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OCG White Paper

White Paper No. 024 • Tracking ID RL-2026-035 • Version 1.0

The Last Six Weeks: Ohio's Lame Duck Session, 2000–2024

Prepared by the Ohio Common Ground Research Center

Published October 9, 2026



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Suggested Citation

Ohio Common Ground Research Center. White Paper No. 024: The Last Six Weeks: Ohio's Lame Duck Session, 2000–2024. Tracking ID RL-2026-035, Version 1.0. Dublin, Ohio: Ohio Common Ground, October 9, 2026.

Publication Record

Series: OCG White Paper

Tracking ID: RL-2026-035

Version: 1.0 (see Revision History)

Publication date: October 9, 2026

Prepared by: Ohio Common Ground Research Center

Companion dataset: OCG WP No. 024 Companion Dataset, Version 1.0 (Excel workbook released with this report): bill-level dispositions for all 751 bills, every Journal roll call, member coding, departing-member tests by roll call, hearing records and a codebook; a separate exception log and audit workbook records the 51 resolved date differences and the 42-vote audit

Review: Internal editorial review and external peer review; all resulting factual corrections were independently verified by Ohio Common Ground against the primary sources cited in this report before adoption.

Update cadence: A Version 1.1 update adding the 2026 lame duck of the 136th General Assembly is planned after that General Assembly adjourns sine die. The report is otherwise a fixed analysis, not a living tracker.

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Executive Summary

Every two years, the Ohio General Assembly keeps meeting after voters have chosen its successor. The weeks between the even-year general election and the end of the two-year term on December 31 are known as the lame duck session. Members who retired or lost their seats keep their votes until their terms end, and any bill that has not cleared both chambers in identical form, and been signed or allowed to become law, by the time the General Assembly ends must start over in the next one.

This report describes what the lame duck is, the constitutional rules that govern it, and what happened in each of the 13 lame ducks from 2000 through 2024. It draws on Legislative Service Commission status reports, House and Senate Journals, Secretary of State records and the General Assembly's committee activity records.

Across the 13 sessions, 751 bills received final legislative action after Election Day, and 677 became law. A typical lame duck produced between 43 and 68 new laws; 2010, the only year in the series with the two chambers under different party control, produced four. In 2020 and 2024, lame duck bills made up about half of all bills sent to the governor during the two-year General Assembly. In the other years, excluding 2010, the share ranged from 21% to 38%.

The work is compressed into a handful of days. House voting days in the window fell from 10 to 12 in 2004 and 2006 to four in 2024, while House roll calls per voting day more than doubled. Most enacted bills were not new: the median bill had been introduced 321 to 512 days before its final vote, and only 11 bills since 2004 were both introduced and finished inside the window. Members who were leaving the legislature voted in every lame duck, and their yeas were needed to reach the constitutional minimum on between 0% and 15% of the enacted bills analyzed.

Legislators and analysts disagree about whether the period serves voters. This report presents those arguments as their proponents make them, identifies which of its measures bear on each one, and takes no position. It is a Research Center product: it documents what the legislative record shows, states plainly where the record cannot answer a question, and does not recommend any change.

Key Findings

- **Volume.** 677 bills became law in the 13 lame ducks from 2000 to 2024, a median of 55 per session. Another 65 passed both chambers in some form but did not complete the legislative process, eight were vetoed and not overridden, and one was signed but later held not validly enacted.
- **Share of the two-year term.** Lame duck bills made up 21% to 38% of all bills sent to the governor during a General Assembly in most years, 7% in 2010, and 51% in both 2020 and 2024.
- **Compression.** In every year, at least a third of lame duck enactments received final legislative action on a single day. The highest share was 81%, in 2022.
- **Pace.** House roll calls per voting day rose from 10.7 in 2004 to 23.5 in 2024, as the number of House voting days in the window fell from 10 to 4.

- **Late changes.** In each year with complete Journals except 2010, 66% to 84% of enactments had an amendment, committee substitute, concurrence or conference step inside the window. Committee substitutes adopted after Election Day affected 5% to 22% of enactments.
- **Bill age.** The median enacted bill was 321 to 512 days old at its final vote, and the median rose above 500 days in 2020, 2022 and 2024. No enacted bill introduced after Election Day has been finished in the same lame duck since 2014.
- **Hearings.** In 2016 and 2024, the online committee records contained hearing entries for every lame duck enactment. About a third of the hearings on those bills took place after Election Day, and the median gap between a bill's last hearing and its final vote was one to two days.
- **Departing members.** Between 16 and 32 departing House and Senate members voted in each lame duck from 2006 to 2024. Their yeas were needed to reach the constitutional minimum on 0 to 8 enacted bills per session, with the highest counts in 2018 and 2020 (8 each) and 2008 (7).
- **Vetoes and overrides.** Five override votes took place inside the window, in 2006 and 2018; four succeeded. Three of the five came in 2018, the last weeks of Gov. John Kasich's second term.
- **Courts.** Two 2006 lame duck bills were decided in court. The Ohio Supreme Court held Gov. Ted Strickland's veto of Senate Bill 117 untimely, so the bill became law; an appeals court held that House Bill 694 was never validly enacted because the wrong version had been enrolled.
- **Reform proposals.** Bills to end post-election sessions were introduced in 2016 (House Bill 577) and 2024 (House Bill 708). Neither passed a chamber.

1. Purpose

This report answers four questions about Ohio's lame duck session. What is it, and what rules govern it? What happens during it? How has it changed from 2000 through 2024? And what do supporters and critics of the practice argue?

The period covered is the modern era: the 13 even-year lame ducks of the 123rd through 135th General Assemblies. Every measure is reported for every year the public record allows. Where a record does not exist or could not be located, the year is marked as not available rather than estimated. The 2026 lame duck of the 136th General Assembly begins after the November 3, 2026 election and is not included; it will be added in a Version 1.1 update after sine die adjournment.

2. What the Lame Duck Is

A two-year legislature with a fixed end

Each Ohio General Assembly serves a two-year term. Members' terms begin on January 1 after their election, and a new General Assembly convenes in the first week of January of each odd-numbered year.¹ Every House seat and about half of the Senate's seats are on the ballot each even-year November. Between

¹Ohio Const. art. II, §2 (terms of members begin on the first day of January following election); art. II, §8 (convening of each General Assembly).

Election Day and December 31, the outgoing General Assembly remains in office with its full powers, including members who will not return.

