

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, FEBRUARY 20, 2007

FIFTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, February 20, 2007, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Kenneth Paramore of the United Baptist Church in Akron, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Husted prior to the commencement of business:

Constituents of Representative Sykes-44th district.

Eric Combs, a guest of Representative DeWine-70th district.

Christy Parsons, Jesse Callico, Zachary Taylor, and Sean Hitchcock, guests of Representatives Collier-90th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 1-Representative Setzer.

To reserve this bill number for the Governor's school funding reform plan.

H. B. No. 2-Representative Webster.

To amend sections 121.03, 3333.01, 3333.021, 3333.03, 3333.04, 3333.041, 3333.042, 3333.043, 3333.044, 3333.045, 3333.046, 3333.047, 3333.05, 3333.06, 3333.07, 3333.071, 3333.072, 3333.08, 3333.09, 3333.10, 3333.11, 3333.12, 3333.121, 3333.122, 3333.123, 3333.13, 3333.14, 3333.15, 3333.16, 3333.161, 3333.162, 3333.17, 3333.18, 3333.19, 3333.20, 3333.21, 3333.22, 3333.23, 3333.25, 3333.26, 3333.27, 3333.28, 3333.29, 3333.31, 3333.35, 3333.36, 3333.37, 3333.372, 3333.373, 3333.374, 3333.375, and 3333.38 and to enact section 3333.031 of the Revised Code to transfer appointment of the Chancellor of the Ohio Board of Regents to the Governor with the advice and consent of the Senate, to make the Board of Regents an advisory board to the Chancellor, and to transfer the Board's duties and powers to the Chancellor.

H. B. No. 3-Representative Latta.

Cosponsors: Representatives McGregor, R., Schlichter, Wachtmann, Setzer, Webster, Collier, Combs, Stebelton, Hughes.

To amend sections 129.73, 5528.36, 5731.01, 5731.02, 5731.14, 5731.15, 5731.16, 5731.17, 5731.19, 5731.21, 5731.23, 5731.25, 5731.26, 5731.28, 5731.33, 5731.34, 5731.48, and 5731.51 of the Revised Code to phase out the

estate tax by January 1, 2008, but to authorize voters of a township or municipal corporation to continue the tax locally.

H. B. No. 4-Representative Wolpert.

Cosponsors: Representatives Combs, Peterson, Gibbs, Flowers, Adams, Aslanides, Fende, Fessler, Collier, Setzer.

To amend sections 5731.02, 5731.21, and 5731.48 and to enact sections 5731.55 and 5731.56 of the Revised Code to reduce the estate tax by increasing the credit amount, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax any estate property located in the township or municipal corporation, and to distribute all estate tax revenue originating in a township or municipal corporation that does not exempt property from the tax to the township or municipal corporation.

H. B. No. 5-Representative Gibbs.

To formally state the General Assembly's intentions in its upcoming deliberations on reforming Ohio's laws regulating the exercise of eminent domain.

H. B. No. 6-Representative Stewart, J.

To amend section 5101.51 of the Revised Code to increase the income eligibility limit for the Children's Health Insurance Program Part II to three hundred per cent of the federal poverty guidelines.

H. B. No. 7-Representative Brinkman.

To formally state the General Assembly's intentions in its upcoming deliberations on reforming Ohio's adoption laws.

H. B. No. 8-Representative Hagan, R.

To amend sections 145.56, 145.82, 145.95, 742.47, 3305.07, 3307.41, 3309.66, 3309.82, 3309.95, and 5505.22 and to enact sections 145.572, 742.463, 2907.151, 3305.11, 3307.372, 3309.672, and 5505.262 of the Revised Code to provide that a member of a state retirement system, on conviction of a felony committed in the course of official duties, will forfeit the portion of any state retirement benefit that is based on employer contributions.

H. B. No. 9-Representative Carmichael.

Cosponsors: Representatives Adams, Aslanides, Bacon, Brown, Coley, Collier, Combs, Daniels, Dodd, Evans, Fende, Fessler, Flowers, Hughes,

Garrison, Gibbs, Latta, McGregor, J., Okey, Reinhard, Sayre, Schlichter, Seitz, Stewart, J., Wagoner, Webster.

To amend sections 4501.01, 4507.03, 4511.01, 4511.202, 4513.11, and 4513.99 of the Revised Code to require farm machinery that is designed by its manufacturer to operate at a speed greater than 25 miles per hour to display a speed identification symbol and a slow-moving vehicle emblem when operated on a road or highway and to further address the operation of such farm machinery on roads and highways.

H. B. No. 10-Representative Wolpert.

Cosponsors: Representatives McGregor, J., Evans, Stebelton, Brown, Webster.

To amend section 1901.25 of the Revised Code to provide that a board of county commissioners, upon the request of the legislative authority of a municipal court, may fix the compensation of jurors in the court in an amount that differs from the compensation of jurors in the court of common pleas.

H. B. No. 11-Representative Setzer.

Cosponsors: Representatives Collier, Adams, Stebelton, McGregor, J., Yuko, Hughes, Chandler, Domenick, Reinhard.

To amend sections 121.22 and 715.70 of the Revised Code to make changes in and relating to the Joint Economic Development District Law.

H. B. No. 12-Representative Fessler.

Cosponsors: Representatives Bupp, Seitz, Widener, Latta, McGregor, J., Wachtmann, Evans, Adams, Setzer, Chandler, Brown, Lundy, Ujvagi, Goyal, Dodd, Collier, Carano.

