



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.J.R. 4  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Wiggam

Jason Hoskins, Attorney

### SUMMARY

- Proposes to amend the Ohio Constitution to protect individuals from being compelled to wear a mask or other facial covering in (1) a place of public accommodation, (2) a facility owned or operated by a political subdivision or state agency, or (3) a court.
- Specifies that nothing in the amendment is to be construed as applying to a private residence.

### DETAILED ANALYSIS

#### Prohibition against required wearing of mask or facial covering

The resolution proposes to amend the Ohio Constitution to provide that individuals cannot be required to wear a mask or other facial covering in (1) a place of public accommodation, (2) a facility owned or operated by a political subdivision or state agency, or (3) a court. The amendment defines a “place of public accommodation” to mean all of the following:

- An inn, hotel, motel, or other place of lodging;
- A restaurant, bar, or other establishment serving food or drink;
- A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
- An auditorium, convention center, lecture hall, or other place of public gathering;
- A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
- A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy,

insurance office, professional office of a health care provider, publicly accessible area of a hospital, or other service establishment;

- A terminal, depot, or other station used for public transportation;
- A museum, library, gallery, or other place of public display or collection;
- A park, zoo, amusement park, or other place of recreation;
- A preschool, elementary, secondary, undergraduate, or postgraduate public or private school, or other place of education;
- A child care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment;
- A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.

The amendment specifies that nothing in its provisions is to be construed as applying to a private residence.<sup>1</sup>

### **Election and effective date**

The resolution specifies that the amendment will be submitted to the electors at the general election to be held on November 5, 2024. If adopted by a majority of electors voting on it, the amendment takes effect immediately.

---

## **HISTORY**

Action	Date
Introduced	09-26-23

---

ANHJR0004IN-135/ar

---

<sup>1</sup> Ohio Constitution, Article 1, Section 22.