

As Introduced

130th General Assembly
Regular Session
2013-2014

H. J. R. No. 8

Representative Becker

JOINT RESOLUTION

Proposing to amend Sections 2 and 7 of Article II, 1
Section 6 of Article IV, Section 9 of Article V, 2
Sections 3 and 4 of Article VI, and Section 1 of 3
Article XIV; to enact new Section 8 of Article V; 4
to enact Section 5 of Article X and Section 15 of 5
Article XVIII; and to repeal Section 8 of Article 6
V of the Constitution of the State of Ohio to 7
institute term limits for certain elected and 8
appointed officials and to increase the term 9
limits for members of the General Assembly. 10

Be it resolved by the General Assembly of the State of Ohio, 11
three-fifths of the members elected to each house concurring 12
herein, that there shall be submitted to the electors of the 13
state, in the manner prescribed by law at a special election to be 14
held on May 6, 2014, a proposal to amend Sections 2 and 7 of 15
Article II, Section 6 of Article IV, Section 9 of Article V, 16
Sections 3 and 4 of Article VI, and Section 1 of Article XIV; to 17
enact new Section 8 of Article V; to enact Section 5 of Article X 18
and Section 15 of Article XVIII; and to repeal Section 8 of 19
Article V of the Constitution of the State of Ohio to read as 20
follows: 21

ARTICLE II

Section 2. Representatives shall be elected biennially by the 22

electors of the respective house of representatives districts; 23
their term of office shall commence on the first day of January 24
next thereafter and continue two years. Senators shall be elected 25
by the electors of the respective senate districts; their terms of 26
office shall commence on the first day of January next after their 27
election. All terms of senators which commence on the first day of 28
January, 1969 shall be four years, and all terms which commence on 29
the first day of January, 1971 shall be four years. Thereafter, 30
except for the filling of vacancies for unexpired terms, senators 31
shall be elected to and hold office for terms of four years. 32

No person shall hold the office of state senator for a period 33
longer than ~~two~~ three successive terms of four years. No person 34
shall hold the office of state representative for a period longer 35
than ~~four~~ six successive terms of two years. Terms shall be 36
considered successive unless separated by a period of four or more 37
years. ~~Only terms beginning on or after January 1, 1993 shall be~~ 38
~~considered in determining an individual's eligibility to hold~~ 39
~~office.~~ 40

Section 7. The mode of organizing each House of the general 41
assembly shall be prescribed by law. 42

Each House, except as otherwise provided in this 43
Constitution, shall choose its own officers. The presiding officer 44
in the Senate shall be designated as president of the Senate and 45
in the House of Representatives as speaker of the House of 46
Representatives. No person shall hold the office of president of 47
the Senate for a period of longer than eight successive years. No 48
person shall hold the office of speaker of the House of 49
Representatives for a period of longer than eight successive 50
years. Years shall be considered successive unless separated by a 51
period of four or more years. 52

Each House shall determine its own rules of proceeding. 53

ARTICLE IV

Section 6. (A)(1) The chief justice and the justices of the 54
supreme court shall be elected by the electors of the state at 55
large, for terms of not less than six years. 56

(2) The judges of the courts of appeals shall be elected by 57
the electors of their respective appellate districts, for terms of 58
not less than six years. 59

(3) The judges of the courts of common pleas and the 60
divisions thereof shall be elected by the electors of the 61
counties, districts, or, as may be provided by law, other 62
subdivisions, in which their respective courts are located, for 63
terms of not less than six years, and each judge of a court of 64
common pleas or division thereof shall reside during ~~his~~ the 65
judge's term of office in the county, district, or subdivision in 66
which ~~his~~ the judge's court is located. 67

(4) Terms of office of all judges shall begin on the days 68
fixed by law, and laws shall be enacted to prescribe the times and 69
mode of their election. 70

(5) No person shall hold a judicial office for a period 71
longer than twelve successive years. Years shall be considered 72
successive unless separated by a period of four or more years. 73