To enact section 4503.481 of the Revised Code to create "Ohio National Guard Retired" license plates.

H. B. No. 13-Representative Fessler.

Cosponsors: Representatives Stebelton, Wachtmann, Brinkman, Adams, Harwood.

To amend section 4503.102 of the Revised Code to prohibit the inclusion of Social Security numbers on motor vehicle registration renewal notices.

H. B. No. 14-Representative Hughes.

Cosponsors: Representatives Peterson, Combs, McGregor, J., Schindel, Wagner, Stebelton, Wagoner, Hite, Williams, B., Dodd, Garrison, Uecker, Evans, Koziura, DeGeeter, Brown, McGregor, R., Stewart, J., DeBose, Stewart, D., Strahorn, Bacon, Lundy.

To amend sections 5751.20 and 5751.21 of the Revised Code to extend indefinitely the full reimbursement to school districts for the phase-out of taxes on business tangible personal property.

H. B. No. 15-Representative Chandler.

Cosponsors: Representatives Foley, Fessler, Dodd, Lundy, Combs, Skindell, Strahorn, Brown, Williams, S., Yuko.

To amend sections 109.42, 109.73, 2317.02, 2743.191, 2901.13, 2921.22, 2923.01, and 2929.18 and to enact sections 109.44, 109.745, 109.746, 2305.117, 2307.54, 2905.31, 2905.32, 2905.33, 2905.34, 2929.181, 2930.21, 2930.22, and 2930.23 of the Revised Code relative to trafficking in persons.

H. B. No. 16-Representative Chandler.

Cosponsors: Representatives McGregor, J., Evans, Dodd, Hite, Lundy, Seitz, Okey, Collier, Yuko, Koziura, Bolon, Skindell, Domenick.

To amend section 5747.113 and to enact section 149.308 of the Revised Code to allow taxpayers to contribute a portion of their income tax refunds to the Ohio Historical Society.

H. B. No. 17-Representative Foley.

Cosponsors: Representatives Skindell, McGregor, J., Brown, Brady, Koziura, Chandler, Stewart, D.

To amend section 5747.98 and to enact section 5747.71 of the Revised Code to grant a state earned income tax credit equal to a percentage of the federal earned income tax credit.

H. B. No. 18-Representative Carano.

Cosponsors: Representatives McGregor, J., Hagan, R., Seitz, Stewart, D., Dodd, Koziura, Bolon, Evans, Chandler.

To amend section 4301.62 and to enact section 4303.232 of the Revised Code to create the T-1 permit to authorize certain colleges and universities and professional athletic teams to allow the consumption of beer and intoxicating liquor brought into restricted areas on the property that they own or lease.

H. B. No. 19-Representative Carano.

Cosponsors: Representatives McGregor, J., Evans, Dodd, Setzer, Combs, Fessler, Hughes, Flowers, Webster, Skindell, Stewart, J., Strahorn, Celeste, Yuko, Brown, Bolon.

To enact section 5.2235 of the Revised Code to designate the month of November as "Epilepsy Awareness Month."

H. B. No. 20-Representative Carano.

Cosponsors: Representatives McGregor, J., Healy, Dodd, Okey, Seitz, Collier, Yuko, Koziura, Brown.

To amend sections 1322.04 and 1322.041 of the Revised Code to require the Superintendent of Financial Institutions to prorate the renewal fee for a new certificate of registration or license for a mortgage broker or loan officer.

H. B. No. 21-Representative Fessler.

Cosponsors: Representatives Flowers, Evans, McGregor, J., Stebelton, Chandler, Adams, Brown, Fende, Setzer, Collier.

To amend section 4511.213 of the Revised Code to require a driver to pull over or slow down upon approaching a stationary road service vehicle that is displaying flashing, oscillating, or rotating amber lights while servicing a disabled vehicle.

H. B. No. 22-Representative Williams, B.

Cosponsors: Representatives Domenick, Yuko, Ujvagi, DeGeeter, Luckie, Otterman, Fende, Sayre, Skindell, Strahorn, Koziura, Chandler, Stewart, D.

To amend sections 959.99 and 2152.19 of the Revised Code to increase certain penalties for cruelty to animals and to require a child under fifteen years of age who commits cruelty against a companion animal to undergo psychological counseling.

H. B. No. 23-Representative DeBose.

Cosponsors: Representatives McGregor, J., Skindell, Stebelton, Dodd, Brown, Koziura.

To amend sections 2907.03 and 2907.08 of the Revised Code to include security guards as persons of authority for purposes of the offenses of sexual battery and voyeurism.

H. B. No. 24-Representative Wagner.

Cosponsors: Representatives McGregor, J., Wagoner, Gibbs, Combs, Stebelton, Collier, Huffman.

To amend sections 718.01 and 718.02 of the Revised Code to authorize municipalities to allow self-employed taxpayers to take a municipal income tax deduction for amounts paid for medical care insurance and to authorize municipalities to allow individuals to deduct amounts paid into health savings accounts.

H. B. No. 25-Representative Wagner.

Cosponsors: Representatives Wachtmann, Peterson, Combs, Ujvagi, Seitz,

Yuko, Wagoner, Schindel, Garrison, Harwood, Uecker, Evans, Koziura, Dodd, Fende, Latta, Brown, DeBose, Stewart, D., Huffman, Bacon, Stewart, J., Okey, Webster, Gibbs, Collier, Aslanides.

