
NOTE ON EFFECTIVE DATES

(Sections 809.10 and 812.10 to 812.40)

Section 1d, Article II of the Ohio Constitution states that "laws providing for tax levies [and] appropriations for the current expenses of the state government and state institutions *** shall go into immediate effect," and "shall not be subject to the referendum." R.C. 1.471 implements this provision with respect to appropriations, providing that a codified or uncodified section of law contained in an act that contains an appropriation for current expenses is not subject to the referendum and goes into immediate effect if (1) it is an appropriation for current expenses, (2) it is an earmarking of the whole or part of an appropriation for current expenses, or (3) its implementation depends upon an appropriation for current expenses that is contained in the act. The statute states that the General Assembly is to determine which sections go into immediate effect.

The act includes a default provision stating that, except as otherwise specifically provided, the amendment, enactment, or repeal of a section in the act is subject to the referendum and takes effect on the 91st day after the act is filed with the Secretary of State (barring the filing of a referendum petition). The act also includes many exceptions to the default provision, some of which provide that specified provisions are not subject to the referendum and go into immediate effect. For example, provisions that are or relate to an appropriation for current expenses go into immediate effect.

The act also specifies that an item that composes the whole or part of an *uncodified* section contained in the act (other than an amending, enacting, or repealing clause) has no effect after June 30, 2013, unless its context clearly indicates otherwise.

HISTORY

ACTION	DATE
Introduced	03-15-11
Reported, H. Finance & Appropriations	05-04-11
Passed House (59-40)	05-05-11
Reported, S. Finance	06-08-11
Passed Senate (23-10)	06-08-11
House refused to concur in Senate amendments (0-98)	06-08-11
Senate requested conference committee	06-09-11
House acceded to request for conference committee	06-14-11
Senate agreed to conference committee report (22-11)	06-28-11
House agreed to conference committee report (59-40)	06-29-11

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