INTRODUCTION
Ohio enacted term limits via a citizen initiated constitutional amendment passed in 1992. The amendment established term limits of eight years for members of the Ohio House of Representatives and Ohio Senate. It also limited statewide elected officers (Governor, Lt Governor, Auditor, Treasurer, Secretary of State, Attorney General) to serving two terms of four years each. Representatives can serve four consecutive two year terms and Senators are permitted to serve two consecutive four year terms. Under the provisions of the constitution, an elected official must wait four years before being eligible to run for the same office. For example, a Representative who has served eight years may run for the Senate or another state, federal, or local office, may serve in another job, or may go back to the private sector. After four years, the legislator may run to return to the House of Representatives (or vice versa). Appointments to partial terms do not impact term limits.

The primary reasons or rationale cited nationally and within Ohio for establishing terms limits are that terms limits would:
- Improve the composition of who’s being elected to make legislatures more representative of the populations they serve by increasing the number of women and minority elected officials
- Weed out ineffective members
- Reduce political careerism by forcing legislators to return to their previous careers or private sector jobs

ISSUE
Since term limits have been enacted in Ohio and several other states, the composition of the legislatures have remained largely the same in regards to women and minority representation. Some critics have argued that legislators become less effective as they grow in experience, because they must aggressively spend time thinking about what they will do at the end of their terms. This could include what office they will run for next such as the opposite legislative chamber, a local office, or statewide office. Many members of the legislature have sought appointments to a cabinet, the judiciary, or other appointed government.

The high turnover of legislators resulting from term limits has many other significant effects including:
- Increased reliance of legislators on partisan and non-partisan legislative staff
- Reductions in bi-partisanship
- Reductions in civility and collegiality among legislators, especially within committees
- Increased reliance on lobbyists
- Loss of “policy champions” or legislators that have specialized in a certain policy area for many years
- Increased power concentrated within legislative leadership such as the Senate President and Speaker of the House
- Increased focus on fundraising and elections
- Reduction in institutional knowledge and policy history.

Since the effects of term limits in Ohio have been steadily being realized by more and more Ohioans – citizens, legislators, candidates, organizations, and businesses have been increasingly asking questions about whether or not term limits should be repealed or modified.

Repeal or modification of term limits would require an amendment to the Ohio Constitution. This could happen in one of three ways:

1. Constitutional Convention
2. Constitutional Amendment proposed by a supermajority of Ohio legislators and ratified by Ohioans
3. Citizen Initiated Constitutional Amendment

*For more information on amending the Constitution, see the 2012 Policy Development Briefing titled "Referendum and Initiatives".

Although the 2012 election cycle will ask the citizens of Ohio if they would like to hold a constitutional convention, a more likely scenario is that legislators or a citizen initiated group would propose amending the Ohio Constitution. Ohioans have not historically called constitutional conventions when they are on the ballot.

Starting in 2012, the legislature will hear from a constitutional commission – a bipartisan group of citizens and lawmakers who will review Ohio’s Constitution to suggest changes in our Constitution. One topic that has been widely mentioned for consideration is Ohio's term limits.

**OHIO FARM BUREAU FEDERATION STATE POLICY**

**Term Limits - 121**

We support extending the term limit for state legislators to 12 years.

We support extending the term for a state representative from two years to four years.

**DISCUSSION QUESTIONS**

- Policy currently supports term limits with an expansion of the term to twelve years. Do we support retaining term limits or repealing them?

- If we support retaining term limits, is the current policy supporting 12 year terms a more reasonable limit? Should we look at a different number of years – 10, 14, 16, 20, or more?

- In Ohio, a state representative is elected to a two-year term and a state senator serves a four-year term. Current state policy calls for an expansion of a state representative’s term to four years and makes no mention of a state senate term. Should OFBF policy remain the same on term length? If so, should there be an increase in State Senate terms? If not, what are appropriate term lengths for House and Senate? (Note: a term length is the number of years an individual is elected to serve. A term limit is the number of terms that they can be elected to serve).
Currently, appointed terms do not count toward a term limit. Consider how this could impact an increase in term limit or term length under the current law, under current OFBF policy, and under any county proposed policy.

