

126th General Assembly

Regular Session

H. J. R. No. 6

2005-2006 Representatives Driehaus, Healy, S. Patton, Ujvagi, Fende, Williams, Boccieri,
Chandler, Yuko, S. Smith, Sayre, Brown, Hartnett, DeGeeter, Strahorn, Miller,
Allen, Distel, Cassell, Otterman, Carano, Woodard, Domenick, Harwood, Koziura
Mitchell, Key, Skindell, Barrett, Beatty, Book, DeBose, Garrison, Mason, Perry,
Redfern, D. Stewart, Sykes, Yates

JOINT RESOLUTION

Proposing to amend Sections 1, 6, and 13 of Article 1
XI of the Constitution of the State of Ohio to 2
change the composition of the Apportionment Board 3
and to require the Apportionment Board to 4
apportion the state for members of the General 5
Assembly and for representatives to Congress. 6

Be it resolved by the General Assembly of the State of Ohio, 7
three-fifths of the members elected to each house concurring 8
herein, that there shall be submitted to the electors of the 9
state, in the manner prescribed by law at the general election to 10
be held on November 8, 2005, a proposal to amend Sections 1, 6, 11
and 13 of Article XI of the Constitution of the State of Ohio to 12
read as follows: 13

ARTICLE XI

Section 1. ~~The governor, auditor of state, secretary of 14
state, one person chosen by the speaker of the house of 15
representatives and the leader in the senate of the political 16
party of which the speaker is a member, and one person chosen by 17
the legislative leaders in the two houses of the major political 18
party of which the speaker is not a member~~ Five members of the 19
public shall be the persons responsible for the apportionment of 20
this state for members of the general assembly and for 21
representatives to Congress. No later than January 31 in the year 22
2011 and every tenth year thereafter, the speaker of the house of 23

representatives, the president of the senate, the senate minority 24
leader, and the minority leader of the house of representatives 25
shall each appoint one member of the public for those 26
apportionment purposes. Within sixty days after the last of those 27
appointments is made, those four members of the public shall 28
elect, by majority vote, the fifth member of the public to be 29
responsible for those apportionments. 30

~~Such persons~~ The five members of the public shall meet and, 31
~~or by a majority of their number vote,~~ shall meet and establish in 32
the manner prescribed in this Article the boundaries for each of 33
ninety-nine house of representatives districts and thirty-three 34
senate districts of the general assembly. ~~Such meeting~~ They also 35
shall meet and, by a majority vote, shall establish the 36
congressional districts of the representatives to Congress from 37
this state in accordance with all applicable laws of the United 38
States and this state and applicable judicial decisions. These 39
meetings shall convene on a date designated by the governor 40
between August 1 and October 1 in the year ~~one thousand nine~~ 41
~~hundred seventy-one~~ 2011 and every tenth year thereafter. The 42
governor shall give ~~such persons~~ the apportioning members of the 43
public two weeks advance notice of the date, time, and place of 44
such ~~each~~ meeting. 45

The governor shall cause both the apportionment for members 46
of the general assembly and the apportionment for representatives 47
to Congress to be published no later than October 5 of the year in 48
which ~~it is~~ they are made, in ~~such~~ the manner as provided by law. 49

Section 6. District boundaries established pursuant to this 50
Article for members of the general assembly or for representatives 51
to Congress shall not be changed until the ensuing federal 52
decennial census and the ensuing apportionment or as provided in 53
section 13 of this Article, notwithstanding the fact that 54
boundaries of political subdivisions or city wards within ~~the a~~ 55

district may be changed during that time. District boundaries for 56
members of the general assembly shall be created by using the 57
boundaries of political subdivisions and city wards as they exist 58
at the time of the federal decennial census on which the 59
apportionment is based, or such other basis as the general 60
assembly has directed. 61

Section 13. The supreme court of Ohio shall have exclusive, 62
original jurisdiction in all cases arising under this Article that 63
relate to the apportionment of this state for members of the 64
general assembly or the district of any member of the general 65
assembly. ~~In the event that~~ If any section of this Constitution 66
relating to apportionment or any plan of apportionment for members 67
of the general assembly made by the ~~persons~~ members of the public 68
responsible for apportionment under Section 1 of this Article, by 69
a majority of their number, is determined to be invalid by either 70
the supreme court of Ohio, or the supreme court of the United 71
States, then, notwithstanding any other provisions of this 72
Constitution, the ~~persons~~ members of the public responsible for 73
apportionment under Section 1 of this Article, by a majority of 74
their number, shall ascertain and determine a plan of 75
apportionment in conformity with ~~such~~ the provisions of this 76
Constitution as are then valid, including establishing terms of 77
office and election of members of the general assembly from 78
districts designated in the plan, to be used until the next 79
regular apportionment in conformity with ~~such~~ the provisions of 80
this Constitution as are then valid. 81

Notwithstanding any provision of this Constitution or any law 82
regarding the residence of ~~senators and representatives~~ members of 83
the general assembly, a plan of apportionment made pursuant to 84
this section shall allow thirty days for persons to change 85
residence in order to be eligible for election. 86

The governor shall give the ~~persons~~ members of the public 87

responsible for apportionment under Section 1 of this Article two 88
weeks advance written notice of the date, time, and place of any 89
meeting held pursuant to this section. 90

EFFECTIVE DATE AND REPEAL 91

If adopted by a majority of the electors voting on this 92
amendment, the amendment shall take effect immediately, and 93
existing Sections 1, 6, and 13 of Article XI of the Constitution 94
of the State of Ohio shall be repealed from such effective date. 95