

130th General Assembly
Regular Session
2013-2014

. J. R. No.

JOINT RESOLUTION

Proposing to amend Sections 1b and 1g of Article II
of the Constitution of the State of Ohio to modify
the requirements to propose a statute by
initiative petition.

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 3, 2015, a proposal to amend Sections 1b and
1g of Article II of the Constitution of the State of Ohio to read
as follows:

ARTICLE II

Section 1b. When at any time, not less than ten days prior to
the commencement of any session of the general assembly, there
shall have been filed with the secretary of state a petition
signed by three per centum of the electors and verified as herein
provided, proposing a law, the full text of which shall have been
set forth in such petition, the secretary of state shall transmit
the same to the general assembly as soon as it convenes. If said
proposed law shall be passed by the general assembly, either as
petitioned for or in an amended form, it shall be subject to the
referendum. If it shall not be passed, or if it shall be passed in
an amended form, or if no action shall be taken thereon within
four months from the time it is received by the general assembly,

it shall be submitted by the secretary of state to the electors 24
for their approval or rejection, if such submission shall be 25
demanded by supplementary petition verified as herein provided and 26
signed by not less than three per centum of the electors in 27
addition to those signing the original petition, which 28
supplementary petition must be signed and filed with the secretary 29
of state within ninety days after the proposed law shall have been 30
rejected by the general assembly or after the expiration of such 31
term of four months, if no action has been taken thereon, or after 32
the law as passed by the general assembly shall have been filed by 33
the governor in the office of the secretary of state. The proposed 34
law shall be submitted at the next regular or general election 35
occurring subsequent to one hundred twenty-five days after the 36
supplementary petition is filed in the form demanded by such 37
supplementary petition, which form shall be either as first 38
petitioned for or with any amendment or amendments which may have 39
been incorporated therein by either branch or by both branches, of 40
the general assembly. If a proposed law so submitted is approved 41
by a majority of the electors voting thereon, it shall be the law 42
and shall go into effect as herein provided in lieu of any amended 43
form of said law which may have been passed by the general 44
assembly, and such amended law passed by the general assembly 45
shall not go into effect until and unless the law proposed by 46
supplementary petition shall have been rejected by the electors. 47
All such initiative petitions, last above described, shall have 48
printed across the top thereof, in case of proposed laws: "Law 49
Proposed by Initiative Petition First to be Submitted to the 50
General Assembly." Ballots shall be so printed as to permit an 51
affirmative or negative vote upon each measure submitted to the 52
electors. Any proposed law or amendment to the constitution 53
submitted to the electors as provided in 1a and 1b, if approved by 54
a majority of the electors voting thereon, shall take effect 55
thirty days after the election at which it was approved and shall 56

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.

For a period of five years after a law proposed by initiative
petition is approved by the voters, the general assembly shall not
amend or repeal that law except by a vote of two-thirds of the
members elected to each branch of the general assembly.

Section 1g. (A) 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 after his
name the date of signing and his place of residence. A signer
residing outside of a municipality shall state the county and the
rural route number, post office address, or township of his
residence. A resident of a municipality shall state the street and
number, if any, of his residence and the name of the municipality
or post office address. The names of all signers to such petitions
shall be written in ink, each signer for himself. To each part of
such petition shall be attached the statement of the circulator,
as may be required by law, that he witnessed the affixing of every
signature. The secretary of state shall determine the sufficiency
of the signatures not later than one hundred five days before the
election.

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

(C) If the petitions or signatures are determined to be insufficient, ten additional days shall be allowed for the filing of additional signatures to such petition. If additional signatures are filed, the secretary of state shall determine the sufficiency of those additional signatures not later than sixty-five days before the election. Any challenge to the additional signatures shall be filed not later than fifty-five days before the day of the election. The court shall hear and rule on any challenges made to the additional signatures not later than forty-five days before the election. If no ruling determining the additional signatures to be insufficient is issued at least forty-five days before the election, the petition and signatures shall be presumed to be in all respects sufficient.

(D) No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency. ~~Upon~~

(E) (1) Except as otherwise provided in division (E) (2) of

this section, upon all initiative, ~~supplementary~~, and referendum 121
petitions provided for in any of the sections of this article, it 122
shall be necessary to file from each of one-half of the counties 123
of the state, petitions bearing the signatures of not less than 124
one-half of the designated percentage of the electors of such 125
county. A 126

(2) Upon all initiative and supplementary petitions proposing 127
a law, it shall be necessary to file from each of one-quarter of 128
the counties of the state, petitions bearing the signatures of not 129
less than one-half of the designated percentage of the electors of 130
such county. 131

(F) A true copy of all laws or proposed laws or proposed 132
amendments to the constitution, together with an argument or 133
explanation, or both, for, and also an argument or explanation, or 134
both, against the same, shall be prepared. The person or persons 135
who prepare the argument or explanation, or both, against any law, 136
section, or item, submitted to the electors by referendum 137
petition, may be named in such petition and the persons who 138
prepare the argument or explanation, or both, for any proposed law 139
or proposed amendment to the constitution may be named in the 140
petition proposing the same. The person or persons who prepare the 141
argument or explanation, or both, for the law, section, or item, 142
submitted to the electors by referendum petition, or against any 143
proposed law submitted by supplementary petition, shall be named 144
by the general assembly, if in session, and if not in session then 145
by the governor. The 146

(G) The law, or proposed law, or proposed amendment to the 147
constitution, together with the arguments and explanations, not 148
exceeding a total of three hundred words for each, and also the 149
arguments and explanations, not exceeding a total of three hundred 150
words against each, shall be published once a week for three 151
consecutive weeks preceding the election, in at least one 152

newspaper of general circulation in each county of the state, 153
where a newspaper is published. ~~The~~ 154

(H) The secretary of state shall cause to be placed upon the 155
ballots, 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, as 159
apply to issues submitted by the general assembly pursuant to 160
Section 1 of Article XVI of this constitution. The ballot language 161
shall be so prescribed and the secretary of state shall cause the 162
ballots so to be printed as to permit an affirmative or negative 163
vote upon each law, section of law, or item in a law appropriating 164
money, or proposed law, or proposed amendment to the constitution. 165
~~The~~ 166

(I) The style of all laws submitted by initiative and 167
supplementary petition shall be: "Be it Enacted by the People of 168
the State of Ohio," and of all constitutional amendments: "Be it 169
Resolved by the People of the State of Ohio." ~~The~~ 170

(J) The basis upon which the required number of petitioners 171
in any case shall be determined shall be the total number of votes 172
cast for the office of governor at the last preceding election 173
therefor. ~~The~~ 174

(K) The foregoing provisions of this section shall be 175
self-executing, except as herein otherwise provided. Laws may be 176
passed to facilitate their operation, but in no way limiting or 177
restricting either such provisions or the powers herein reserved. 178

EFFECTIVE DATE AND REPEAL 179

If adopted by a majority of the electors voting on this 180
proposal, Sections 1b and 1g of Article II as amended by this 181
proposal take effect immediately and existing Sections 1b and 1g 182
of Article II of the Constitution of the State of Ohio are 183

repealed from that effective date.

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