"Lame duck" is an informal label. Ohio law does not create a separate session after the election; the lame duck is the closing stretch of the General Assembly's second regular session. From Election Day to the last day of final legislative action, the 11 lame ducks from 2004 through 2024 ran a median of 43 days, about six weeks, ranging from 30 days in 2016 to 51 days in 2018; the full window to December 31 runs seven to eight weeks. What gives the period its character is the deadline. Bills that have not completed the legislative process when the General Assembly ends do not carry over; they must be reintroduced and start again in the next General Assembly. The session formally ends with adjournment sine die, without a day set to reconvene.

The same rules apply after the election

The Ohio Constitution does not distinguish between votes taken before and after an election. Table 1 lists the vote thresholds that apply to the kinds of roll calls counted in this report. Each is measured against the members elected to the chamber, not those present, so a bill needs 50 House yeas and 17 Senate yeas however many members attend.²

Table 1. Constitutional vote thresholds used in this report

Action	House (99)	Senate (33)	Source
Passage, concurrence, adoption of a conference report	50	17	Art. II, §15(A)
Suspending the rule that a bill be considered on three different days	66	22	Art. II, §15(C)
Emergency clause (separate roll call); law takes effect immediately and is not subject to referendum	66	22	Art. II, §1d
Overriding a veto (never fewer than the bill's original passage required)	60	20	Art. II, §16
Joint resolution proposing a constitutional amendment	60	20	Art. XVI, §1

Sources: Ohio Constitution, Art. II, §§1c, 1d, 15 and 16; Art. XVI, §1. Thresholds are fractions of members elected: a majority (50 of 99; 17 of 33), two-thirds (66; 22) and three-fifths (60; 20).

Most new laws take effect 90 days after the governor files them with the Secretary of State, a delay that allows time for a referendum petition. A law passed with an emergency clause takes effect at once and is not subject to referendum. The emergency clause must state the reasons for the necessity and requires its own two-thirds roll call, separate from the vote on the bill.³ A veto can be overridden by three-fifths of each chamber, and an override can never pass with fewer votes than the bill's original passage required.⁴ Joint resolutions proposing constitutional amendments go to the voters, not the governor.⁵

Veto after adjournment

The governor has ten days, Sundays excepted, to act on a bill presented while the General Assembly is in session. When the General Assembly has adjourned and cannot receive a veto message, a different rule

²Ohio Const. art. II, §15(A), (C) and (E).

³Ohio Const. art. II, §§1c, 1d.

⁴Ohio Const. art. II, §16.

⁵Ohio Const. art. XVI, §1.

applies: the bill becomes law unless the governor files it, with written objections, in the office of the Secretary of State within ten days after the adjournment.⁶

The 2006 transition between governors tested that rule. Senate Bill 117, a civil-liability bill that passed in the 2006 lame duck, was presented to the governor at the end of December 2006, in the last days of Gov. Bob Taft's term. Taft let it become law without his signature. After taking office in January 2007, Gov. Ted Strickland attempted to veto it. In *State ex rel. Ohio General Assembly v. Brunner*, the Ohio Supreme Court held 5–2 that the ten days ran from the General Assembly's adjournment, not from delivery of the bill, and that the period had ended on January 6, two days before the veto. The bill became law.⁷ The court did not decide whether Sundays are excluded from that count.⁸

A second 2006 bill ended in court for a different reason. House Bill 694, introduced on November 29, 2006, after the election, passed both chambers by December 20 and was signed. The Tenth District Court of Appeals later held that it was never validly enacted: the version enrolled and signed by the presiding officers and the governor was not the version the two chambers had passed.⁹

3. Data and Approach

The unit of analysis is the bill. A House or Senate bill is a lame duck bill when its final legislative action falls between the day after the general election and December 31. Final legislative action is the latest of three events: passage on third consideration in the second chamber, a first chamber vote to concur in the second chamber's changes, or adoption of a conference committee report. Bills that cleared the legislature before Election Day and were signed or vetoed afterward are excluded, because their legislative work was finished before the election. Joint resolutions are counted separately.

Four primary sources supply the data:

- **Status reports of legislation** published by the Legislative Service Commission (LSC) for the 123rd through 135th General Assemblies, which give introduction, passage, concurrence and governor-action dates for every bill.¹⁰
- **House and Senate Journals**, the official record of each chamber's proceedings, from which 1,867 roll calls in the 11 lame ducks from 2004 through 2024 were extracted and matched to bills.¹¹
- **Secretary of State records** of bills filed with effective dates, used to confirm which bills became law.¹²
- **Committee activity records** on the General Assembly's website, which list dated hearings for each bill, used for the 2016 and 2024 comparison in Section 7.¹³

⁶Ohio Const. art. II, §16.

⁷*State ex rel. Ohio Gen. Assembly v. Brunner*, 114 Ohio St.3d 386, 2007-Ohio-3780; Associated Press, "Ohio High Court Strikes Down Governor's Veto of Paint Lawsuit Bill," *Claims Journal*, August 2, 2007 (5–2 decision; veto period ended January 6, 2007).

⁸*Brunner*, 2007-Ohio-3780, ¶ 40.

⁹*UAW Local 1112 v. Brunner*, 10th Dist. Franklin, 2009-Ohio-1750; introduction and passage dates from the LSC status report of legislation, 126th General Assembly.

¹⁰Ohio Legislative Service Commission, *Status Report of Legislation*, 123rd–135th General Assemblies.

¹¹*Journal of the House of Representatives* and *Journal of the Senate*, 125th–135th General Assemblies, lame duck sessions, 2004–2024.

¹²Ohio Secretary of State, *Bills Passed with Effective Dates*, 127th–135th General Assemblies.

¹³Ohio General Assembly, committee activity pages for each enacted bill, legislature.ohio.gov.

Coverage is uneven. Journals for 2000 and 2002 exist only in print, and the Senate's 2004 Journal is not available online after May 11, 2004. Measures that depend on Journal roll calls therefore begin in 2004 for the House and 2006 for the Senate; outcome counts cover all 13 years. Section 12 sets out every coding rule, and the Limitations section lists what was not measured.

4. How Much Gets Done

Table 2 reports, for each lame duck, the bills that received final legislative action in the window and what became of them. The four outcome columns add to the first column in every year except 2006, which also includes House Bill 694, signed but later held not validly enacted.

