



OHIO LEGISLATIVE SERVICE COMMISSION

Resolution Analysis

Cody Weisbrodt

H.J.R. 12

131st General Assembly
(As Introduced)

Reps. Amstutz and Curtin

RESOLUTION SUMMARY

- Proposes a constitutional amendment, as recommended by the Ohio Constitutional Modernization Commission, to eliminate the General Assembly's authority to establish courts of conciliation and to eliminate the Governor's authority to appoint a Supreme Court Commission.
- Proposes to place the constitutional amendment to the Ohio Constitution on the ballot at the November 7, 2017, General Election.

CONTENT AND OPERATION

Courts of conciliation

The resolution proposes an amendment to repeal Ohio Constitution, Article IV, Section 19. That Section, original to the 1851 constitution, permits the General Assembly to establish "courts of conciliation" and prescribe their powers and duties. The General Assembly has never established courts of conciliation.¹

Supreme Court Commission

The resolution proposes an amendment to repeal Ohio Constitution, Article IV, Section 22. That Section permits the Governor to appoint, with the advice and consent of the Senate, a five-member Commission with the powers and duties of the Supreme Court, to dispose of business on the Supreme Court's dockets. The initial Commission

¹ Ohio Constitutional Modernization Commission, Report and Recommendation: Ohio Constitution Article IV, Section 19, Courts of Conciliation, at 2 (2015).

was created for a three-year term beginning in 1876.² The Section also authorizes the General Assembly to create subsequent Commissions for two-year terms by a two-thirds vote, but prohibits the General Assembly from creating a new Commission more often than once in ten years. The General Assembly last created a Commission under this Section in 1885.³

Election and effective date

The resolution provides that the proposed constitutional amendment will be submitted to the electors at the General Election to be held on November 7, 2017. If approved by a majority of the electors voting on the proposal, the constitutional amendment takes effect immediately.

HISTORY

ACTION	DATE
Introduced	11-09-16

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² Ohio Const., art. IV, sec. 22.

³ Ohio Constitutional Modernization Commission, Report and Recommendation: Ohio Constitution Article IV, Section 22, Supreme Court Commission, at 2 (2015).

