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Sponsor Testimony
Senate Joint Resolution 2
Constitutional Resolutions Committee
April 27th, 2023

Chairman Plummer, Vice-Chair Hillyer, Ranking Minority Member Mohamed, thank you for allowing us to provide sponsor testimony in favor of Senate Joint Resolution 2, which would place on the ballot for Ohioans' consideration a proposed amendment to Article II of the Ohio Constitution to require a vote of at least 60% of the electors to approve a constitutional amendment. In addition to the 60% threshold, SJR 2 requires an initiative petition that proposes a constitutional amendment to be signed by at least 5% of the electors of each county in the state, instead of half of the counties. This resolution will eliminate the ten-day cure period to cure insufficient petitions by gathering more signatures.

Over the years, Ohio's Constitution has been easily influenced by outside groups and special interests seeking to alter our Constitution for their own benefit. We have witnessed time and time again, as special interests buy their way onto the statewide ballot, only to spend millions of dollars drowning the airwaves seeking to secure permanent, fundamental changes to our state by a vote margin of 50% plus one vote.

Our Founding Fathers established a United States Constitution that protects against such outside influence and special interests by requiring a supermajority vote for amendments – a 2/3 vote of both chambers of Congress and a vote of 3/4 of state legislatures. It is time to extend similar protections to the Ohio Constitution.

Protecting the Ohio Constitution is not a new idea; rather something that has been eagerly anticipated. SJR2 is the type of reform that has been discussed by the former Ohio Constitutional Modernization Commission, by current and former legislative leaders, in the pages of Ohio's newspapers, and at many public forums in between. SJR2 is the type of reform that has already received an endorsement of raising the threshold for adoption of constitutional amendments.

Let us not fail to recognize Ohio as among the minority of states that even permit constitutional amendments by initiative petition at all. 32 states do not allow constitutional amendments to be proposed by outside groups. By the same token, of the 18 states which do allow constitutional amendments by initiative petition, 9 of those states – red and blue – have added some form of enhanced requirement for them to be adopted. Florida is functioning similarly as the state requires a 60% vote for adoption, just as SJR2 is proposing. Colorado requires a 55% vote to approve constitutional amendments, while “Live Free or Die” New Hampshire requires a 66% vote to amend its constitution. Illinois requires either a 60% vote margin on the amendment itself, or 50% plus one of all the total ballots cast in the applicable election. Nevada requires a majority vote in two consecutive general elections.

There are several important notes to make about this Constitutional Amendment:

- SJR2 preserves the initiative petition form of amendment, and does not take away the ability of Ohioans to offer amendments to Ohio’s Constitution.
- SJR2 preserves the ability of any group to propose amendments to the Constitution, but it will also ensure that all communities are represented for purposes of determining what ideas will make it to the ballot

Lastly, similar to HJR1 if adopted, SJR2 will apply to all proposed constitutional amendments offered by the legislature as well. Allowing special interests to corrupt the State of Ohio by funding amendments for their own benefit first, and the public benefit last, is not in the best interest of either party.

Chairman Plummer, Vice-Chair Hillyer, Ranking Minority Member Mohamed, thank you for allowing us to provide sponsor testimony in favor of Senate Joint Resolution 2. Thank you for recognizing the importance of this legislation, and we would be happy to answer any questions the committee may have.