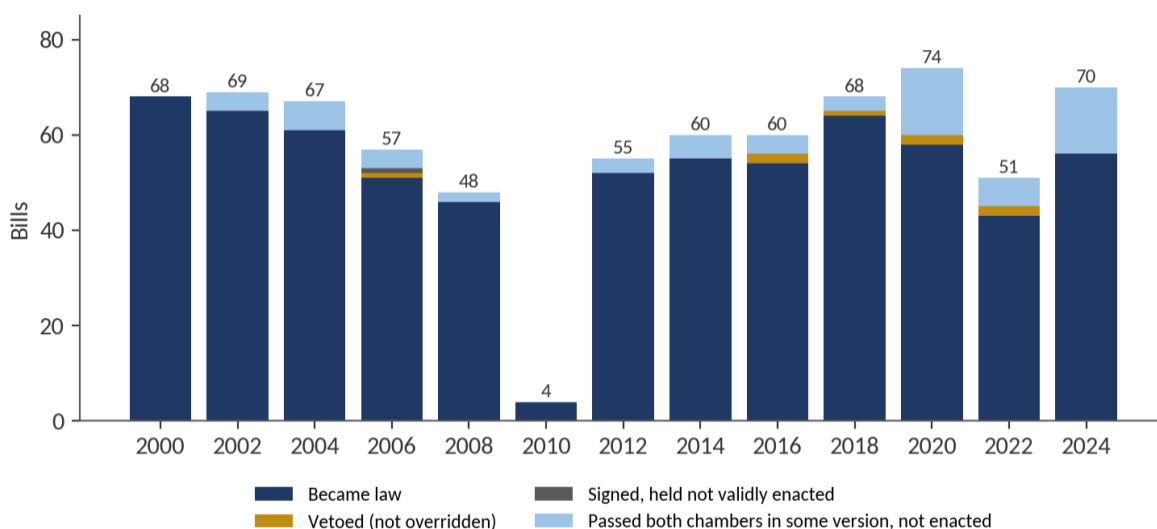
Table 2. Lame duck bills and outcomes, 2000–2024

Year	Governor	Final action in window	Became law	Vetoed, not overridden	Not enacted	Share of General Assembly's bills sent to governor
2000	Taft	68	68	0	0	21%
2002	Taft	69	65	0	4	26%
2004	Taft	67	61	0	6	33%
2006	Taft	57	51	1	4	27%
2008	Strickland	48	46	0	2	26%
2010	Strickland	4	4	0	0	7%
2012	Kasich	55	52	0	3	26%
2014	Kasich	60	55	0	5	28%
2016	Kasich	60	54	2	4	31%
2018	Kasich	68	64	1	3	38%
2020	DeWine	74	58	2	14	51%
2022	DeWine	51	43	2	6	25%
2024	DeWine	70	56	0	14	51%
Total		751	677	8	65	

Sources: LSC status reports of legislation, 123rd–135th General Assemblies; House and Senate Journals; Secretary of State lists of bills passed with effective dates; court records cited in Section 2. "Became law" includes bills signed, overridden, allowed to become law without signature (2004 Senate Bill 18) and held law by a court (2006 Senate Bill 117). "Not enacted" means the bill passed both chambers in differing versions, or failed a required vote, and never reached the governor. The share column divides bills sent to the governor from the lame duck by all bills sent to the governor during the two-year General Assembly.

Outside 2010, the number of lame duck bills that became law ranged from 43 (2022) to 68 (2000), with a median of 55 across all 13 sessions. The 2010 lame duck, the only one in the series in which the House and Senate were controlled by different parties, produced four.

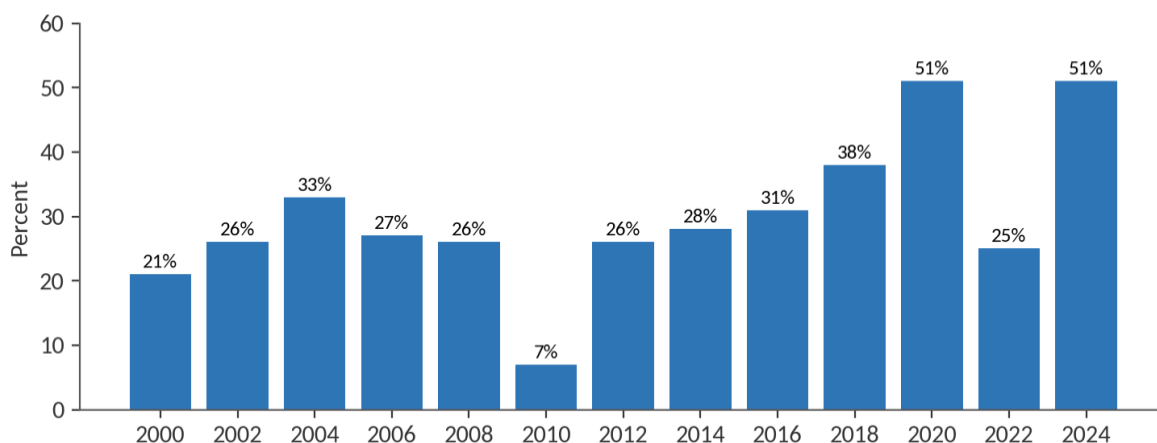
The share of a General Assembly's output that arrives in the lame duck depends on the two-year total as well as the lame duck itself. The 133rd and 135th General Assemblies sent 117 and 109 bills to the governor over their full terms, against 172 to 202 in the other General Assemblies from 2008 to 2022 except 2010. With smaller two-year totals, lame duck volumes similar to earlier years made up about half of each General Assembly's output in 2020 and 2024.

Figure 1. Lame duck bills by outcome, 2000–2024

Source: Table 2. Bar height is the number of bills receiving final legislative action between the day after the general election and December 31. 2006 includes one bill signed but later held not validly enacted (House Bill 694).

Sixty-five bills passed both chambers in some form but were not enacted. Sixty of them died because the first chamber never voted to concur in the second chamber's changes. Three died when the first chamber voted not to concur, one when a conference report was not adopted, and one when a concurrence vote fell short of the constitutional minimum: 2020 House Bill 365 drew 44 yeas to 42 nays in the House, below the 50 required. The highest counts of bills that died this way were 14 in 2020 and 14 in 2024.

Joint resolutions are not sent to the governor and are tracked separately. Four were adopted in the window: 2000 Senate Joint Resolution 11 (flag desecration), 2004 House Joint Resolution 1 (joint rules of the 125th General Assembly), 2014 House Joint Resolution 12 (General Assembly redistricting) and 2024 House Joint Resolution 8 (bonds for public infrastructure). A fifth, 2010 Senate Joint Resolution 5 on redistricting, failed in the House 47–49, short of the 60 votes required.

