

# **Bond Case Briefs**

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## **BALLOT INITIATIVES - OHIO**

### **Committee to Impose Term Limits on Ohio Supreme Court and to Preclude Special Legal Status for Members and Employees of Ohio General Assembly v. Ohio Ballot Board**

**United States Court of Appeals, Sixth Circuit - March 20, 2018 - 885 F.3d 443**

Unincorporated association and its members brought action against Ohio Ballot Board, its members, and state attorney general, alleging that state statute requiring that initiative petitions contain only one proposed law or constitutional amendment violated their First Amendment rights.

The United States District Court for the Southern District of Ohio dismissed complaint, and plaintiffs appealed.

The Court of Appeals held that:

- Statute's single-subject rule was not content-based, and
- Statute did not violate First Amendment.

Ohio statute requiring that initiative petitions contain only one proposed law or constitutional amendment was not content-based, and thus was not subject to strict scrutiny under First Amendment; statute applied to all initiative petitions, no matter topic discussed or idea or message expressed, and could be justified without reference to content of any initiative petitions.

Ohio statute requiring that initiative petitions contain only one proposed law or constitutional amendment did not violate First Amendment free speech rights; single-subject rule required only that petitioners submit their two proposed constitutional amendments in separate initiative petitions, enabled voters to vote on each proposal separately, and helped to avoid confusion, promote informed decision-making, and prevent logrolling.