

Constitutional Amendments

Sub. H.J.R. 4

Reps. R. Smith and Curtin, Brown, Buchy, Derickson, Green, McColley, Amstutz, Anielski, Blessing, Boose, Burkley, Butler, Conditt, Dever, Dovilla, Ginter, Grossman, Hackett, Hagan, Hall, Hayes, Henne, Hill, Huffman, T. Johnson, Koehler, Kraus, Landis, Maag, Manning, McClain, Perales, Reineke, Retherford, Rezabek, Ryan, Schaffer, Scherer, Schuring, Sears, Slaby, Sprague, Terhar, Thompson, Rosenberger

Sens. Faber, Bacon, Balderson, Burke, Hite, Hottinger, Lehner, Peterson, Uecker, Widener

Adopted: June 30, 2015; approved by the voters on November 3, 2015, and effective November 3, 2015

- Prohibits the electors from using an initiative petition to propose a constitutional amendment 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 any person or nonpublic entity that is not available to other similarly situated persons or nonpublic entities.
- Requires the Ohio Ballot Board, if the Board believes that a proposed constitutional amendment would conflict with that prohibition, to prescribe two separate ballot questions for the proposal, both of which must be approved in order for the amendment to take effect.
- Specifies that if, at the election at which the anti-monopoly proposal appears on the ballot, the electors approve an initiated constitutional amendment that creates a monopoly, oligopoly or cartel for the sale, distribution, or other use of any federal Schedule 1 controlled substance, the entire amendment that creates the monopoly must not take effect.
- Provides that if, at a later election, the electors approve a constitutional amendment that creates a monopoly and that was proposed by an initiative petition that was not subject to the Ohio Ballot Board procedure described above, then that entire amendment must not take effect.
- Gives the Ohio Supreme Court original, exclusive jurisdiction in any action that relates to the provisions described above.
- Exempts the current provisions of the Ohio Constitution from the prohibition against constitutional monopolies.