To amend sections 5747.01, 5747.08, and 5747.98 and to enact section 5747.81 of the Revised Code to create an income tax deduction for expenses incurred by a taxpayer in making an organ donation and to create an income tax credit for deceased organ donors.

H. B. No. 26-Representative Wolpert.

Cosponsors: Representatives McGregor, J., Collier, Seitz, Flowers.

To enact sections 730.01 to 730.12, 3310.70 to 3310.79, and 5709.45 of the Revised Code to permit the creation of urban homestead zones in cities to encourage the repopulation of certain city cores, to create a state urban homestead scholarship program, and to require tax increment financing in urban homestead zones that participate in the scholarship program to help fund the program.

H. B. No. 27-Representative Wolpert.

Cosponsors: Representatives McGregor, J., Wagner, Healy, Dodd, Stebelton, Koziura, Fessler, Seitz, Chandler.

To amend section 3302.03 of the Revised Code to revise the law regarding school district and school building academic performance ratings.

H. B. No. 28-Representative Wolpert.

Cosponsors: Representatives McGregor, J., Evans, Dodd, Yuko, Aslanides, Latta, Brown, Hughes, Webster.

To enact section 5533.76 of the Revised Code to designate a portion of Interstate Route 270 within Franklin County the "Bobby Rahal Expressway."

H. B. No. 29-Representative Harwood.

Cosponsors: Representatives Hagan, R., Raussen, Dodd, Miller, Lundy, Stewart, D., Brady, Brown, Ujvagi, Koziura, Skindell, Yuko, Healy, Fende.

To amend sections 5735.05, 5735.06, and 5735.142 of the Revised Code to exempt from the motor fuel tax any sales of motor fuel sold to school districts or educational service centers for school district or service center operations.

H. B. No. 30-Representative McGregor, R.

Cosponsors: Representatives Adams, Schindel, Seitz, Fessler, Collier, Webster.

To enact section 4511.092 of the Revised Code to require any local authority that enforces any traffic law by means of traffic law

photo-monitoring devices to erect signs on every highway or freeway that is part of the state highway system and that enters that local authority, informing inbound traffic that the local authority utilizes traffic law photo-monitoring devices to enforce traffic laws.

H. B. No. 31-Representative Fende.

Cosponsors: Representatives Garrison, Dodd, Goyal, Stewart, J., Dolan, Seitz, Skindell, Celeste, Yuko, Carano, Ujvagi, Harwood, Chandler, Bubb, Williams, B., Latta, Brown, Miller, Oelslager, Evans, Strahorn.

To enact section 5533.632 of the Revised Code to designate State Route Number 2 within the city of Willoughby as the "Brian Montgomery Memorial Highway."

H. B. No. 32-Representative Fende.

Cosponsors: Representatives Garrison, Wagoner, Dodd, Goyal, Stewart, J., Dolan, Seitz, Ujvagi, Celeste, Domenick, Yuko, Carano, Harwood, Chandler, Bubb, Williams, B., Latta, Brown, Miller, Oelslager, Evans, Strahorn.

To enact section 5533.91 of the Revised Code to designate a portion of State Route 44 within Lake County as the "Andy Nowacki Memorial Highway."

H. B. No. 33-Representative Wolpert.

Cosponsors: Representatives McGregor, R., McGregor, J., Flowers, Fende, Raussen, Combs, Ujvagi.

To amend section 4907.99, to enact new sections 4907.44, 4907.45, 4955.20, and 4955.36, and to repeal sections 4907.44, 4907.45, 4907.46, 4955.20, 4955.21, 4955.22, and 4955.36 of the Revised Code to revise state and local authority regarding the safety of railroad crossings and railroad tracks, bridges, and other structures and additionally to extend such state authority to scenic railways.

H. B. No. 34-Representative Wolpert.

Cosponsors: Representatives Stewart, J., Uecker, Gibbs, Seitz, Fende, Combs, Collier, Stebelton.

To amend sections 184.02 and 3345.32 and to enact sections 184.30, 184.31, 184.32, 184.33, 184.34, and 184.35 of the Revised Code to establish the Third Frontier Pilot Forgivable Loan Program for graduate students.

H. B. No. 35-Representative Wolpert.

Cosponsors: Representatives McGregor, J., Gibbs, Raussen.

To amend sections 3901.17 and 3905.36 of the Revised Code to decrease

from 5% to 1.4% the foreign insurers tax rate.

H. B. No. 36-Representative Wolpert.

Cosponsors: Representatives Peterson, Flowers, Collier, Combs, McGregor, J.

To amend section 3318.023 and to enact section 3318.39 of the Revised Code to create the Rapid Enrollment Growth School Facilities Assistance Program.

H. B. No. 37-Representative Skindell.

Cosponsors: Representatives Stewart, D., Foley, Williams, B., Stewart, J., DeBose, Ujvagi, Strahorn, Hagan, R., Celeste, Brady, Beatty.

To enact section 5.2235 of the Revised Code to designate the twenty-first of December as "Homeless Persons' Memorial Day."

H. B. No. 38-Representative Skindell.

Cosponsors: Representatives Stewart, D., Fessler, Foley, Williams, B., Koziura, McGregor, J., DeGeeter, Collier, Stewart, J., DeBose, Dodd, Garrison, Stebelton, Hughes, Hagan, R., Okey, Webster, Bolon, Sayre, Brady, Beatty.

