

As Passed by the House

124th General Assembly

Regular Session

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Am. Sub. S. B. No. 218

SENATOR Jordan

REPRESENTATIVES Faber, Womer Benjamin, Sykes, Willamowski, Brown,
Hughes, Callender, Seaver, Manning, Schmidt, Gilb, DeBose, Patton, Flowers,
Sullivan, S. Smith, Collier, Hagan, Perry, Fessler, Otterman, Calvert, Beatty,
Kearns, Jolivette

A B I L L

To amend section 2939.06 of the Revised Code to modify
the oath administered to members of a grand jury.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2939.06 of the Revised Code be
amended to read as follows:

Sec. 2939.06. (A) When a grand jury is impaneled, the court
of common pleas shall appoint one of the members thereof of the
grand jury as foreman foreperson, and shall administer, or cause
to be administered, to said the jurors an oath in the following
words to which the jurors shall respond "I do solemnly swear " or
" I do solemnly affirm":

~~You and each of~~ Do you do solemnly swear or affirm that you
will diligently inquire, into and true presentment make of
carefully deliberate all such matters and things as that shall be
given you in charge or otherwise come to your knowledge, touching
the present attention concerning this service; the counsel of the
state, your own, and your fellows, do you solemnly swear or affirm

that you shall will keep secret all proceedings of the grand jury 17
unless called on you are required in a court of justice to make 18
disclosures disclosure; and do you shall present solemnly swear or 19
affirm that you will indict no person through malice, hatred, or 20
ill will, nor shall; and do you solemnly swear or affirm that you 21
will not leave unindicted any person unrepresented through fear, 22
favor, or affection, or for any reward or hope thereof, but in all 23
your presentments; and do you solemnly swear or affirm that in all 24
your deliberations you shall will present the truth, the whole 25
truth, and nothing but the truth, according to the best of your 26
skill and understanding-, as you shall answer unto God or under 27
the penalties of perjury?" 28

(B) If, on or after the effective date of this amendment, a 29
court impaneling a grand jury uses the grand juror's oath that was 30
in effect prior to the effective date of this amendment instead of 31
the oath set forth in division (A) of this section, the court's 32
use of the former oath does not invalidate or affect the validity 33
of the impanelment of the grand jury, any proceeding, inquiry, or 34
presentation of the grand jury, any indictment or other document 35
found, returned, or issued by the grand jury, or any other action 36
taken by the grand jury. 37

Section 2. That existing section 2939.06 of the Revised Code 38
is hereby repealed. 39