejection of any law submitted by referendum petition 126
be held invalid for such insufficiency. Upon all initiative, ~~and~~ 127
~~supplementary,~~ and referendum petitions provided for in any of 128
the sections of this article, it shall be necessary to file from 129
each of one-half of the counties of the state, petitions bearing 130
the signatures of not less than one-half of the designated 131
percentage of the electors of such county. A true copy of all 132
laws or proposed laws or proposed amendments to the 133
constitution, together with an argument or explanation, or both, 134
for, and also an argument or explanation, or both, against the 135
same, shall be prepared. The person or persons who prepare the 136
argument or explanation, or both, against any law, section, or 137
item, submitted to the electors by referendum petition, may be 138
named in such petition and the persons who prepare the argument 139
or explanation, or both, for any proposed law or proposed 140
amendment to the constitution may be named in the petition 141
proposing the same. The person or persons who prepare the 142
argument or explanation, or both, for the law, section, or item, 143
submitted to the electors by referendum petition, or against any 144
proposed law submitted by ~~supplementary~~ initiative petition, 145

shall be named by the general assembly, if in session, and if 146
not in session then by the governor. The law, or proposed law, 147
or proposed amendment to the constitution, together with the 148
arguments and explanations, not exceeding a total of three 149
hundred words for each, and also the arguments and explanations, 150
not exceeding a total of three hundred words against each, shall 151
be published once a week for three consecutive weeks preceding 152
the election, in at least one newspaper of general circulation 153
in each county of the state, where a newspaper is published. The 154
secretary of state shall cause to be placed upon the ballots, 155
the ballot language for any such law, or proposed law, or 156
proposed amendment to the constitution, to be submitted. The 157
ballot language shall be prescribed by the Ohio ballot board in 158
the same manner, and subject to the same terms and conditions, 159
as apply to issues submitted by the general assembly pursuant to 160
Section 1 of Article XVI of this constitution. The ballot 161
language shall be so prescribed and the secretary of state shall 162
cause the ballots so to be printed as to permit an affirmative 163
or negative vote upon each law, section of law, or item in a law 164
appropriating money, or proposed law, or proposed amendment to 165
the constitution. The style of all laws submitted by initiative 166
~~and supplementary~~ petition shall be: "Be it Enacted by the 167
People of the State of Ohio," and of all constitutional 168
amendments: "Be it Resolved by the People of the State of Ohio." 169
The basis upon which the required number of petitioners in any 170
case shall be determined shall be the total number of votes cast 171
for the office of governor at the last preceding election 172
therefor. The foregoing provisions of this section shall be 173
self-executing, except as herein otherwise provided. Laws may be 174
passed to facilitate their operation, but in no way limiting or 175
restricting either such provisions or the powers herein 176
reserved. 177

EFFECTIVE DATE

178

If adopted by a majority of the electors voting on this 179
proposal, Sections 1b and 1g of Article II amended by this 180
proposal shall take immediate effect and the existing versions 181
of Sections 1b and 1g of Article II of the Constitution of the 182
State of Ohio shall be repealed from that effective date. 183