To amend section 901.99 and to enact section 901.90 of the Revised Code to require the inclusion of a bittering agent in engine coolant and antifreeze.

H. B. No. 39-Representative Skindell.

Cosponsors: Representatives Stewart, D., Foley, Koziura, Ujvagi, Strahorn, Lundy, Hagan, R., Bolon, Brady, Beatty.

To amend section 3715.99 and to enact sections 3715.88, 3715.89, and 3715.90 of the Revised Code to require manufacturers and labelers of dangerous drugs to disclose to the Director of Health the value, nature, and purpose of certain gifts, fees, payments, subsidies, and other economic benefits they provide in connection with pharmaceutical detailing, marketing, or promotion.

H. B. No. 40-Representative Skindell.

Cosponsors: Representatives Stewart, D., Yates, Harwood, Foley, Williams, B., Koziura, McGregor, J., DeGeeter, Collier, Stewart, J., Garrison, Stebelton, Hughes, Ujvagi, Lundy, Hagan, R., Strahorn, Sayre, Brady, Miller, Williams, S., Beatty.

To enact section 4905.89 of the Revised Code to create the Council on Sustainable Energy Development and specify its duties.

H. B. No. 41-Representative Uecker.

Cosponsors: Representatives McGregor, J., Stebelton, Brown, Flowers, Fende, Wagoner.

To enact sections 4770.01 to 4770.13 of the Revised Code to require the licensure of persons operating security systems companies, to provide for the registration of individuals performing specified types of security systems work, to provide for the regulation of security systems companies and employees, and to establish the Security Systems Advisory Board in the Department of Commerce.

H. B. No. 42-Representative Stewart, J.

Cosponsors: Representatives Combs, Carano, Collier, McGregor, R., Dodd, Fende, Hite.

To enact sections 3302.033 and 3317.60 of the Revised Code to establish a bipartisan committee to recommend to the General Assembly a system that provides state funds to pay one hundred per cent of the actual cost of providing a thorough and efficient education to each public school student and to require the Department of Education to report certain school funding information to the parents and taxpayers of each school district.

H. B. No. 43-Representative Garrison.

Cosponsors: Representatives Chandler, Otterman, Harwood, Williams, B., Fende, Dyer, Lundy, Dodd, Strahorn, Yuko, Stewart, J., Bolon, Brown, Foley, Stebelton, Sayre, Koziura, Skindell.

To amend sections 3314.08, 3314.084, 3317.016, 3317.017, 3317.02, 3317.029, 3317.03, and 5727.84 and to repeal section 3314.13 of the Revised Code to provide formula funding for all-day kindergarten for all school districts and community schools that offer it.

H. B. No. 44-Representative Garrison.

Cosponsors: Representatives Dodd, Evans, McGregor, J., Skindell.

To amend section 3317.0217 of the Revised Code to change the formula for calculating state parity aid payments to primary and secondary schools.

H. B. No. 45-Representative Distel.

Cosponsors: Representatives Brown, Seitz, Fende, Okey, Setzer, Collier, DeGeeter, Harwood, Sayre, Gibbs, Combs, Yuko, Evans, Foley, Webster, Williams, S., Healy.

To enact sections 1534.01 to 1534.14 and 1534.99 of the Revised Code to require persons who possess dangerous wild animals or exotic animals to obtain a personal possession permit and to establish requirements regarding the possession and care of dangerous wild animals and exotic animals.

H. B. No. 46-Representatives Stewart, J., DeGeeter.

To enact section 1349.52 of the Revised Code to require a consumer reporting agency to place a security freeze on a consumer's credit report in response to a consumer's request.

H. B. No. 47-Representative Gibbs.

Cosponsors: Representatives Fessler, Combs, Collier.

To amend sections 6101.10, 6101.48, 6101.53, 6101.67, and 6101.70 and to enact section 6101.101 of the Revised Code to revise the membership of the board of directors of a conservancy district that includes all or parts of more than sixteen counties, to require the board of directors of such a district rather than the conservancy court to perform certain functions under the Conservancy Districts Law, to prohibit the levying of an assessment by such a conservancy district on real property that is not directly benefited from the assessment, and to make other changes concerning the levying of an assessment by such a conservancy district.

H. B. No. 48-Representative Gibbs.

Cosponsors: Representatives Fessler, Seitz, McGregor, J., Setzer, Brown, Collier, Wagner, Wagoner, Combs, Aslanides.

To amend sections 4707.02, 4707.20, 4707.21, and 4707.26 of the Revised Code to exempt certain tax exempt organizations and schools that sell at auction items donated to them from license and contract requirements for such an auction, to require those organizations and schools to maintain records of the auction for two years, and to preclude claims against the Auction Recovery Fund for any loss associated with those types of auctions.

H. B. No. 49-Representative Gibbs.

Cosponsors: Representatives Seitz, Collier, Latta, Stewart, J., Garrison, Combs, Adams.

To amend sections 109.32, 2915.01, 2915.02, 2915.07, 2915.081, 2915.09, and 2915.091 and to enact section 2915.083 of the Revised Code to allow a charitable organization to obtain a short-term license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session.

H. B. No. 50-Representative Evans.

Cosponsors: Representatives McGregor, J., Stebelton, Flowers, Setzer, Combs, Seitz, Bacon, Hite, Okey, Webster, Collier.

