

**As Reported by the Senate Government Oversight and Reform
Committee**

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

Am. 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, Mecklenborg,
Gerberry, Fedor, Letson, Patmon, Sprague, Stinziano, Anielski, Antonio,
Baker, Balderson, Barnes, Blessing, Bubb, Buchy, Budish, Carney, Celeste,
Damschroder, DeGeeter, Fende, Garland, Goodwin, Goyal, Hackett,
Hagan, C., Hall, Heard, Henne, Hollington, Hottinger, Kozlowski, Luckie,
McClain, McGregor, McKenney, Milkovich, Murray, Peterson, Phillips, Pillich,
Ramos, Roegner, Rosenberger, Ruhl, Sears, Slesnick, Sykes, Szollosi,
Weddington, Winburn, Yuko**

Senator Faber

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A B I L L

To enact sections 103.61, 103.62, 103.63, 103.64, 1
103.65, and 103.66 of the Revised Code to 2
establish the Ohio Constitutional Modernization 3
Commission. 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, and 103.66 of the Revised Code be enacted to read as 6
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. There is established an Ohio constitutional 19
modernization commission consisting of thirty-two members. Twelve 20
members shall be appointed from the general assembly as follows: 21
three by the president of the senate, three by the minority leader 22
of the senate, three by the speaker of the house of 23
representatives, and three by the minority leader of the house of 24
representatives. Not later than January 1, 2012, and every two 25
years thereafter, the twelve general assembly members shall meet, 26
organize, and elect two co-chairpersons, who shall be from 27
different political parties. The members shall then, by majority 28
vote, appoint twenty commission members, not from the general 29
assembly. All appointments shall end on the first day of January 30
of every even-numbered year, and the commission shall then be 31
re-created in the manner provided above. Members may be 32
reappointed. Vacancies on the commission shall be filled in the 33
manner provided for original appointments. 34

The members of the commission shall serve without 35
compensation, but each member shall be reimbursed for actual and 36
necessary expenses incurred while engaging in the performance of 37

the member's official duties. Membership on the commission does 38
not constitute holding another public office. 39

Sec. 103.63. The Ohio constitutional modernization commission 40
may receive appropriations and grants, gifts, bequests, and 41
devises and may expend any funds received in such a manner for the 42
purpose of reimbursing members for actual and necessary expenses 43
incurred while engaged in official duties, or for the purpose of 44
meeting expenses incurred in any special research or study 45
relating to the Constitution of Ohio. The commission shall file 46
annually with the auditor of state, on or before the fifteenth day 47
of March, a full report of all grants, gifts, bequests, and 48
devises received during the preceding calendar year, stating the 49
date when each was received and the purpose for which the funds 50
received therefrom were expended. 51

Sec. 103.64. The Ohio constitutional modernization commission 52
may employ professional, technical, and clerical employees as may 53
be required successfully and efficiently to carry out the purposes 54
of the commission. Funds for the compensation and reimbursement of 55
employees shall be paid from the state treasury out of funds 56
appropriated for the purpose. All disbursements of the commission 57
shall be by voucher approved by one of the co-chairpersons of the 58
commission. 59

Sec. 103.65. The Ohio constitutional modernization commission 60
shall make its first report to the general assembly not later than 61
January 1, 2013. Thereafter, it shall report at least every two 62
years until its work is completed. 63

Sec. 103.66. Except as otherwise provided in this section, 64
the Ohio constitutional modernization commission shall complete 65
its work on or before July 1, 2021, and shall cease to exist at 66

that time. The terms of all members shall expire July 1, 2021. 67

If, however, a majority of the electors voting in 2012 under 68
Ohio Constitution, article XVI, section 3, on the question of 69
whether there should be a constitutional convention vote in favor 70
of a convention, the commission shall transfer all of the assets 71
and records remaining from its operations to the convention. Upon 72
the transfer of the assets and records, the commission ceases to 73
exist. 74