(B) The judges of the supreme court, courts of appeals, 74
courts of common pleas, and divisions thereof, and of all courts 75
of record established by law, shall, at stated times, receive, for 76
their services such compensation as may be provided by law, which 77
shall not be diminished during their term of office. The 78
compensation of all judges of the supreme court, except that of 79
the chief justice, shall be the same. The compensation of all 80
judges of the courts of appeals shall be the same. Common pleas 81
judges and judges of divisions thereof, and judges of all courts 82

of record established by law shall receive such compensation as 83
may be provided by law. Judges shall receive no fees or 84
perquisites, nor hold any other office of profit or trust, under 85
the authority of this state, or of the United States. All votes 86
for any judge, for any elective office, except a judicial office, 87
under the authority of this state, given by the general assembly, 88
or the people shall be void. 89

(C)(1) No person shall be elected or appointed to any 90
judicial office if on or before the day when ~~he~~ the person shall 91
assume the office and enter upon the discharge of its duties ~~he~~ 92
the person shall have attained the age of seventy years. ~~Any~~ 93

(2) Any voluntarily retired judge, or any judge who is 94
retired under this section, who has not served in a judicial 95
office during the previous four years may be assigned with ~~his~~ the 96
judge's consent, by the chief justice or acting chief justice of 97
the supreme court to active duty as a judge and while so serving 98
shall receive the established compensation for such office, 99
computed upon a per diem basis, in addition to any retirement 100
benefits to which ~~he~~ the judge may be entitled. ~~Laws~~ No retired 101
judge shall serve on active duty for a period longer than twelve 102
successive years. Years shall be considered successive unless 103
separated by a period of four or more years. 104

(3) Laws may be passed providing retirement benefits for 105
judges. 106

ARTICLE V

Section 8. Except as otherwise provided in Articles X and 107
XVIII of this Constitution, if any of the following types of 108
offices are created by law, no person shall hold such an office 109
for a period longer than twelve successive years: 110

(A) Elective offices of a political subdivision; 111

(B) Elected or appointed positions as members of a board or 112
commission of the state or of a political subdivision. 113

Years shall be considered successive unless separated by a 114
period of four or more years. 115

Section 9. In determining the eligibility of an individual to 116
hold an office in accordance with ~~articles ii~~ Articles II, iii 117
III, and v IV, V, VI, X, XIV, and XVIII of this constitution ~~, (a)~~ 118
~~time:~~ 119

(A) Time spent in an office in fulfillment of a term to which 120
another person was first elected or appointed shall not be 121
considered provided that a period of at least four years passed 122
between the time, if any, in which the individual previously held 123
that office, and the time the individual is elected or appointed 124
to fulfill the unexpired term; and ~~(b) a~~ 125

(B) A person who is elected to an office in a regularly 126
scheduled general election or who is appointed to an office at the 127
beginning of a term and resigns prior to the completion of the 128
term for which ~~he or she~~ the person was elected or appointed, 129
shall be considered to have served the full term in that office. 130

ARTICLE VI

Section 3. Provision shall be made by law for the 131
organization, administration and control of the public school 132
system of the state supported by public funds: provided, that each 133
school district embraced wholly or in part within any city shall 134
have the power by referendum vote to determine for itself the 135
number of members and the organization of the district board of 136
education, and provision shall be made by law for the exercise of 137
this power by such school districts. 138

No person shall hold the office of member of a board of 139
education for a period longer than twelve successive years. Years 140

shall be considered successive unless separated by a period of 141
four or more years. 142

Section 4. (A) There shall be a state board of education 143
which shall be selected in such manner and for such terms as shall 144
be provided by law. There No person shall hold the office of 145
member of the board for a period longer than twelve successive 146
years. Years shall be considered successive unless separated by a 147
period of four or more years. 148

(B) There shall be a superintendent of public instruction, 149
who shall be appointed by the state board of education. ~~The~~ 150

(C) The respective powers and duties of the board and of the 151
superintendent shall be prescribed by law. 152

ARTICLE X

Section 5. (A) No person shall hold an elective office of a 153
county or a township, or an elected or appointed office on a 154
county or township board or commission, for a period longer than 155
twelve successive years. Years shall be considered successive 156
unless separated by a period of four or more years. 157

(B) A county charter adopted under this article may specify a 158
shorter maximum period of successive years during which a person 159
may hold such an office. 160

ARTICLE XIV

Section 1. (A) There is hereby created the Ohio Livestock 161
Care Standards Board for the purpose of establishing standards 162
governing the care and well-being of livestock and poultry in this 163
state. In carrying out its purpose, the Board shall endeavor to 164
maintain food safety, encourage locally grown and raised food, and 165
protect Ohio farms and families. The Board shall be comprised of 166
the following thirteen members: 167