To amend sections 505.85 and 505.87 and to enact section 505.871 of the Revised Code to allow townships to remove junk motor vehicles from public and private property and to borrow money to pay for that removal of junk

motor vehicles and for other debris from private property.

H. B. No. 51-Representative Evans.

Cosponsors: Representatives McGregor, J., Combs, Dodd, Okey, Fessler, Fende.

To amend sections 2743.02 and 2744.01 and to enact section 4510.121 of the Revised Code to permit a person who is issued a ticket for operating a motor vehicle other than a commercial motor vehicle with an expired driver's or commercial driver's license to be issued a seven-day field driving permit.

H. B. No. 52-Representative Setzer.

Cosponsors: Representatives Fessler, Collier, McGregor, J., McGregor, R., Stewart, J., Williams, B., Wagner, Flowers, Combs, Adams, Stebelton, White, Skindell.

To amend sections 917.01, 917.02, 917.03, 917.032, 917.04, and 917.05 and to enact section 917.25 of the Revised Code to revise the statutes governing raw milk.

Said bills were considered the first time.

The following joint resolution was introduced:

H. J. R. No. 1-Representative DeWine.

Proposing to amend Sections 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, and 15 of Article XI, to amend, for the purpose of adopting new Section numbers as indicated in parentheses, Sections 5 (4), 6 (5), 7 (6), 8 (7), 10 (8), 11 (9), 12 (11), 13 (12), and 15 (13) of Article XI, to enact new Section 10 of Article XI, and to repeal Sections 4, 9, and 14 of Article XI of the Constitution of Ohio to revise the redistricting process for General Assembly and Congressional districts.

Said joint resolution was considered the first time.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 11-Speaker Husted.

Relative to the election of James J. Zehringer to fill the vacancy in the

membership of the House of Representatives created by the resignation of Keith L. Faber of the 77th House District.

WHEREAS, Section 11 of Article II, Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Keith L. Faber of the 77th House District has resigned as a member of the House of Representatives of the 127th General Assembly effective January 2, 2007, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that James J. Zehringer, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 77th House District, is hereby elected, effective February 13, 2007, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 77th House District, to fill the vacancy created by the unexpired portion of the term of said Keith L. Faber, ending on December 31, 2008; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Republican party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

The yeas and nays were taken and resulted - yeas 52, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Bubp	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans
Fessler	Flowers	Gibbs	Goodwin
Hagan J.	Hite	Hottinger	Huffman
Hughes	Jones	Latta	Mandel
McGregor J.	McGregor R.	Oelslager	Patton
Peterson	Rausen	Reinhard	Schindel
Schlichter	Schneider	Seitz	Setzer
Stebelton	Stewart J.	Uecker	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Wolpert	Husted-52.

The resolution was adopted.

Mr. Zehringer was escorted to the bar of the House by Representatives

Flowers, Carmichael, Seitz, Schneider, Adams, Fessler, Yates, and Book, took the oath of office administered by The Honorable Jon A. Husted, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
County of Franklin

I, James J. Zehringer, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ JAMES J. ZEHRINGER

Sworn to and subscribed before me this 20th day of February, 2007.

/s/ JON A. HUSTED

Jon A. Husted
Speaker
Ohio House of Representatives

Representative DeWine submitted the following report:

Pursuant to H. R. No. 10 of the 127th General Assembly, Representative DeWine reported for the Special Committee on Rules recommending the adoption of House Rules 1 through 123 as contained in the report of the special committee and recommends the adoption of the following resolution (New rules effective from the date of adoption):

H. R. No. 12-Representative DeWine.

To adopt Rules of the House of Representatives for the 127th General Assembly.

RESOLVED, That the following are the rules of the House of Representatives for the 127th General Assembly:

**RULES OF THE HOUSE OF REPRESENTATIVES
OF THE ~~126th~~ 127th GENERAL ASSEMBLY
TIME OF CONVENING; ORDER OF BUSINESS**

Rule 1. (Time of sessions; schedule.) For the months of January through June in each year, and separately for the months of July through December in each year, the Speaker, at the beginning of each six-month period, shall establish a schedule of dates and times according to which the House shall hold sessions and at which roll call votes are taken. The Speaker may revise or supplement the schedule as necessary. The schedule and any revision or supplement thereto shall be published and a copy provided to each member.

Sessions of the House at which roll call votes are taken shall be held on the dates and at the times prescribed in the schedule. The Speaker, by written

notice transmitted to each member, may cancel a session required by the schedule.

Rule 2. (Speaker to call House to order.) The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned or shall have taken a recess, and shall immediately call the House to order. Prayer may be offered, the pledge of allegiance to the United States of America shall be recited, and, a quorum being present, the House shall proceed with the order of business. A majority of all members elected must be present to constitute a quorum to do business; but a smaller number may meet and adjourn from time to time and shall have the power to compel the attendance of absent members.

Rule 3. (Order of business.) The order of business of the House shall be as follows:

1. Reading and approving, with or without corrections, of the Journal.
2. Introduction of bills.
3. Consideration of Senate amendments.
4. Reports of conference committees.
5. Reports of standing and select committees and bills for second consideration.
6. Motions and resolutions.
7. Bills for third consideration.
8. Announcement of committee meetings.

The order of business shall not be changed unless otherwise ordered by a majority vote upon motion. All questions relating to the priority of business shall be decided without debate.