Figure 2. Lame duck bills as a share of all bills sent to the governor during the General Assembly

Source: Table 2. Denominator is every bill with a governor action recorded in the LSC status report for the two-year General Assembly.

5. Pace and Timing

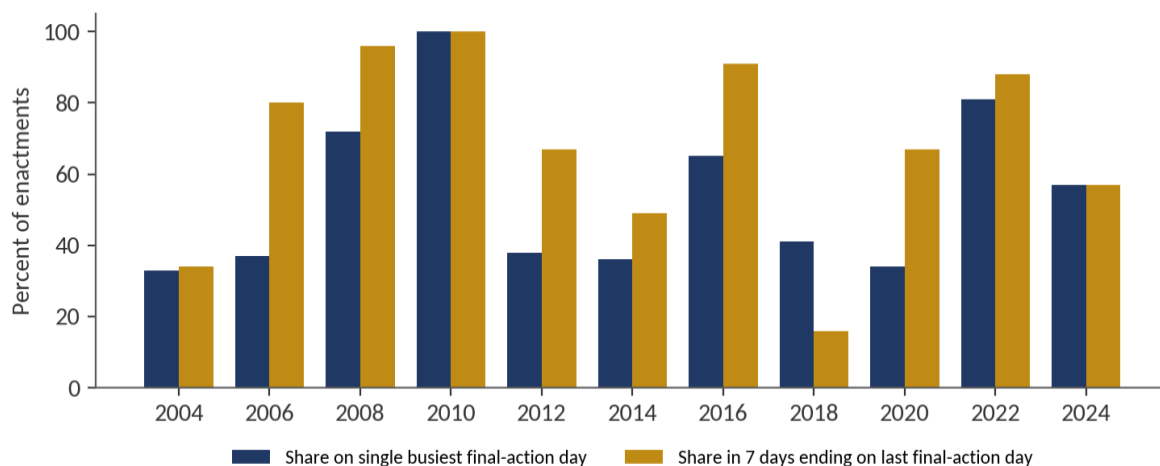
The lame duck window runs about eight weeks, but the chambers vote on only a few of those days. Table 3 counts, for each chamber, the days with at least one recorded roll call (voting days) and all days with a Journal entry, including brief sessions with no votes. It also measures how tightly final action on enacted bills was concentrated.

Table 3. Session days, roll calls and concentration of final action, 2004–2024

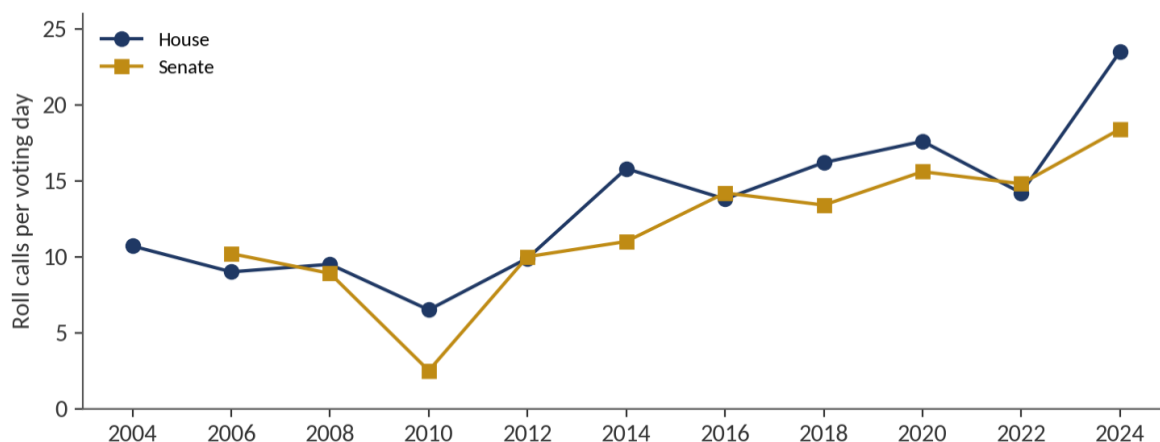
Year	House voting days / days met	Senate voting days / days met	Days with final action	Share on busiest day	Share in 7 days ending on last final-action day	House roll calls per voting day	Senate roll calls per voting day
2004	10 / 25	n/a	8	33%	34%	10.7	n/a
2006	12 / 18	11 / 22	7	37%	80%	9.0	10.2
2008	8 / 17	9 / 22	4	72%	96%	9.5	8.9
2010	2 / 18	4 / 21	1	100%	100%	6.5	2.5
2012	10 / 16	8 / 18	9	38%	67%	9.9	10.0
2014	8 / 21	8 / 19	10	36%	49%	15.8	11.0
2016	6 / 19	6 / 23	7	65%	91%	13.8	14.2
2018	8 / 20	8 / 25	8	41%	16%	16.2	13.4
2020	7 / 19	7 / 25	9	34%	67%	17.6	15.6
2022	5 / 17	5 / 19	5	81%	88%	14.2	14.8
2024	4 / 21	5 / 16	6	57%	57%	23.5	18.4

Sources: House and Senate Journals, 125th–135th General Assemblies; LSC status reports. Shares are of bills enacted from the lame duck. The seven-day measure counts the seven calendar days ending on the last day of final legislative action that year, not the last seven days of December. In 2018 that day was December 27, two weeks after the busiest day, so the measure captures only the 10 bills finished that day; 41% had been finished on December 13. n/a: the 2004 Senate Journal is not available online for the window.

Three patterns run through Table 3. First, voting days have declined: the House voted on 10 or more days in 2004, 2006 and 2012, and on four in 2024. Second, the number of roll calls on each voting day has risen, from about 10 in the House in 2004–2012 to 23.5 in 2024, and in the Senate from about 10 to 18.4. Third, final action clusters on one or two days. In every year at least a third of enactments were finished on a single day, and in 2008, 2016 and 2022 the share was two-thirds or more.

Figure 3. Concentration of final legislative action on enacted lame duck bills, 2004–2024

Source: Table 3. 2010 had four enactments, all finished on one day. The low 2018 seven-day share reflects a December 27 session held two weeks after the busiest day; see the note to Table 3.

Figure 4. Roll calls per voting day in the lame duck window, 2004–2024

Source: Table 3. A voting day is a day with at least one recorded roll call. Senate series begins in 2006 because the 2004 Senate Journal is not available online for the window.

