

As Introduced

128th General Assembly
Regular Session
2009-2010

H. J. R. No. 9

Representatives Huffman, Yates

Cosponsors: Representatives Murray, Blessing, Skindell, Pillich, Hagan,
Amstutz, Fende, Ujvagi, Domenick

JOINT RESOLUTION

Proposing to amend Section 6 of Article IV and to
repeal Sections 19 and 22 of Article IV of the
Constitution of Ohio to change the age at and
after which a person may not be elected or
appointed to a judicial office and to eliminate
the authority of the General Assembly to establish
courts of conciliation and to reappoint a Supreme
Court commission.

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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 primary election to
be held on May 4, 2010, a proposal to amend Section 6 of Article
IV of the Constitution of Ohio to read as follows:

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ARTICLE IV

Section 6. (A)(1) The chief justice and the justices of the
supreme court shall be elected by the electors of the state at
large, for terms of not less than six years.

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(2) The judges of the courts of appeals shall be elected by
the electors of their respective appellate districts, for terms of

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not less than six years. 21

(3) The judges of the courts of common pleas and the 22
divisions thereof shall be elected by the electors of the 23
counties, districts, or, as may be provided by law, other 24
subdivisions, in which their respective courts are located, for 25
terms of not less than six years, and each judge of a court of 26
common pleas or division thereof shall reside during his term of 27
office in the county, district, or subdivision in which his court 28
is located. 29

(4) Terms of office of all judges shall begin on the days 30
fixed by law, and laws shall be enacted to prescribe the times and 31
mode of their election. 32

(B) The judges of the supreme court, courts of appeals, 33
courts of common pleas, and divisions thereof, and of all courts 34
of record established by law, shall, at stated times, receive, for 35
their services such compensation as may be provided by law, which 36
shall not be diminished during their term of office. The 37
compensation of all judges of the supreme court, except that of 38
the chief justice, shall be the same. The compensation of all 39
judges of the courts of appeals shall be the same. Common pleas 40
judges and judges of divisions thereof, and judges of all courts 41
of record established by law shall receive such compensation as 42
may be provided by law. Judges shall receive no fees or 43
perquisites, nor hold any other office of profit or trust, under 44
the authority of this state, or of the United States. All votes 45
for any judge, for any elective office, except a judicial office, 46
under the authority of this state, given by the general assembly, 47
or the people shall be void. 48

(C) No person shall be elected or appointed to any judicial 49
office if on or before the day when ~~he~~ the person shall assume the 50
office and enter upon the discharge of its duties ~~he~~ the person 51
shall have attained the age of ~~seventy~~ seventy-five years. Any 52

voluntarily retired judge, or any judge who is retired under this 53
section, may be assigned with ~~his~~ the retired judge's consent, by 54
the chief justice or acting chief justice of the supreme court, to 55
active duty as a judge and while so serving shall receive the 56
established compensation for such office, computed upon a per diem 57
basis, in addition to any retirement benefits to which ~~he~~ the 58
retired judge may be entitled. Laws may be passed providing 59
retirement benefits for judges. 60

EFFECTIVE DATE AND REPEAL 61

If adopted by a majority of the electors voting on this 62
proposal, Section 6 of Article IV as amended by this proposal 63
shall take effect on January 1, 2011, and existing Section 6 and 64
Sections **Section 19.** and **Section 22.** of Article IV are repealed 65
from that effective date. 66

SCHEDULE 67

The amendments to Section 6 of Article IV of the Constitution 68
of Ohio in part substitute gender neutral for gender specific 69
language. The gender neutralizing amendments are not intended to 70
make a substantive change in the Ohio Constitution. The gender 71
neutral language is to be construed as a restatement of, and 72
substituted in a continuing way for, the corresponding gender 73
specific language existing prior to adoption of the gender 74
neutralizing amendments. 75