



Ohio Legislative Service Commission

Bill Analysis

Lynda J. Jacobsen

S.B. 295

129th General Assembly
(As Introduced)

Sen. Coley

BILL SUMMARY

- Repeals the provisions of Am. Sub. H.B. 194 of the 129th General Assembly, which has not taken effect because it is pending a referendum vote on November 6, 2012.
- Specifies that it is the intent of the General Assembly to continue in operation the provisions of the Revised Code currently in effect, including the provisions of Election Law affected by that act.

CONTENT AND OPERATION

Repeal of H.B. 194 provisions

The bill repeals the versions of sections of the Revised Code amended or enacted by Sections 1 and 3 of Am. Sub. H.B. 194 of the 129th General Assembly, which are scheduled to take effect only if approved by the voters at a referendum to be held on November 6, 2012. The bill also repeals the repeal of sections of the Revised Code by Sections 2 and 4 of that act, which provisions are also scheduled to take effect only if approved by the voters at that referendum.

By repealing the versions of Revised Code sections enacted or amended by that act, and by repealing the repeal of Revised Code sections by that act, the bill states that it is the intent of the General Assembly to continue in operation the provisions of the Revised Code that are currently in effect, including provisions of the Election Law.¹ (See **COMMENT.**)

¹ Section 1 of the bill.

The bill also repeals the remaining uncodified provisions of Am. Sub. H.B. 194.² Like the codified provisions, the uncodified sections also are subject to referendum on November 6, 2012.

COMMENT

Article II, Section 15 of the Ohio Constitution states that "No law shall be revived or amended unless the new act contains the entire act revived. . ." Because Am. Sub. H.B. 194 was enacted by the General Assembly and signed by the Governor, it has become law, even though it is not currently effective and may never become effective. Although current law remains in effect pending the referendum, the status of that law is not entirely certain. It is uncertain whether those current law sections may be revived ("continued" in the language of the bill) without presenting those sections in full.

HISTORY

ACTION	DATE
Introduced	02-09-12

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² Section 2 of the bill.

