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Krummen v. City of North College Hill, Ohio

United States District Court, S.D. Ohio, Western Division - June 26, 2013 - Slip Copy - 2013 WL 3270372

This lawsuit concerned the constitutionality of a recently passed Charter Amendment creating term limits for all elected officials in the City of North College Hill, Ohio. In addition to setting term limits for future elected officials, Section 13.09 explicitly imposed term limits retroactively on all current and past officials for years they had already served.

The District Court struck down the retroactive application of term limits to city council members holding office prior to the effective date of the amendment on the basis that such provision violated the Ohio Constitution. In addition, the retroactivity provision would also constitute an undue burden on plaintiffs' First and Fourteenth Amendment rights under the United States Constitution.