



## OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

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### OCMC Proposed Constitutional Amendment Timeline

TO: Shari L. O'Neill, Counsel to the Commission

FROM: Morgan Cheek, Legal Intern

DATE: December 11, 2014

RE: Timeline for Constitutional Amendments Proposed by OCMC

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**I. Ohio Constitutional Modernization Commission Vote**

During full commission meetings, the OCMC will accept recommendations for amendments from individual committees and vote on whether or not to present the recommendation to the General Assembly.<sup>1</sup> A recommendation is void unless it receives a two-thirds vote of the membership of the commission.<sup>2</sup>

**II. Determine Sponsors**

After the full commission votes to present the recommendation to the General Assembly, sponsor(s) of the amendment will need to be determined. These sponsors will eventually present the amendment as a joint resolution to each of their respective houses of the General Assembly.<sup>3</sup>

**III. Legislative Service Commission**

Sponsor(s) will provide amendment language to the Legislative Service Commission (LSC), which will then review the language of the potential amendment.<sup>4</sup>

**IV. Present to General Assembly as a Joint Resolution**

Sponsor(s) will present the amendment as a joint resolution to their respective houses of the General Assembly.<sup>5</sup> Per Article XVI, § 1 either branch of the General Assembly may propose amendments to the constitution, but the proposed amendment must be approved by at least a three-fifths vote of the members of each house.

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<sup>1</sup> Ohio Revised Code § 103.61

<sup>2</sup> *Id.*

<sup>3</sup> Ohio Legislative Service Commission, *A Guidebook for Ohio Legislators* 47 (13th ed. 2013).

<sup>4</sup> Ohio Revised Code § 103.13

<sup>5</sup> Ohio Legislative Service Commission, *A Guidebook for Ohio Legislators* 47 (13th ed. 2013).

**V. Submit Language to Secretary of State**

Any proposed amendment shall be entered on the journals, with the yeas and nays, and must be filed with the secretary of state at least ninety days before the date of the election at which the amendment will be submitted to the voters.<sup>6</sup>

**VI. Secretary of State Submits the Joint Resolution to the Ballot Board**

Per Article XVI, § 1, the Secretary of State submits the proposed amendment to the Ballot Board, which prescribes the ballot language and explanation for the proposed amendment and certifies them to the Secretary of State no later than 75 days before the election.

**VII. Publish to the Public**

Per Article XVI, § 1, proposed amendments, ballot language, an explanation and any arguments prepared by the OBB must be published in a newspaper of general circulation in every county once a week for three consecutive weeks before the election.<sup>7</sup>

**VIII. Potential for Challenges**

Per Article XVI, § 1, the Supreme Court of Ohio has original jurisdiction over any challenge to a ballot proposal as long as the challenge is made no later than 64 days before the election.

**IX. Election**

Elections on amendments proposed by the legislature can take place on general election days or special election days.<sup>8</sup> To be adopted, the amendment must pass by a simple majority vote on the amendment itself.<sup>9</sup>

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<sup>6</sup> O.H. Const. art. XVI

<sup>7</sup> See generally <http://www.sos.state.oh.us/sos/upload/ballotboard/2012/2012stateissues.pdf> (providing a sample of the newspaper insert prepared by the Secretary of State).

<sup>8</sup> O.H. Const. art. XVI, § 1

<sup>9</sup> *Id.*