

**In The United States District Court
For The Southern District Of Ohio
Eastern Division**

Libertarian Party of Ohio, et al.,

Plaintiffs,

vs.

Case No. 2:08-cv-555

Jennifer Brunner

Judge Sargus

Defendant.

**Joint Statement on the Origins of
Article 5 Section 7 of the Ohio Constitution**

Pursuant to this Court's request made during oral argument on July 14, the parties are in agreement that Article 5 Section 7 was originally introduced into the Ohio constitution by means of the 1912 state constitutional convention. Thus, it was not enacted by either the Ohio general assembly or directly by the voters of the State of Ohio.

In 1975, the Ohio General Assembly passed S.J.R. 10 that altered some of the language of Article 5 Section 7 of the constitution. The changes, which were submitted to Ohio's electors and approved in the 1975 general election, removed language from the amendment that had originally required the name of all delegates for election to a party's national convention to be printed on the primary ballot.

There are three ways for Ohio to amend its constitution. The first is by means of measures approved during a constitutional convention. The second is by means of an initiative. If an amount of persons equal to at least 10% of the number of people who voted for governor in the last general election sign an initiative petition suggesting a constitutional amendment, the amendment is submitted to the electorate at the next general election. The final method for

amending the Ohio constitution is if a joint resolution passes both chambers in the Ohio General Assembly with a 60% super-majority suggesting an amendment be placed on the general election ballot. If a majority of voters support the measure, the amendment becomes effective.

Respectfully submitted,

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