



# Ohio Legislative Service Commission

*Terry Steele*

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## Fiscal Note & Local Impact Statement

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**Bill:** H.J.R. 4 of the 131st G.A.

**Date:** June 30, 2015

**Status:** As Adopted by the Senate

**Sponsor:** Reps. R. Smith and Curtin

**Local Impact Statement Procedure Required:** No

**Contents:** Proposes to amend the Ohio Constitution to modify the procedure to propose a law or constitutional amendment by initiative petition and prohibit constitutional monopolies

### State Fiscal Highlights

- The proposed constitutional amendment would be placed on the November 3, 2015 general election ballot. Appropriations made to the Controlling Board under GRF appropriation item 911411, Ballot Advertising Costs, are used to reimburse the Secretary of State for expenses incurred in advertising ballot issues statewide.
- The amounts of the reimbursements approved by the Controlling Board are transferred to the Statewide Ballot Advertising Fund (Fund 5FH0) under the Secretary of State's budget.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## Detailed Fiscal Analysis

### Content of resolution

The resolution proposes to prohibit electors from proposing a constitutional amendment by initiative petition that would grant or create a monopoly, oligopoly, or cartel; specify or determine a tax rate; or confer a commercial interest, commercial right, or commercial license to a person or entity that is not available to other similarly situated persons or entities at the time the initiated amendment is scheduled to become effective. The resolution also specifies procedures that must occur if a constitutional amendment appearing on the November 3, 2015 ballot, or any subsequent ballots, conflicts with the provisions of the resolution listed above. Please see the LSC Bill Analysis for greater detail.

## **Ballot advertising costs**

If both chambers of the General Assembly approve the resolution and the issue is placed on the statewide ballot for the November 3, 2015 general election, the Secretary of State would incur costs for ballot advertising under Section 1 of Article XVI of the Ohio Constitution. Section 1 requires that ballot language, the explanations, and arguments, if any, be published once a week for three consecutive weeks preceding the election in at least one newspaper of general circulation in each county of the state where a newspaper is published.

The ballot advertising costs that the Secretary of State incurs are paid for on a reimbursement basis from GRF moneys appropriated to the Controlling Board, specifically GRF line item 911411, Ballot Advertising Costs. Once authorized, the reimbursable amounts are transferred by the Controlling Board to the Statewide Ballot Advertising Fund (Fund 5FH0) under the Secretary of State's budget. Ballot advertising expenses depend on the length of the ballot language. As a guide, the Secretary of State spent \$447,473 in ballot advertising costs for statewide issues that appeared on the ballot during FY 2014. Statewide ballot advertising costs for this resolution, because it involves a single ballot issue, would likely be considerably less.