6. Late Changes and Bill Age

A bill finished in the lame duck may have been settled months earlier, or it may have been rewritten in its final weeks. Table 4 separates the kinds of change that can occur inside the window, from the most extensive to the most procedural, and reports how long enacted bills had been pending.

Table 4. Post-election legislative activity, by nested category, and age of enacted bills, 2004–2024

Year	Enacted	Committee substitute in window	Any committee or floor amendment in window	Any amendment, concurrence or conference step in window	Introduced and finished in window	Passed both chambers after Election Day	Median age at final vote (days)
2004	61	13%	20%	51%	0	14	321
2006	51	22%	33%	69%	3	19	483
2008	46	13%	20%	83%	5	9	353
2010	4	0%	25%	25%	0	1	344
2012	52	13%	19%	77%	1	11	428
2014	55	5%	24%	73%	2	9	401
2016	54	13%	24%	76%	0	3	401
2018	64	11%	30%	80%	0	4	441
2020	58	9%	22%	66%	0	9	505
2022	43	9%	26%	79%	0	5	512
2024	56	14%	23%	84%	0	1	505

Sources: House and Senate Journals; LSC status reports. Shares are of enacted bills. Columns 3–5 are nested: a committee substitute is one kind of committee amendment, and the broadest column adds bills whose only in-window step was a concurrence vote or conference report on changes made by the other chamber. Age is days from introduction to final legislative action. For 2004, Senate actions in the window are taken from the LSC status report because the Senate Journal is not available online.

The broadest measure in Table 4 is high in every year with complete Journals except 2010: two-thirds to five-sixths of enactments had some amendment or concurrence step after Election Day. Much of the recorded activity consists of procedural votes, such as a concurrence vote on changes the other chamber made earlier, but a procedural vote can approve substantial changes. The narrower measures show that a committee substitute, which replaces a bill's text with a new version, was adopted after Election Day on 5% to 22% of enactments, and that any committee or floor amendment occurred on 19% to 33%. None of these measures distinguishes a technical correction from a substantive rewrite; that would require comparing bill texts, which this report did not do.

Enacted lame duck bills are, for the most part, old bills. Age measures elapsed calendar time since introduction, not time spent actively considering a bill, and an older bill did not necessarily receive more scrutiny. The median age at final vote has never been under 300 days and has exceeded 500 days in each lame duck since 2020. Eleven enacted bills since 2004 were both introduced and finished inside the window, all of them in 2006 through 2014. The number of enacted bills that passed both chambers for the first time after Election Day has fallen from 14 to 19 in 2004 and 2006 to one in 2024.

7. Committee Hearings, 2016 and 2024

The General Assembly's online committee activity records list each dated hearing on a bill. In 2016 and 2024, the online records contained hearing entries for every enacted lame duck bill examined. OCG did not reconcile those entries against committee notices, agendas or minutes, so a hearing missing from the online record would not be counted. For 2014, more than half of the relevant committee pages carry no hearing data, so 2014 is excluded rather than undercounted. Table 5 compares the two complete years.

Table 5. Recorded committee hearings on enacted lame duck bills, 2016 and 2024

Measure	2016	2024
Enacted lame duck bills	54	56
Bills with at least one recorded hearing	54	56
Recorded hearing entries, all dates	384	422
Median hearings per bill	7	7.5
Bills with a hearing after Election Day	47	54
Median hearings per bill after Election Day	2	3
Share of all hearings held after Election Day	34%	34%
Median days from last hearing to final vote	2	1

Source: Committee activity pages, legislature.ohio.gov, for each enacted bill. A hearing entry is a dated first, second, third or later hearing listed for a bill in either chamber. Counts measure how often committees met on a bill, not the depth of testimony or deliberation.

On the indicators measured, the two years were similar: hearings per bill, the share of hearings held after Election Day, and the gap between last hearing and final vote. The counts do not show whether total committee time was similar. Every enactment had hearings; roughly one hearing in three took place after the election; and the typical bill received its final vote within a day or two of its last hearing. The counts cannot show how much testimony a hearing took, whether amendments were adopted in it, or how much of the final text members had seen.

8. Departing Members

A departing member, for this report, is a legislator who cast a recorded vote in the lame duck window and does not appear on the opening-day roll of either chamber of the next General Assembly. Members who moved from one chamber to the other are counted as returning. The definition does not distinguish members who were term-limited, defeated, retired or elected to another office.

Table 6. Departing members and their votes on enacted bills, 2004–2024

Year	Departing House members	Departing senators	Median departing share of yeas	Bills needing departing yeas	Enacted bills analyzed	Share needing departing yeas
2004	13	n/a	12%	0	40 of 61	0%
2006	23	6	19%	6	50 of 51	12%
2008	26	6	21%	7	46 of 46	15%
2010	24	8	24%	0	3 of 4	0%
2012	14	2	11%	0	52 of 52	0%
2014	24	2	13%	2	55 of 55	4%
2016	18	4	13%	3	53 of 54	6%
2018	25	6	19%	8	64 of 64	13%
2020	16	5	15%	8	58 of 58	14%
2022	20	5	13%	2	42 of 43	5%
2024	20	5	16%	5	56 of 56	9%

Sources: House and Senate Journals, including opening-day rolls of the 126th–136th General Assemblies. The population is bills that became law. Every carried passage, concurrence, conference-report and override roll call on those bills inside the window is tested; a bill counts as needing departing yeas if, on any of those votes, subtracting departing members' yeas leaves fewer yeas than the constitutional minimum in Table 1. Each bill is counted once. Enacted bills not analyzed are those with no in-window roll call extracted from the Journals: 21 bills in 2004, when the Senate Journal is unavailable, and one bill each in 2006, 2010, 2016 and 2022 whose final step was not captured as a roll call.

Departing members voted in every lame duck, and in the median vote tested they supplied 11% to 24% of the yeas. On most enacted bills the margin was wide enough that returning members' yeas alone met the constitutional minimum. The number of bills where they did not ranged from none (2004, 2010 and 2012) to eight (2018 and 2020).

This is a mechanical subtraction of recorded votes. It does not predict how any member would have voted, whether absent members would have attended, or whether a bill would have passed with a different membership.

9. Vetoes, Overrides and Court Cases

Table 7 lists every lame duck bill that was vetoed, every override vote held in the window, and every lame duck enactment later decided in court that this study identified. It also includes the one bill allowed to become law without the governor's signature.

