

As Introduced

**130th General Assembly
Regular Session
2013-2014**

H. J. R. No. 11

Representative Huffman

JOINT RESOLUTION

Proposing to enact Section 43 of Article II of the 1
Constitution of the State of Ohio to establish a 2
constitutional process for congressional 3
redistricting. 4

Be it resolved by the General Assembly of the State of Ohio, 5
three-fifths of the members elected to each house concurring 6
herein, that there shall be submitted to the electors of the 7
state, in the manner prescribed by law at the general election to 8
be held on November 3, 2015, a proposal to enact Section 43 of 9
Article II of the Constitution of Ohio to read as follows: 10

ARTICLE II

Section 43. (A)(1) The general assembly shall be responsible 11
for the redistricting of this state for congress based on the 12
prescribed number of congressional districts apportioned to the 13
state pursuant to Section 2 of Article 1 of the Constitution of 14
the United States. Each congressional district shall be entitled 15
to a single representative in the United States house of 16
representatives in each congress. 17

(2) Congressional districts shall be created in the following 18
order: 19

(a) The whole population of the state, as determined by the 20
federal decennial census, shall be divided by the number of 21
congressional districts apportioned to the state pursuant to 22

Section 2 of Article 1 of the Constitution of the United States, 23
and the quotient shall be the congressional ratio of 24
representation for the ten years next succeeding such 25
apportionment. 26

(b) Proceeding in succession from the largest to the 27
smallest, each county that, based on population, could contain 28
more than one whole congressional district shall be divided into 29
not more congressional districts than the number of whole 30
congressional districts the county could contain, plus one. 31

(c) The remaining territory of the state shall be combined 32
into congressional districts. 33

(3) A congressional district plan shall comply with all 34
applicable provisions of the Constitution of the United States and 35
of federal law. 36

(B) Except as otherwise provided in division (D) of this 37
section or by a final unappealed order of a court of competent 38
jurisdiction, a congressional district plan shall become effective 39
only in a year ending in the numeral one. 40

(C)(1)(a) A joint legislative committee shall be responsible 41
to propose a congressional district plan. The committee shall 42
consist of the following six members, each of whom shall be a 43
current member of the general assembly: 44

(i) Two persons appointed by the speaker of the house of 45
representatives; 46

(ii) Two persons appointed by the president of the senate; 47

(iii) One person appointed by the legislative leader of the 48
largest political party in the house of representatives of which 49
the speaker is not a member; 50

(iv) One person appointed by the legislative leader of the 51
largest political party in the senate of which the president of 52

the senate is not a member. 53

(b) Not later than the fifteenth day of August of a year 54
ending in the numeral one, the committee shall propose a 55
congressional district plan to the general assembly by the 56
affirmative vote of four members of the committee, including at 57
least one member of the committee who is a member of the largest 58
political party represented in the general assembly and one member 59
of the committee who is a member of the second largest political 60
party represented in the general assembly. 61

(c) If the committee fails to propose a congressional 62
district plan to the general assembly not later than the fifteenth 63
day of August of a year ending in the numeral one, in accordance 64
with division (C)(1)(b) of this section, the committee shall 65
propose a congressional district plan to the general assembly not 66
later than the fifteenth day of September of that year. The 67
proposal of a district plan under this division shall require the 68
affirmative vote of four members of the committee, including at 69
least two members of the committee who are representatives and two 70
members of the committee who are senators. 71

(2)(a) Notwithstanding division (A) of Section 15 of this 72
article, the general assembly shall vote on whether to adopt a 73
plan proposed under division (C)(1) of this section, without 74
amendment, by joint resolution. If the district plan was proposed 75
under division (C)(1)(b) of this section, the general assembly 76
shall vote on whether to adopt the proposed plan not later than 77
the thirty-first day of August of that year. If the district plan 78
was proposed under division (C)(1)(c) of this section, the general 79
assembly shall vote on whether to adopt the proposed plan not 80
later than the first day of October of that year. The adoption of 81
the proposed district plan shall require the affirmative vote of a 82
majority of the members elected to each house of the general 83
assembly. After the district plan is adopted, it shall be filed 84

with the secretary of state. Upon filing with the secretary of 85
state, the plan shall become effective. 86

(b) If the general assembly fails to adopt the proposed 87
congressional district plan not later than the applicable deadline 88
prescribed by division (C)(2)(a) of this section, the proposed 89
congressional district plan shall be filed with the secretary of 90
state. Upon filing with the secretary of state, the plan shall 91
become effective. 92

(D)(1) A district plan that meets any of the following 93
conditions shall be effective for elections occurring in the year 94
following the year in which the plan became effective and shall be 95
subject to a vote of the electors as provided in division (D)(2) 96
of this section: 97

(a) The plan was proposed under division (C)(1)(b) of this 98
section, was not adopted by the general assembly, and became 99
effective under division (C)(2)(b) of this section. 100

(b) The plan was proposed under division (C)(1)(c) of this 101
section and was adopted by the general assembly under division 102
(C)(2)(a) of this section. 103

(c) The plan was proposed under division (C)(1)(c) of this 104
section, was not adopted by the general assembly, and became 105
effective under division (C)(2)(b) of this section. 106

(2) At the general election conducted in the year following 107
the year in which the plan became effective, the following 108
question shall be submitted to the electors of the state: 109

"Shall the Ohio General Assembly draw new congressional 110
districts?" 111

(3) If a majority of the electors vote in favor of requiring 112
the general assembly to draw new congressional districts, not 113
earlier than the first day of February of the following year, the 114

joint legislative committee shall propose, and the general 115
assembly shall adopt, new congressional districts in accordance 116
with this section. The new plan shall be drawn using the same 117
population data as were used to draw the plan described in 118
division (D)(1) of this section. 119

(4) If a majority of the electors vote against requiring the 120
general assembly to draw new congressional districts, the district 121
plan described in division (D)(1) of this section shall remain in 122
effect until one-half of the general elections for congress 123
scheduled to occur during the period beginning after the election 124
at which the electors voted not to require the general assembly to 125
draw new congressional districts and ending in the next year 126
ending in the numeral one have occurred. If an odd number of 127
applicable elections are scheduled to occur during that period, 128
the number of general elections to be held using the plan 129
described in division (D)(1) of this section shall be determined 130
by rounding up to the next whole number. After a plan described in 131
division (D)(1) of this section ceases to be effective under this 132
division, and not earlier than the first day of February of the 133
year following the year in which the plan ceased to be effective, 134
the joint legislative committee shall propose, and the general 135
assembly shall adopt, new congressional districts, in accordance 136
with this section, to be used until the next time for 137
redistricting under this section. The new plan shall be drawn 138
using the same population data as were used to draw the plan 139
described in division (D)(1) of this section. 140

(E) A congressional district plan that becomes effective 141
under this section is not subject to the referendum and is not 142
subject to the veto of the governor. The electors may not propose 143
a congressional district plan by initiative. 144

EFFECTIVE DATE 145

If adopted by a majority of the electors voting on this 146

proposal, Section 43 of Article II of the Constitution of the
State of Ohio takes effect January 1, 2021.

147

148