Rule 4. (Special order of business.) Any matter may be made a special order of business for any particular day and hour with the assent of two-thirds of the members present.

Rule 5. (Filing of petitions.) Members having petitions to present shall file same with the Clerk, endorsing their name thereon. Delivery to the Clerk shall constitute presentment of said petition to the House, and it shall be noted in the Journal.

Rule 6. (Messages from Senate and executives.) Messages from the Senate and the Governor and communications from any branch of the executive department may be received, read, and disposed of at any time, except when the presiding officer is putting a question, or when a vote is being taken.

Rule 7. (Adjournment.) A motion to adjourn always shall be in order, except during roll call. When a motion is made to adjourn, it shall be in order for the presiding officer before putting the question, to state any fact to the House relating to the condition of the business of the House which would seem to make

it advisable or inadvisable to adjourn at that time. Such statement, however, shall not be debatable.

Rule 8. (Recess.) The interim between any two meetings of the House, on the same legislative day, shall be termed a recess; when so ordered by the House, the interim between five or more calendar days likewise shall be termed a recess; and on reassembling at the appointed hour, any question pending at the time of taking recess shall be resumed without any motion to that effect.

DUTIES OF THE SPEAKER

Rule 9. (Speaker shall preserve order and decorum.) The Speaker shall, at all times, preserve order and decorum. The Speaker shall see that members conduct themselves in a civil and orderly manner. When necessary, the Speaker may order the Sergeant-at-Arms to clear the aisles and compel members to take their seats.

Rule 10. (Recognition of visitors.) A member may file with the Clerk a form requesting the Speaker to recognize one or more individuals in the galleries. The Clerk shall prescribe a form for the request and make copies of the form in blank available to members. The recognition may be made at any time, but shall not interrupt a debate or the taking of a vote.

Rule 11. (Control of the Hall.) The Speaker shall have general direction and control of the Hall. In case of any disturbance or disorderly conduct in the galleries, lobby, rooms, or hallways adjacent to the Hall, the Speaker may order those places to be cleared.

When the Speaker is absent, or when the House is not in session, the Clerk shall have general direction and control of the Hall and of the galleries, lobby, rooms, and hallways adjacent to the Hall.

Signs, banners, placards, and other similar demonstrative devices are not permitted in the Hall or in the galleries, lobby, rooms, or hallways adjacent to the Hall unless the Speaker, or, if the Speaker is absent, the Clerk, has approved their use in those places.

Rule 12. (Member may preside.) The Speaker may appoint any member to perform the duties of the Speaker as presiding officer for a temporary period of time. If the Speaker is absent, and no member has been appointed to perform those duties temporarily during the absence, the Speaker Pro Tempore shall perform the duties of the Speaker as presiding officer during the Speaker's absence.

Rule 13. (Appointment of committees.) The Speaker shall name all committees, and shall appoint all committee members and committee chairmen thereto, unless it shall be otherwise ordered by the House, in which case they shall be appointed by vote of the House. The Speaker shall appoint members to a standing committee so that its membership is proportional to the partisan composition of the House. The chairman, and the vice-chairman of the Finance and Appropriations Committee, shall not be included in making this calculation.

The Minority Leader, in a manner to be determined by the minority caucus, may recommend for the Speaker's consideration minority party members for each committee.

Rule 14. (Speaker directs House officers and employs and directs House employees.) The Speaker shall see that all officers of the House satisfactorily perform their respective duties.

The Speaker shall employ all employees of the House and shall see that they satisfactorily perform their respective duties. All employees of the House are at will employees, and shall serve at the pleasure of the Speaker. A terminated employee's compensation ceases on the day the termination takes effect. The Speaker shall define House employment positions, shall prescribe the qualifications that are to be met by House employees, and shall prescribe the duties of House employees, fix their hours of employment, and determine their compensation. ~~The Speaker may terminate the employment of a House employee whose performance is unsatisfactory or whose services have become unnecessary. A terminated employee's compensation ceases on the day termination takes effect.~~ The Speaker shall notify the Minority Leader before terminating an employee who is assigned to the minority caucus.

Rule 15. (Signing acts, resolutions, etc.) The Speaker shall certify that every bill, resolution, joint resolution, or concurrent resolution passed by both houses of the General Assembly has met the procedural requirements for passage by signing such bills, resolutions, joint resolutions, or concurrent resolutions; and all writs, warrants, and subpoenas issued by order of the House shall be under the Speaker's hand attested by the Clerk, except when otherwise provided by law.

DUTIES OF THE SPEAKER PRO TEMPORE

Rule 16. (Duties.) Subject to Rule 12, the Speaker Pro Tempore, in the absence of the Speaker, shall have all the rights, privileges, authority, duties, and responsibilities of the Speaker.

DUTIES OF MAJORITY FLOOR LEADER

Rule 17. (Duties.) Subject to Rule 12, the Majority Floor Leader, in the absence of the Speaker and Speaker Pro Tempore, shall have all the rights, privileges, authority, duties, and responsibilities of the Speaker.

DUTIES OF ASSISTANT MAJORITY FLOOR LEADER

Rule 18. (Duties.) Subject to Rule 12, the Assistant Majority Floor Leader, in the absence of the Speaker, Speaker Pro Tempore, and Majority Floor Leader, shall have all the rights, privileges, authority, duties, and responsibilities of the Speaker.

