

County: \_\_\_\_\_

Number: \_\_\_\_\_

## INITIATIVE PETITION

**To the Attorney General of Ohio:** Pursuant to Ohio Revised Code § 3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to you the full text of a proposed Amendment to the Ohio Constitution and a summary of the same.

### TITLE

Ohio Equal Rights Amendment

### SUMMARY

The proposed amendment would add Section 23, titled "Equality of Rights Under the Law," to Article I of the Ohio Constitution to:

- Provide that equality of rights under the law shall not be denied or abridged by the State of Ohio or its political subdivisions on account of race, color, creed or religion, sex, sexual orientation, gender identity or expression regardless of sex assigned at birth, pregnancy status, genetic information, disease status, age, disability, recovery status, familial status, ancestry, national origin, or military and veteran status.
- Prohibit the state and its political subdivisions from enacting or enforcing any law, statute, or regulation that abridges or denies the rights of individuals on any of the grounds listed above, including but not limited to rights in education, employment, housing, healthcare services and health insurance, public spaces and accommodations, state records, and legal identification.
- Provide that no provision in the section shall be interpreted or applied in a way that prevents the adoption or implementation of measures intended to provide equality of treatment and opportunity for members of groups which are commonly marginalized or have historically been subject to discrimination.
- Provide that the section shall be self-executing and be liberally construed in favor of its purpose, and that if any part is held invalid, the remainder shall continue in full force and effect.

The proposed amendment would repeal existing language in Article XV, Section 11 of the Ohio Constitution that defines a union between one man and one woman as the only form of marriage valid in or recognized by the state and its political subdivisions and prohibits the state and its political subdivisions from creating or recognizing a legal status of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage; replace these provisions with new language providing the state shall issue marriage licenses to individuals the age of eighteen or above and not nearer of kin than second cousins, and require that the state and its political subdivisions shall recognize and treat equally all marriages regardless of race, sex, or gender identity; provide that religious organizations and clergy members shall have the right to refuse to solemnize a marriage; and that these provisions are self-executing.

### COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Elizabeth Schmidt, 4282 State Road Medina, OH, 44256  
Lis Regula, 291 S. Terrace Ave. Columbus, OH 43204  
Joshua Kayes, 12116 S Pine Dr, Apt 309, Cincinnati, OH 45241  
Antony Fair, 11825 Detroit Ave Unit 14 Lakewood, OH 44107  
Ian Neinast, 6741 Oakland Rd, Loveland, OH 45140

## FULL TEXT OF PROPOSED AMENDMENT

Be it Resolved by the People of the State of Ohio that Article I of the Ohio Constitution is amended to add Section 23 as set forth below, and that Article XV, Section 11 of the Ohio Constitution is amended to repeal the language as shown below by strikethrough and to add the language shown underlined.

### Article I, Section 23. Equality of Rights Under the Law

- A. Equality of rights under the law shall not be denied or abridged by the State of Ohio or its political subdivisions on account of race, color, creed or religion, sex, sexual orientation, gender identity or expression regardless of sex assigned at birth, pregnancy status, genetic information, disease status, age, disability, recovery status, familial status, ancestry, national origin, or military and veteran status.
- B. The State of Ohio and its political subdivisions shall not enact or enforce any law, statute, or regulation that abridges or denies the rights of individuals on account of race, color, creed or religion, sex, sexual orientation, gender identity or expression regardless of sex assigned at birth, pregnancy status, genetic information, disease status, age, disability, recovery status, familial status, ancestry, national origin, or military and veteran status. This includes, but is not limited to, the rights of individuals in:
  - 1. Education;
  - 2. Employment;
  - 3. Housing;
  - 4. Healthcare services and health insurance;
  - 5. Public spaces ~~and~~ accommodations;
  - 6. State records; and
  - 7. Legal identification.
- C. Nothing in this section shall be interpreted or applied in a way that prevents the adoption or implementation of measures intended to provide equality of treatment and opportunity for members of groups which are commonly marginalized or that have historically been subject to discrimination.
- D. This section is self-executing.
- E. This section shall be liberally construed in favor of its purpose. If any part of this section is held invalid, the remainder of the section shall not be affected by such holding and shall continue in full force and effect.

Article XV, Section 11. Marriage

~~Only a union between one man and one woman may be a marriage valid in or recognized by this state and its political subdivisions. This state and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage.~~ The State of Ohio shall issue marriage licenses to individuals the age of eighteen and above and not nearer of kin than second cousins, and the state and its political subdivisions shall recognize and treat equally all marriages regardless of race, sex, or gender identity. Religious organizations and members of clergy shall have the right to refuse to solemnize a marriage. This section is self-executing.

## STATEMENT OF CIRCULATOR

I, \_\_\_\_\_, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of \_\_\_\_\_ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by \_\_\_\_\_

\_\_\_\_\_  
(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

\_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Address of circulator's permanent residence)  
Number and Street, Road or Rural Route

\_\_\_\_\_  
City, Village or Township

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY  
OF A FELONY OF THE FIFTH DEGREE.**