

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 188

Speaker Batchelder

**Cosponsors: Representatives Derickson, Beck, Thompson, Wachtmann,
Maag, Stebelton, Amstutz, Adams, R., Combs, Blair, Gardner, Johnson,
Boose, Carey, Butler, Grossman, Burke, Stautberg, Duffey, Huffman,
Adams, J., Newbold, Hayes, Dovilla, Slaby, Martin, Brenner**

—

A B I L L

To enact sections 103.61, 103.62, 103.63, 103.64, 1
103.65, 103.66, and 103.67 of the Revised Code to 2
establish the Ohio Constitutional Modernization 3
Commission and to make an appropriation. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 103.61, 103.62, 103.63, 103.64, 5
103.65, 103.66, and 103.67 of the Revised Code be enacted to read 6
as follows: 7

Sec. 103.61. The members of the Ohio constitutional 8
modernization commission shall meet for the purpose of: 9

(A) Studying the Constitution of Ohio; 10

(B) Promoting an exchange of experiences and suggestions 11
respecting desired changes in the Constitution; 12

(C) Considering the problems pertaining to the amendment of 13
the Constitution; 14

(D) Making recommendations from time to time to the general 15

assembly for the amendment of the Constitution. 16

A commission recommendation is void unless it receives a 17
two-thirds vote of the membership of the commission. 18

Sec. 103.62. In the event of a call for a constitutional 19
convention, the Ohio constitutional modernization commission shall 20
report to the general assembly its recommendations with respect to 21
the organization of a convention, and report to the convention its 22
recommendations with respect to amendment of the Constitution. 23

Sec. 103.63. There is established an Ohio constitutional 24
modernization commission consisting of thirty-two members. Twelve 25
members shall be appointed from the general assembly as follows: 26
three by the president of the senate, three by the minority leader 27
of the senate, three by the speaker of the house of 28
representatives, and three by the minority leader of the house of 29
representatives. On January 1, 2012, and every two years 30
thereafter, the twelve general assembly members shall meet, 31
organize, and elect two co-chairpersons, who shall be from 32
different political parties. The members shall then, by majority 33
vote, appoint twenty commission members, not from the general 34
assembly. All appointments shall end on the first day of January 35
of every even-numbered year, and the commission shall then be 36
re-created in the manner provided above. Members may be 37
reappointed. Vacancies on the commission shall be filled in the 38
manner provided for original appointments. 39

The members of the commission shall serve without 40
compensation, but each member shall be reimbursed for actual and 41
necessary expenses incurred while engaging in the performance of 42
the member's official duties. Membership on the commission does 43
not constitute holding another public office. 44

Sec. 103.64. The Ohio constitutional modernization commission 45

may receive appropriations and grants, gifts, bequests, and 46
devises and may expend any funds received in such a manner for the 47
purpose of reimbursing members for actual and necessary expenses 48
incurred while engaged in official duties, or for the purpose of 49
meeting expenses incurred in any special research or study 50
relating to the Constitution of Ohio. The commission shall file 51
annually with the auditor of state, on or before the fifteenth day 52
of March, a full report of all grants, gifts, bequests, and 53
devises received during the preceding calendar year, stating the 54
date when each was received and the purpose for which the funds 55
received therefrom were expended. 56

Sec. 103.65. The Ohio constitutional modernization commission 57
may employ professional, technical, and clerical employees as may 58
be required successfully and efficiently to carry out the purposes 59
of the commission. Funds for the compensation and reimbursement of 60
employees shall be paid from the state treasury out of funds 61
appropriated for the purpose. All disbursements of the commission 62
shall be by voucher approved by one of the co-chairpersons of the 63
commission. 64

Sec. 103.66. The Ohio constitutional modernization commission 65
shall make its first report to the general assembly not later than 66
January 1, 2013. Thereafter, it shall report at least every two 67
years until its work is completed. 68

Sec. 103.67. The Ohio constitutional modernization commission 69
shall complete its work on or before July 1, 2021, and shall cease 70
to exist at that time. The terms of all members shall expire July 71
1, 2021. 72

Section 2. All appropriation items in this act are 73
appropriated out of money in the state treasury to the credit of 74

the designated fund. For all appropriations made in this act, the 75
amounts in the first column are for fiscal year 2012 and the 76
amounts in the second column are for fiscal year 2013. The 77
appropriations made in this act are in addition to any other 78
appropriations made for the FY 2012-FY 2013 biennium. 79

Appropriations

LSC Legislative Service Commission 80

General Revenue Fund 81

GRF 035411 Ohio Constitutional \$ 50,000 \$ 50,000 82

Modernization

Commission

TOTAL GRF General Revenue Fund \$ 50,000 \$ 50,000 83

TOTAL ALL BUDGET FUND GROUPS \$ 50,000 \$ 50,000 84

OHIO CONSTITUTIONAL MODERNIZATION COMMISSION 85

The foregoing appropriation item 035411, Ohio Constitutional 86
Modernization Commission, shall be used to support the operation 87
and expenses of the Ohio Constitutional Modernization Commission 88
under sections 103.61 to 103.67 of the Revised Code. 89

Section 3. Within the limits set forth in this act, the 90
Director of Budget and Management shall establish accounts 91
indicating the source and amount of funds for each appropriation 92
made in this act, and shall determine the form and manner in which 93
appropriation accounts shall be maintained. Expenditures from 94
appropriations contained in this act shall be accounted for as 95
though made in the main operating appropriations act of the 129th 96
General Assembly. 97

The appropriations made in this act are subject to all 98
provisions of the main operating appropriations act of the 129th 99
General Assembly that are generally applicable to such 100
appropriations. 101

Section 4. Sections 2, 3, and 4 of this act, and the items of 102
law of which they are composed, are not subject to the referendum 103
under Ohio Constitution, Article II, Section 1d and section 1.471 104
of the Revised Code and therefore go into immediate effect when 105
this act becomes law. 106