DUTIES OF THE CHIEF ADMINISTRATIVE OFFICER

Rule 19. (Chief administrative officer.) The Chief Administrative Officer shall be the chief administrative officer of the House and shall be responsible to the Speaker of the House.

Rule 20. (Supervision of employees; maintenance of parking facilities.)

Subject to the Speaker's authority under Rule 14, and except for employees whose direction is delegated to the Clerk under Rule 24, responsibility for seeing that employees of the House satisfactorily perform their respective duties is delegated to the Chief Administrative Officer.

The maintenance and condition of parking facilities under the control of the House shall be under the direction and control of the Chief Administrative Officer, subject to the approval of the Speaker.

Rule 21. (Distribution of House documents.) The Chief Administrative Officer shall have charge of and regulate the distribution of all printed records and reports of the House, and shall have supervision of the printing of all documents and papers ordered by the House except those specified in Rule 25 and in section 101.52 of the Revised Code. The number of copies of bills, journals, etc. to be printed shall be determined by the Clerk with the approval of the Speaker, except when the House by motion determines the number.

DUTIES OF THE CLERK

Rule 22. (Legislative duties and responsibilities of the Clerk.) The Clerk is custodian of the bills, amendments, resolutions, and other legislative documents that are in possession of the House. The Clerk shall not permit a bill, amendment, resolution, or other legislative document to be removed from the Clerk's custody except in the course of the regular business of the House and then only upon receiving a receipt for the document that shows when and to whom the document was released. The Clerk shall prescribe the form of the receipt. A bill, amendment, resolution, or other legislative document in the Clerk's custody is available for public inspection.

When a bill or resolution is filed for introduction, the Clerk shall examine the bill or resolution to determine whether on its face it appears to meet the constitutional and procedural requirements for introduction, and shall call any defects to the attention of the author. In fulfilling this duty, the Clerk is not presumed to guarantee the bill meets the constitutional or procedural requirements for introduction.

The Clerk shall number bills and resolutions in the order of their filing, and shall keep a complete and accurate record of bills and resolutions that includes, for each bill or resolution, its number; its author; a brief description of its subject; the section or sections of law it seeks to amend, enact, or repeal, if any; notation of its reference to and report by a committee; and notation of its passage or adoption or rejection by the House. The record is open to public inspection.

The Clerk shall provide to the chairman of a committee to which a bill or resolution is referred, the bill or resolution together with all official papers and other attachments pertaining thereto, taking a receipt therefor.

The Clerk shall prepare and publish a Calendar that gives public notice of bills and resolutions that have been arranged on the Calendar for third consideration or adoption, bills and resolutions that have been reported by

committees, and other matters descriptive of the current and future business of the House.

The Clerk shall keep a complete and accurate Journal of the proceedings of the House, beginning it on the first day of the first regular session and ending it on the last day of the second regular session. The Clerk shall maintain a separate Journal for any special session, beginning it on the first day and ending it on the last day of the special session. The pages of the Journal shall be numbered serially. All amendments that are taken up, unless withdrawn, shall be spread upon the Journal.

The Clerk shall superintend the engrossing, enrolling, and presentation of bills and joint resolutions and the preparation and publication of other legislative documents.

The Clerk shall attest all writs and subpoenas issued by order of the House, the Journal, and the passage of bills and the adoption of resolutions. These attestation duties are ministerial.

Rule 23. (May call the House to order.) If the Speaker, Speaker Pro Tempore, Majority Floor Leader, and Assistant Majority Floor Leader are absent, at the hour to which the House shall have adjourned or taken recess, except in the case mentioned in Rule 12, the Clerk shall call the House to order, and the House shall proceed to choose some member to act as such until either the Speaker, Speaker Pro Tempore, Majority Floor Leader, or the Assistant Majority Floor Leader shall be present.

Rule 24. (Supervision of employees assigned to Office of the Clerk.) Subject to the Speaker's authority under Rule 14, and except for employees whose direction is delegated to the Chief Administrative Officer under Rule 20, responsibility for seeing that employees of the House who are directly involved in the legislative process satisfactorily perform their respective duties is delegated to the Clerk.

In the absence of the Clerk, the Assistant Clerk shall assume the responsibilities of the Clerk.

Rule 25. (Printing of papers.) The Clerk shall attend to the printing of the journal, calendar, bills, resolutions, and, if so ordered, committee reports. This rule is cumulative with respect to section 101.52 of the Revised Code.

DUTIES OF THE SERGEANT-AT-ARMS

Rule 26. (Sergeant-at-arms.) The Sergeant-at-arms shall be the chief police officer of the House and shall be responsible to the Speaker. Subject to Rules 9, 11, and 109, the Sergeant-at-arms shall maintain good order in the Hall, gallery, corridors, and committee rooms; shall strictly enforce the rules regulating admission of persons to the floor of the House; shall maintain good order in the corridors, committee rooms, offices, and other areas under the exclusive use and control of the House in the Vern Riffe Center; shall serve all subpoenas and warrants issued by the House or any duly authorized officer or

committee; and on an order for a call of the House, shall forthwith proceed to arrest and bring members into the House.

The Speaker may also contract for security services for the House.
 PROVISIONS REGARDING CLERK, CHIEF ADMINISTRATIVE
 OFFICER, AND SERGEANT-AT-ARMS

Rule 27. (Death or resignation of Clerk, Chief Administrative Officer, or Sergeant-at-Arms.) In the case of the death or resignation of the Clerk, Chief Administrative Officer, or Sergeant-at-Arms, the Speaker may designate any individual to perform such duties until such time as the House, ~~by resolution,~~ fills the vacancy.