Table 7. Vetoes, overrides, court decisions and other exceptional outcomes, 2000–2024

Year	Bill	Subject (LSC short title)	Event	Votes or result
2004	SB 18	Metropolitan housing authority composition	Became law without signature	—
2006	HB 347	Concealed-carry law revisions	Vetoed; overridden	House 71–21 (Dec. 7); Senate 21–12 (Dec. 12)
2006	HB 56	Prohibit traffic photo-monitoring devices	Vetoed	No override vote
2006	SB 117	Civil liability; criminal judgment in civil case	Veto held untimely	Law (Ohio Supreme Court, 2007)
2006	HB 694	Political contributions by family of public contractors	Signed; held not validly enacted	Tenth District Court of Appeals, 2009
2016	HB 554	Renewable energy and energy efficiency	Vetoed	No override vote
2016	SB 329	Sunset review law	Vetoed	No override vote
2018	SB 221	Agency rule-making and legislative review	Passed June 27; vetoed Aug. 3; overridden in window	House 70–22; Senate 24–8 (Nov. 14)
2018	HB 228	Self-defense and handling firearms	Vetoed Dec. 19; overridden	House 67–22; Senate 21–11 (Dec. 27)
2018	SB 296	Health benefits for survivors of safety officers	Vetoed Dec. 21; overridden	House 71–16; Senate 25–6 (Dec. 27)
2018	HB 258	Abortion: detectable fetal heartbeat	Vetoed Dec. 21; override failed	House 61–28; Senate 19–13, 20 required (Dec. 27)
2020	SB 311	Director of Health order-issuing authority	Vetoed Dec. 3	No override vote in window
2020	SB 375	Director of Health order on county fairs	Vetoed Jan. 11, 2021	No override vote
2022	HB 286	Venue for appeals from agency orders	Vetoed (received Jan. 3, 2023)	No override vote

Year	Bill	Subject (LSC short title)	Event	Votes or result
2022	HB 513	Bad debts; cigarette, tobacco and vapor taxes	Vetoed (received Jan. 5, 2023)	No override vote

Sources: LSC status reports; House and Senate Journals; Secretary of State records; State ex rel. Ohio Gen. Assembly v. Brunner, 2007-Ohio-3780; UAW Local 1112 v. Brunner, 2009-Ohio-1750. 2018 Senate Bill 221 is not a lame duck enactment, because it cleared the legislature in June; its override vote took place in the window. "No override vote" means none appears in the Journals for the window.

2000 to 2008

The four lame ducks under Gov. Bob Taft and the first under Gov. Ted Strickland produced between 46 and 68 new laws each. The only override in these years came in 2006, when both chambers overrode Taft's veto of House Bill 347 on concealed-carry law. The 2006 lame duck, which closed Taft's second term, also produced both of the court cases in this study and one veto that stood, of House Bill 56 on traffic cameras.

2010

In 2010 Democrats held the House and Republicans the Senate, the only divided legislature in the series. Four bills received final action in the window, all on one day, and the House rejected a Senate-passed redistricting amendment, Senate Joint Resolution 5, 47–49.

2012 to 2018

Under Gov. John Kasich, lame duck output returned to between 52 and 64 enactments. Kasich vetoed two lame duck bills in 2016, on renewable energy and energy efficiency and on sunset review, and neither veto drew an override vote. The 2018 lame duck, the last weeks of his second term, had the most override activity in the series. On November 14 both chambers overrode his veto of Senate Bill 221, a rule-making bill passed before the election. On December 27, when the chambers also finished work on 10 bills, they took up three more vetoes and overrode two, on self-defense law (House Bill 228) and survivor benefits for safety officers (Senate Bill 296). The override of House Bill 258, on abortion, passed the House 61–28 and fell one vote short in the Senate, 19–13.

Senate Bill 296 also shows the emergency threshold at work. On December 13 the House voted 60–26 to pass it as an emergency measure, short of the 66 required, and the bill failed. Later that day the House reconsidered the vote and passed the bill as an emergency measure, 68–21. Because an override can never pass with fewer votes than the original passage required, the December 27 override needed two-thirds of each chamber rather than three-fifths; the votes of 71–16 in the House and 25–6 in the Senate cleared that bar.

2020 to 2024

Under Gov. Mike DeWine, two 2020 vetoes concerned the Director of Health's authority to issue orders during the COVID-19 pandemic; neither drew an override vote in the window. Two 2022 vetoes, on agency-appeal venue and tobacco tax bad debts, were received in January 2023. The 2024 lame duck had no vetoes. In both 2020 and 2024, 14 bills passed both chambers in differing versions and died without concurrence, the highest counts in the series.

10. Proposals to End the Lame Duck

Two bills in the period studied would have ended legislative sessions after an even-year general election. Neither passed a chamber.

House Bill 577 (131st General Assembly). Introduced May 25, 2016, under the LSC short title "Eliminates General Assembly sessions after general election," the bill was sponsored by Rep. Terry Boose (R-Norwalk). It received one hearing and did not advance; Boose was leaving the legislature at the end of 2016.¹⁴

House Bill 708 (135th General Assembly). Introduced December 18, 2024, during that year's lame duck, under the short title "Prohibit post-election G.A. sessions in an even-numbered year," the bill was sponsored by Reps. Bill Dean (R-Xenia) and Sean Brennan (D-Parma) and drew 15 cosponsors from both parties. It received no hearing before the General Assembly ended.¹⁵ Brennan said at the time that he planned to reintroduce the proposal in the next General Assembly with Republican Rep. Jennifer Gross.¹⁶ In the LSC status report reflecting legislative action through October 5, 2026, OCG found no bill or joint resolution in the 136th General Assembly whose title addresses post-election sessions.¹⁷

Other states have considered limits of their own. In Michigan, House Joint Resolution A of 2025 would require a two-thirds vote for bills considered after an even-year November election. The Michigan House Fiscal Agency's analysis of that proposal reports that 39 states end their regular sessions before a new legislature is elected and that 11 states, Ohio among them, do not.¹⁸ Statehouse News Bureau coverage of House Bill 708 described Ohio as one of seven states that conduct lame duck legislating.¹⁹ The two counts rest on different definitions, and this report did not reconcile them.

11. The Debate

The Research Center takes no side on whether Ohio should keep, limit or end the lame duck. This section presents the principal arguments as their proponents make them, then sets out which measures in this report bear on each argument and which questions the measures cannot answer.