Should term limits for the Governor, Lt. Governor, Attorney General, Secretary of State and Treasurer be retained, repealed or modified?


Gubernatorial term limits

Governors of 36 states and 4 territories are subject to various term limits, while the governors of 14 states, Puerto Rico, and the Mayor of Washington, D.C. may serve an unlimited number of times. Each state's gubernatorial term limits are prescribed by its state constitution, with the exception of Wyoming, whose limits are found in its statutes. Territorial term limits are prescribed by its constitution in the Northern Mariana Islands, the Organic Acts in Guam and the U.S. Virgin Islands, and by statute in American Samoa.

Unique in its restriction, Virginia prohibits its governors from succeeding themselves, although former governors are re-eligible after four years out of office. Many other states formerly had this prohibition, but all eliminated it by 2000.

The governors of the following states and territories are limited to two consecutive terms, but are re-eligible after four years out of office: Alabama, Alaska, Arizona, Colorado, Florida, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Main, Maryland, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, West Virginia, American Somoa, Guam, and the US Virgin Islands. Equivalently, the Governors of Indiana and Oregon are limited to serving 8 out of any 12 years. Conversely, the Governors of Montana and Wyoming are restricted to two terms, limited to serving 8 out of any 16 years. Finally, the governors of the following states and territory are absolutely limited (for life) to two terms: Arkansas, California, Delaware, Michigan, Mississippi, Missouri, Nevada, and the Northern Mariana Islands.

Oklahoma passed a lifetime term limits initiative on November 2, 2010 which strictly limits the governor to only eight years maximum in office.

The Governors of New Hampshire and Vermont may serve unlimited two year terms. The chief executives in the following states, district, and territory may serve unlimited four year terms: Connecticut, Idaho, Illinois, Iowa, Massachusetts, Minnesota, New York, North Dakota, Texas, Utah, Washington, Wisconsin, District of Columbia, and Puerto Rico. The Governor of Utah was formerly limited to serving three terms, but all term limit laws were later repealed by the legislature.

State legislatures with term limits

The following 15 legislatures have term limits:

- Arizona Legislature: four consecutive two-year terms for both houses (eight years). No limit on total number of terms.
- Arkansas General Assembly: three two-year terms for House members (six years) and two four-year terms for Senate members (eight years).
California State Legislature: twelve years total in either Assembly or Senate. (For legislators first elected on or before June 5, 2012, the previous limits of either three two-year terms for Assembly members (six years) and two four-year terms for Senate members (eight years) apply).

Colorado General Assembly: four consecutive two-year terms in the House (eight years) and two consecutive four-year terms in the Senate (eight years).

Florida Legislature: may serve no more than eight years in either house.

Louisiana State Legislature: three four-year terms for both houses (twelve years).

Maine Legislature: four two-year terms for both houses (eight years).

Michigan Legislature: three two-year terms for House members (six years) and two four-year terms for Senate members (eight years).

Missouri General Assembly: four consecutive two-year terms for House members (eight years) and two four-year consecutive terms for Senate members (eight years). Members may be elected again to the other house, but not serve more than 16 years.

Montana State Legislature: four two-year terms for House members (eight years) in any sixteen year period and two four-year terms for Senate members (eight years) in any sixteen year period.

Nebraska Legislature: two four-year terms (eight years).

Nevada Legislature: six two-year terms for Assembly members (twelve years) and three four-year terms for Senate members (twelve years).

Ohio General Assembly: four consecutive two-year terms for House members (eight years) and two consecutive four-year terms for Senate members (eight years).

Oklahoma Legislature: six two-year terms for House members (twelve years) and three four-year terms for Senate members (twelve years). Once term-limited in one house, a legislator cannot be elected to the other.

South Dakota Legislature: four two-year terms for both houses (eight years).

Overturned or repealed state legislative term limits

The following six legislatures have had their term limits nullified:

- Massachusetts General Court: the Massachusetts Supreme Judicial Court overturned term limits in 1997.
- Oregon Legislative Assembly: the Oregon Supreme Court ruled term limits unconstitutional in 2002.