OHIO LEGISLATIVE SERVICE COMMISSION

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S.J.R. 3 133rd General Assembly	Resolution Analysis

Version: As Introduced

Primary Sponsor: Sen. Burke

Sam Benham, Attorney

SUMMARY

- Proposes an amendment to the Ohio Constitution requiring legislation proposing to increase any income tax rate to be approved by two-thirds of the members of the House of Representatives and Senate.

DETAILED ANALYSIS

Supermajority for income tax rate increase

The joint resolution proposes an amendment to the Ohio Constitution requiring legislation proposing to increase any income tax rate to be passed with the affirmative votes of at least two-thirds of the members of the House of Representatives (i.e., 66 out of 99 members) and Senate (i.e., 22 out of 33 members). This two-thirds approval threshold must also be met for either chamber to approve a statute initiated by Ohio electors that proposes to increase any income tax rate.[1]

The Ohio Constitution currently empowers the General Assembly to adopt legislation with majority approval in each chamber.[2] Supermajority votes are required only to pass emergency bills and congressional redistricting bills.[3] A resolution proposing to amend the Ohio Constitution must be approved by three-fifths of the members of each chamber in order to be submitted to voter approval.[4]

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[1] Proposed Article XII, Section 7, Ohio Constitution.

[2] Article II, Section 15(A), Ohio Constitution, not in the resolution.

[3] Article II, Section 1d and Article XIX, Section 1, Ohio Constitution, not in the resolution.

[4] Article XVI, Section 1, Ohio Constitution, not in the resolution.

Election and effective date

The resolution provides that the proposed constitutional amendment, if approved by three-fifths of each chamber's members, will be submitted to electors at the general election to be held on November 3, 2020, and will take effect immediately upon its approval by electors. The amendment would apply to any legislation introduced in the General Assembly after that effective date.

HISTORY

Action	Date
Introduced	12-11-19

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