Arguments made by critics

The sponsors of House Bill 708 framed their case around accountability and deliberation. Dean said ending lame duck sessions would "ensure every vote reflects the clear voice of the electorate." Brennan described receiving many complex bills, with amendments, hours before a vote, and said, "Not one

¹⁴Karen Kasler, "A Proposed Ban on Lame-Duck Legislation in Ohio Fails," Statehouse News Bureau, December 12, 2016; Ohio Legislative Service Commission, *Status Report of Legislation*, 131st General Assembly, H.B. 577.

¹⁵Ohio Legislative Service Commission, *Status Report of Legislation*, 135th General Assembly, H.B. 708; Ohio House of Representatives, "Reps. Brennan, Dean Call to Permanently End Lame Duck Sessions," news release, December 18, 2024; Karen Kasler, "One Bill That Died in Ohio's 2024 Lame Duck: A Bill to Ban Future Lame Duck Sessions," Statehouse News Bureau, December 31, 2024.

¹⁶Kasler, "One Bill That Died in Ohio's 2024 Lame Duck."

¹⁷Ohio Legislative Service Commission, *Status Report of Legislation*, 136th General Assembly, reflecting legislative action through October 5, 2026. OCG searched bill and joint resolution titles; a proposal on the subject filed under an unrelated title would not appear in this search.

¹⁸Michigan House Fiscal Agency, *Legislative Analysis: House Joint Resolution A*, revised May 1, 2025.

¹⁹Kasler, "One Bill That Died in Ohio's 2024 Lame Duck."

colleague I have spoken to on either side of the aisle has anything good to say about this process."²⁰ In a later interview, Brennan said, "You really don't know what's in all of these things," and that "it's not good for us as legislators to be a good voice for our constituents if we can't fully vet the bills."²¹

Arguments made by defenders

A targeted search of Ohio news coverage of the 2016 and 2024 proposals and the 2024 lame duck located no Ohio legislator defending the lame duck on the record; the House and Senate Journals record votes, not floor remarks. The most direct defense located for this report comes from Michigan, where Michael J. Reitz of the Mackinac Center for Public Policy responded to proposals to end that state's lame duck. Reitz wrote that "voters who elect lawmakers expect them to serve a full term," noted that other branches of government do not stop working after an election, and argued that the end-of-session time crunch is self-imposed rather than a product of the calendar. "Lame duck reveals two things: priorities and leadership," he wrote, adding that good or bad policy can be passed at any time of year.²²

What research on Congress reports

Most academic research on lame duck sessions concerns Congress, whose post-election sessions differ from Ohio's in timing and rules. Political scientists Timothy Nokken and Jeffery Jenkins found that before the Twentieth Amendment shortened the gap between election and the start of a new Congress, departing members moved away from their party's position in lame duck sessions; in the modern era they observed no significant changes and concluded, as summarized in one account of their work, that "lame-duck sessions in the modern era are simply extensions of regular sessions."²³ A Mercatus Center study by Christopher Koopman, Matthew Mitchell and Emily Hamilton found that "during a lame duck session, members are less likely to vote at all" and somewhat less likely to follow their party, with modest effects.²⁴ These findings describe Congress and are reported here as context, not as evidence about Ohio.

²⁰Ohio House of Representatives, "Reps. Brennan, Dean Call to Permanently End Lame Duck Sessions."; Susan Tebben, "During Lame Duck, Ohio Legislators Seek to Get Rid of Lame Duck," *Ohio Capital Journal*, December 18, 2024.

²¹Kasler, "One Bill That Died in Ohio's 2024 Lame Duck."

²²Michael J. Reitz, "Take Care Before Killing Lame Ducks," Mackinac Center for Public Policy, January 27, 2025.

²³Timothy P. Nokken and Jeffery A. Jenkins, "Partisanship, the Electoral Connection, and Lame-Duck Sessions of Congress, 1877–2006," *Journal of Politics* 70 (2008): 450–465; Nokken and Jenkins, "Legislative Shirking in the Pre-Twentieth Amendment Era," *Studies in American Political Development* 22 (2008): 111–140; LegBranch, "Expectations for a Lame Duck Congress," November 15, 2010, quoting Nokken and Jenkins.

²⁴Christopher Koopman, Matthew D. Mitchell, and Emily Hamilton, "How Lame Are Lame Ducks?" Mercatus Center at George Mason University, December 1, 2014.

Where the Ohio record bears on the arguments

Table 8. Arguments about the lame duck and the measures in this report that bear on them

Argument	Relevant measures in this report	What the measures cannot show
Members who are leaving decide outcomes	16 to 32 departing members voted in each lame duck, 2006–2024; their yeas were needed to reach the constitutional minimum on 0% to 15% of enacted bills analyzed (Table 6)	How any member would have voted under other circumstances; whether departing members voted differently than before the election
Bills are rushed	House voting days fell to four in 2024 while roll calls per voting day rose to 23.5; one-third or more of enactments finished on a single day each year; median one to two days from last hearing to final vote in 2016 and 2024 (Tables 3 and 5)	How long members had the final text; the depth of review
Bills are rewritten late	Committee substitutes after Election Day on 5% to 22% of enactments; some amendment or concurrence step on 66% to 84% in years with complete Journals (Table 4)	Whether a change was technical or substantive; whether a bill's subject changed
The lame duck finishes work already reviewed	Median bill age of 321 to 512 days (elapsed time, not active consideration); median of 7 to 7.5 recorded hearings per bill in 2016 and 2024; 11 bills since 2004 introduced and finished in the window (Tables 4 and 5)	Whether the version enacted matches the version heard in committee; whether older bills received more scrutiny
The lame duck carries a large share of lawmaking	21% to 51% of bills sent to the governor in a General Assembly, 7% in 2010 (Table 2)	The significance of individual bills; counts weigh every bill equally

Source: Tables 2 through 6 of this report. Arguments are paraphrased from the sources cited in this section.

12. Methodology and Coding Rules

- **Window.** The lame duck window runs from the day after the even-year general election through December 31. Election dates: November 7, 2000; November 5, 2002; November 2, 2004; November 7, 2006; November 4, 2008; November 2, 2010; November 6, 2012; November 4, 2014; November 8, 2016; November 6, 2018; November 3, 2020; November 8, 2022; November 5, 2024.
- **Inclusion.** A House or Senate bill is included when its final legislative action falls in the window. Final legislative action is the latest of passage on third consideration in the second chamber, a concurrence vote in the first chamber, or adoption of a conference report. Where the LSC status report repeats the second chamber's passage date in its concurrence column for a bill that was not amended, the repeated date is not treated as a concurrence vote. Bills finished before Election Day and acted on by the governor afterward are excluded.
- **Outcomes.** Each bill is coded as law (signed, overridden, allowed to become law without signature, or held law by a court); vetoed and not overridden; not enacted (no concurrence vote, concurrence refused, conference report not adopted, or a required vote failed); or signed but held not validly enacted. A failed intermediate vote on a bill that later passed is not coded as a failure. Joint resolutions are coded separately as adopted or failed. Outcomes were confirmed against Secretary of State records where those lists are complete; the 129th General Assembly list is incomplete, so absence from it is not treated as evidence.
- **Thresholds.** Each roll call is compared with the constitutional minimum in Table 1 for its vote type. A vote with more yeas than nays but fewer yeas than the minimum is coded as failed.

