



**DAVE YOST**

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June 1, 2026

*Via regular U.S. Mail and email*

Thomas L. Bailey  
20365 Crooked Rd.  
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Tbpetitioner@gmail.com

Re: Submitted Petition for Initiated Constitutional Amendment to Repeal and Replace Article I, Section 22 of the Ohio Constitution– “Abortion Regulation by Legislature Only”

Dear Mr. Bailey,

On May 21, 2026, in accordance with Ohio Revised Code Section 3519.01(A), I received a written petition containing (1) a copy of a proposed constitutional amendment, and (2) a summary of the same measure. One of my statutory duties as Attorney General is to send all of the part-petitions to the appropriate county boards of elections for signature verification. With all of the county boards of elections reporting back, at least 1,000 signatures have been verified.

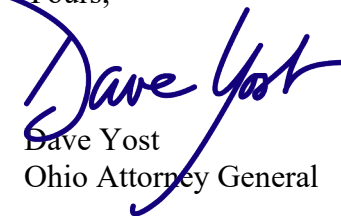
It is also my statutory duty to determine whether the submitted summary is a “fair and truthful statement of the proposed law or constitutional amendment.” R.C. 3519.01(A). The Ohio Supreme Court has defined “summary” relative to an initiated petition as “a short, concise summing up,” which properly advises potential signers of a proposed measure’s character and purport. *State ex rel. Hubbell v. Bettman*, 124 Ohio St. 24 (1931). If I conclude that the summary is fair and truthful, I am to certify it as such within ten days of receipt of the petition. In this instance, the tenth day falls on March 14, 2024.

Having reviewed the submission, I am unable to certify the submitted summary as a fair and truthful representation of the proposed amendment. Upon review of the summary, we identified a misstatement that would mislead a potential signer as to the actual scope and effect of the proposed amendment. Specifically, the summary states that the proposed amendment “[p]rovide[s] that, for purposes of this section, the term ‘abortion’ shall have the meaning ascribed to it in Section 2919.11 of the Ohio Revised Code.” However, the proposed amendment does not contain any such language. Instead, the proposed amendment states that, “The General Assembly shall have exclusive authority to regulate abortion in the state of Ohio.” According to the summary, the proposed amendment would enshrine a static definition of abortion that is found in the Ohio Revised Code today. In reality, the proposed amendment gives the General Assembly much broader authority to define and regulate abortion. Thus, the summary cannot be certified because it contains a material misstatement of the scope of the amendment’s character and import.

Along with your petition and summary, you also submitted a document entitled “Abortion Defined.” Please be advised that the information contained in that document is surplusage and was not considered in my analysis of your summary. R.C. 3519.01(A) states, “Whoever seeks to propose a law or constitutional amendment by initiative petition shall, by a written petition signed by one thousand qualified electors, submit the proposed law or constitutional amendment, a title, and a summary of it to the attorney general for examination.” The summary of your proposed amendment is contained on the first page of your petition situated between the title and the names of your committee members. My authority under R.C. 3519.01 is to determine whether a petition’s summary is a fair and truthful statement of the proposed law or constitutional amendment. I cannot consider information or documents that fall outside a petition’s summary. Again, the summary of your proposed constitutional amendment is contained on the first page of your initiative petition, and R.C. 3519.01(A) constrains my analysis to the information there.

The above instance is just one example of a material misstatement and, alone, is sufficient to reject the submitted petition. Thus, without reaching the balance of the summary, I am unable to certify the summary as a fair and truthful statement of the proposed amendment.

Yours,



Dave Yost  
Ohio Attorney General

cc: Committee Representing the Petitioners

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