

**As Reported by the House Judiciary Committee**

**127th General Assembly**

**Regular Session**

**2007-2008**

**Am. S. J. R. No. 1**

**Senator Coughlin**

**Cosponsors: Senators Grendell, Mumper, Amstutz, Buehrer, Schaffer,  
Gardner, Clancy, Niehaus, Carey, Austria, Faber, Goodman, Harris,  
Jacobson, Padgett, Schuler, Spada, Stivers Representatives Blessing,  
Bacon, Batchelder, Seitz, Wagoner, Coley**

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**JOINT RESOLUTION**

Proposing to enact Section 19b of Article I of the 1  
Constitution of the State of Ohio to provide 2  
limits on the power of a public authority to take 3  
private property for a public use. 4

Be it resolved by the General Assembly of the State of Ohio, 5  
three-fifths of the members elected to each house concurring 6  
herein, that there shall be submitted to the electors of the 7  
state, in the manner prescribed by law at the general election to 8  
be held on November 6, 2007, a proposal to enact Section 19b of 9  
Article I of the Constitution of Ohio to read as follows: 10

**ARTICLE I**

Section 19b. The fact that a taking of private property by a 11  
public authority may result in increased public revenues may not 12  
be used as evidence that a private property is blighted. Municipal 13  
corporations shall have the same authority to take private 14  
property for a public use as the state itself, provided that the 15  
municipal corporation exercises that power in conformity with the 16  
statutes the General Assembly enacts to govern takings by the 17  
state. The provisions of this section shall control in the event 18

of any conflict between this section and Sections 2p and 14 of 19  
Article VIII, Ohio Constitution, or Sections 3, 4, 7, and 10 of 20  
Article XVIII, Ohio Constitution. 21

EFFECTIVE DATE 22

If adopted by a majority of the electors voting on this 23  
proposal, Section 19b of Article I of the Constitution of Ohio 24  
takes effect immediately. 25

SCHEDULE 26

The enactment of Section 19b of Article I of the Constitution 27  
of Ohio applies only to appropriation proceedings commenced on or 28  
after its effective date. 29