

As Adopted by the Senate

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

Am. H. J. R. No. 1

Representatives Huffman, Fende

**Cosponsors: Representatives Slaby, Grossman, Gardner, Sears, Maag,
Derickson, McKenney, Amstutz, Brenner, Combs, Blessing, McClain,
Thompson, Blair, Dovilla, Coley, Anielski, Baker, Beck, Boose, Carey, Duffey,
Gonzales, Hollington, Martin, McGregor, Mecklenborg, Newbold,
Rosenberger, Schuring, Stebelton, Uecker, Speaker Batchelder
Senators Wagoner, Faber, Seitz, Turner, Bacon, Brown, Coley, Daniels, Hite,
Lehner, Manning, Patton, Schiavoni, Smith, Widener, Wilson**

JOINT RESOLUTION

Proposing to amend Section 6 of Article IV and to 1
repeal Sections 19 and 22 of Article IV of the 2
Constitution of the State of Ohio to change the 3
age at and after which a person may not be elected 4
or appointed to a judicial office and to eliminate 5
the authority of the General Assembly to establish 6
courts of conciliation and to reappoint a Supreme 7
Court commission. 8

Be it resolved by the General Assembly of the State of Ohio, 9
three-fifths of the members elected to each house concurring 10
herein, that there shall be submitted to the electors of the 11
state, in the manner prescribed by law at the general election to 12
be held on November 8, 2011, a proposal to amend Section 6 of 13
Article IV of the Constitution of the State of Ohio to read as 14
follows: 15

ARTICLE IV

Section 6. (A)(1) The chief justice and the justices of the 16
supreme court shall be elected by the electors of the state at 17
large, for terms of not less than six years. 18

(2) The judges of the courts of appeals shall be elected by 19
the electors of their respective appellate districts, for terms of 20
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 shall assume~~ date of the 50
election or appointment at which the office ~~and enter upon the~~ 51
~~discharge of its duties he~~ is to be filled the person shall have 52
~~attained~~ exceeded the age of ~~seventy~~ seventy-five years. Any 53
voluntarily retired judge, or any judge who is retired under this 54
section, may be assigned with ~~his~~ the retired judge's consent, by 55
the chief justice or acting chief justice of the supreme court, to 56
active duty as a judge and while so serving shall receive the 57
established compensation for such office, computed upon a per diem 58
basis, in addition to any retirement benefits to which ~~he~~ the 59
retired judge may be entitled. Laws may be passed providing 60
retirement benefits for judges. 61

EFFECTIVE DATE AND REPEAL 62

If adopted by a majority of the electors voting on this 63
proposal, Section 6 of Article IV as amended by this proposal 64
shall take effect immediately, and existing Section 6 and Sections 65
19 and 22 of Article IV of the Constitution of the State of Ohio 66
shall be repealed effective immediately. 67

SCHEDULE 68

The amendments to Section 6 of Article IV of the Constitution 69
of the State of Ohio in part substitute gender neutral for gender 70
specific language. The gender neutralizing amendments are not 71
intended to make a substantive change in the Ohio Constitution. 72
The gender neutral language is to be construed as a restatement 73
of, and substituted in a continuing way for, the corresponding 74
gender specific language existing prior to adoption of the gender 75
neutralizing amendments. 76