(1) The director of the state department that regulates agriculture who shall be the chairperson of the Board;	168 169
(2) Ten members appointed by the Governor with the advice and consent of the Senate. The ten members appointed by the Governor shall be residents of this state and shall include the following:	170 171 172
(a) One member representing family farms;	173
(b) One member who is knowledgeable about food safety in this state;	174 175
(c) Two members representing statewide organizations that represent farmers;	176 177
(d) One member who is a veterinarian who is licensed in this state;	178 179
(e) The State Veterinarian in the state department that regulates agriculture;	180 181
(f) The dean of the agriculture department of a college or university located in this state;	182 183
(g) Two members of the public representing Ohio consumers;	184
(h) One member representing a county humane society that is organized under state law.	185 186
(3) One member appointed by the Speaker of the House of Representatives who shall be a family farmer;	187 188
(4) One member appointed by the President of the Senate who shall be a family farmer.	189 190
Not more than seven members appointed to the Board at any given time shall be of the same political party.	191 192
(B) The Board shall have authority to establish standards governing the care and well-being of livestock and poultry in this state, subject to the authority of the General Assembly. In establishing those standards, the Board shall consider factors	193 194 195 196

that include, but are not limited to, agricultural best management 197
practices for such care and well-being, biosecurity, disease 198
prevention, animal morbidity and mortality data, food safety 199
practices, and the protection of local, affordable food supplies 200
for consumers. 201

(C) The state department that regulates agriculture shall 202
have the authority to administer and enforce the standards 203
established by the Board. 204

(D) The General Assembly may enact laws that it deems 205
necessary to carry out the purposes of this section, to facilitate 206
the execution of the duties of the Board and the state department 207
that regulates agriculture under this section, and to set the 208
terms of office of the Board members and conditions for the Board 209
members' service on the Board. Except for the director of the 210
state department that regulates agriculture and the State 211
Veterinarian in the state department that regulates agriculture, 212
no person shall hold the office of member of the Board for a 213
period longer than twelve successive years. Years shall be 214
considered successive unless separated by a period of four or more 215
years. 216

(E) If any part of this section is held invalid, the 217
remainder of this section shall not be affected by that holding 218
and shall continue in full force and effect. 219

ARTICLE XVIII

Section 15. (A) No person shall hold an elective municipal 221
office, or an elected or appointed office on a municipal board or 222
commission, for a period longer than twelve successive years. 223
Years shall be considered successive unless separated by a period 224
of four or more years. 225

(B) A municipal charter adopted under this article may 226

specify a shorter maximum period of successive years during which 227
a person may hold such an office. 228

EFFECTIVE DATE AND REPEAL 229

If adopted by a majority of the electors voting on this 230
proposal, Sections 2 and 7 of Article II, Section 6 of Article IV, 231
Section 9 of Article V, Sections 3 and 4 of Article VI, and 232
Section 1 of Article XIV as amended by this proposal and new 233
Section 8 of Article V, Section 5 of Article X, and Section 15 of 234
Article XVIII of the Constitution of the State of Ohio as enacted 235
by this proposal shall take effect immediately, and existing 236
Sections 2 and 7 of Article II, existing Section 6 of Article IV, 237
existing Section 9 of Article V, existing Sections 3 and 4 of 238
Article VI, existing Section 1 of Article XIV, and Section 8 of 239
Article V of the Constitution of the State of Ohio shall be 240
repealed effective immediately. 241

SCHEDULE 1 242

Section 7 of Article II, Section 6 of Article IV, Sections 3 243
and 4 of Article VI, and Section 1 of Article XIV as amended by 244
this proposal and new Section 8 of Article V, Section 5 of Article 245
X, and Section 15 of Article XVIII of the Constitution of the 246
State of Ohio as enacted by this proposal first apply to an 247
officer when the officer begins a new term of office on or after 248
the effective date of those amendments and enactments. 249

SCHEDULE 2 250

The amendments to Section 6 of Article IV and Section 9 of 251
Article V of the Constitution of the State of Ohio in part 252
substitute gender neutral for gender specific language. These 253
gender neutralizing amendments are not intended to make a 254
substantive change in the Ohio Constitution. The gender neutral 255
language is to be construed as a restatement of, and substituted 256
in a continuing way for, the corresponding gender specific 257
language existing prior to adoption of the gender neutralizing 258

amendments.

259