

As Reported by the House Criminal Justice Committee

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

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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  
unless ~~called on~~ you are required in a court of justice to make

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