- **Change measures.** Four in-window events are recorded separately: adoption of a committee substitute, any other committee amendment, a floor amendment, and a concurrence vote or conference report. Table 4 reports them as nested shares.
- **Concentration and pace.** Busiest-day share is the share of enactments finished on the single day with the most final actions. The seven-day share uses the seven calendar days ending on the last day of final action that year, not the last seven days of December. A voting day is a day with at least one recorded roll call; days met include every day with a Journal entry. Bill age is the number of days from introduction to final legislative action.
- **Departing members.** A member is departing when he or she cast a recorded vote in the window and does not appear on the opening-day roll of either chamber of the next General Assembly. Members who appear in the other chamber are coded as moved and treated as returning. For each bill that became law, departing members' yeas are subtracted from every carried passage, concurrence, conference-report and override roll call on the bill inside the window; the bill is counted once if any of those votes would then fall below its constitutional minimum. An override of a bill passed as an emergency measure is held to the two-thirds emergency threshold. On nine in-window roll calls on enacted bills, the printed name lists did not reconcile exactly with the printed totals, and the printed totals were used. None of the nine could change the result: even if every departing member of that chamber had voted yea, the remaining yeas would still have met the constitutional minimum.
- **Hearings.** Hearing entries are dated hearings listed on the General Assembly's committee activity pages for each enacted bill, in either chamber. 2014 is excluded because its records are incomplete; in 2016 and 2024 the online records contained hearing entries for every enacted bill, but they were not reconciled against committee notices or minutes.
- **Validation.** Every difference between an LSC status report date and the matching Journal roll call was resolved and logged; 51 such differences were found, 38 of them caused by the missing 2004 Senate Journal. A stratified sample of 42 final votes was checked against the Journal text, and all 42 were confirmed.
- **Missing data.** "Not available" marks a measure whose source record does not exist online for that year. It is kept distinct from zero and from "not applicable."

Interpretive Considerations

- Bill counts weigh every bill equally. A memorial highway designation and a revision of criminal sentencing law each count as one.
- 2010 is an outlier on almost every measure, with four enactments and the only divided legislature in the series. Ranges in this report are given with and without it where it matters.
- The share of a General Assembly's bills that came from the lame duck depends on the two-year total. The 2020 and 2024 shares are high partly because the 133rd and 135th General Assemblies sent fewer bills to the governor overall.
- Concentration measures are sensitive to single days. The 2018 seven-day share is low because of one late session, not because work was spread out.

- Several features of the period changed together and cannot be separated with these data: majority and leadership changes, the three governor transitions (2006, 2010 and 2018), the COVID-19 pandemic in 2020, and the two-year budget cycle, under which operating budgets are enacted in odd-numbered years and never fall in a lame duck.
- Research on Congress is reported as context. Congress's lame duck sessions operate under different rules and timing, and their findings are not evidence about the Ohio General Assembly.

Limitations and What This Report Does Not Claim

- **Missing Journals.** House and Senate Journals for 2000 and 2002 exist only in print, and the 2004 Senate Journal is not available online for the window. Roll-call, pace, change and departing-member measures are not available for those years and were not estimated.
- **Title and subject changes.** Whether a bill's subject changed in the lame duck, through amendments unrelated to its original purpose, was not coded. The change measures count procedural events, not the content of changes.
- **Later challenges.** Referendum petitions, constitutional amendments and court challenges affecting lame duck enactments were not systematically researched. The two court cases in Section 9 were identified in the course of coding outcomes; others may exist.
- **Hearings.** Usable hearing records exist only for 2016 and 2024 among the years checked, and they were not reconciled against committee notices, agendas or minutes. Counts measure frequency, not the quality or length of testimony.
- **Departing members.** Reasons for departure were not coded. The departing-member measures are mechanical counts of recorded votes and do not estimate how votes would have differed.
- **Name matching.** On nine in-window roll calls on enacted bills, printed name lists and totals did not reconcile exactly; printed totals were used. A bounding test shows none of the nine could change the departing-member count.
- **No verdict.** This report does not claim that the lame duck session is good or bad, that any bill passed in it was better or worse than bills passed at other times, or that any proposal to change it should or should not be adopted.

Future Research

- Add the 2026 lame duck of the 136th General Assembly after sine die adjournment (planned Version 1.1).
- Code subject changes by comparing the as-introduced and enrolled versions of each lame duck enactment.
- Search systematically for referendum petitions, constitutional amendments and court challenges affecting lame duck enactments.
- Consult the print House and Senate Journals for 2000, 2002 and the 2004 Senate, held by the State Library of Ohio, to extend the roll-call measures.
- Cross-check enacted bills against the LSC *Digest of Enactments* for each General Assembly.

- Code the reasons members departed (term limits, defeat, retirement, other office).

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Conclusion

Ohio's lame duck is the end of a two-year legislative term, governed by the same constitutional rules as the rest of it. From 2000 through 2024 it produced between 43 and 68 new laws in every session but one, and in the two most recent presidential-election years it accounted for about half of all bills the General Assembly sent to the governor.

The record shows a session that has become more compressed: fewer voting days, more roll calls on each, and final action clustered on one or two days. It also shows that most enacted bills had been pending for a year or more and had recorded committee hearings, and that departing members' votes were needed to reach the constitutional minimum on a small share of bills. Post-election amendment and concurrence activity was common. Much of the recorded activity consisted of procedural votes, but this study did not measure the substantive significance of the underlying legislative changes. Critics and defenders read these features differently, and the measures here cannot settle the questions they raise about the quality of review or the motives of departing members.

Consistent with the Research Center's editorial independence, this report does not evaluate whether the lame duck should be kept, limited or ended. It documents what the legislative record shows and states plainly where that record cannot answer the fuller question.

Revision History

Version 1.0 — October 9, 2026 — Initial publication.