COMMITTEES OF THE HOUSE

Rule 28. (Standing committees and standing subcommittees.) The standing committees and standing subcommittees of the House shall be named by the Speaker ~~not later than ten days after the commencement of the first regular session.~~

The standing committees and the standing subcommittees of the House for the ~~126th~~ 127th General Assembly shall be as follows. (The standing committees are designated by Arabic numerals, while the standing subcommittees are designated under their standing committees by Roman numerals.)

1. Agriculture and Natural Resources
2. Civil and Commercial Law
3. Commerce and Labor
4. Criminal Justice
5. Economic Development and Environment
6. Education
 - ~~I. Alternative Education Subcommittee~~
 - ~~Elections and Ethics~~ Alternative Energy
8. Finance and Appropriations
 - I. Agriculture and Development Subcommittee
 - II. Higher Education Subcommittee
 - III. Human Services Subcommittee
 - IV. Primary and Secondary Education Subcommittee
 - V. Transportation and Justice Subcommittee
9. Financial Institutions, Real Estate, and Securities
 - ~~I. Retirement and Pensions Subcommittee~~
10. Health
 - ~~I. Children's Health Care and Family Services Subcommittee~~
 - ~~II. Aging Subcommittee~~
11. Healthcare Access and Affordability
12. Infrastructure, Homeland Security, and Veterans Affairs
13. Insurance
- ~~12.~~ 14. Judiciary
- ~~13.~~ 15. Juvenile and Family Law
- ~~14.~~ 16. Local and Municipal Government and Urban Revitalization
- ~~15.~~ 17. Public Utilities ~~and Energy~~
- ~~16.~~ 18. Rules and Reference
- ~~17.~~ 19. State Government and Elections
- ~~18.~~ Transportation, Public Safety, and Homeland Security
- ~~19.~~ 20. Ways and Means

The chairmen and members of the standing subcommittees shall be

appointed by the Speaker. The chairman of each standing subcommittee shall be under the direction of the general chairman of the committee.

When the chairman of a standing committee or subcommittee creates a special subcommittee of the standing committee or subcommittee, the ranking minority member on the standing committee or subcommittee may recommend for the chairman's consideration the minority membership of the special subcommittee.

Standing committees and standing subcommittees created by this rule are the standing committees and standing subcommittees referred to in section 101.27 of the Revised Code.

Rule 29. (Select committees.) Select committees for the consideration of special measures or matters or the performance of special functions may be appointed by the Speaker, and, subject to the approval of the Speaker, bills and resolutions may be referred to such select committees. Select committees may report on such bills and resolutions as are referred to them.

Rule 30. (Membership on committees.) The first named member of any committee or subcommittee shall be the chairman, and the second named member of any committee shall be the vice-chairman. The chairman shall select a member of the minority party to be secretary. The minority leader may designate a ranking minority member on each committee.

In case death, disability, or resignation shall cause a vacancy in the membership or chairmanship of any committee, the Speaker shall appoint another member or chairman.

The Speaker, the Speaker Pro Tempore, and the minority leader shall, by virtue of their office, be members of all committees without voting privileges, except in those committees where they are designated as regular members. The minority leader may designate the assistant minority leader to be a member of a committee without voting privileges in the minority leader's absence, except for those committees where the assistant minority leader is designated as a regular member. They shall not be counted in determining the number constituting a majority on the various committees unless they are designated as regular members.

DUTIES AND POWERS OF THE COMMITTEE CHAIRMAN

Rule 31. (Duties.) The duties of the committee chairman shall include: presiding over meetings of the committee and putting all questions; maintaining order and deciding all questions of order; appointing a member as secretary; and supervising and directing the clerical and other employees of the committee.

Rule 32. (Presentation of Senate Bills.) When a standing committee recommends a Senate Bill for passage, the chairman of the committee, or another member designated by the Speaker, shall, when the bill is called up for passage, cause the bill to be properly presented to the House.

Rule 33. (Subpoena power.) The chairman of a House standing or select

committee, when authorized by a majority vote of the standing or select committee, may subpoena witnesses in any part of the state to appear before such committee at a time and place designated in the subpoena to testify concerning any pending or contemplated legislative action, any matters of inquiry committed to the committee, and any alleged breach of the House's privileges or misconduct by any of the House's members.

Pursuant to this subpoena power, any witness subpoenaed may be ordered to produce books, papers, or records and other tangible evidence.

The chairman shall file any subpoenas authorized pursuant to this rule with the Clerk, who shall cause the same to be entered in the Journal, and the subpoena shall be served pursuant to law. (See sections 101.41 to 101.45 of the Revised Code.)

Within the limits of its charge by the General Assembly or the House and in accordance with section 101.81 of the Revised Code, the chairman of a standing or select committee, by majority vote of the committee, may order any person to appear before the committee and produce books, papers, and other tangible evidence for the committee with respect to any pending or contemplated legislative action, or any alleged breach of House privileges or misconduct by House members. The chairman shall file the order with the Clerk, who shall cause the same to be entered in the Journal. The order shall be served in accordance with section 101.81 of the Revised Code.

COMMITTEE MEETINGS AND PROCEDURE

Rule 34. (Schedule of committee meetings.) The Speaker ~~shall appoint a select committee to prepare~~, after consultation with the chairmen of the several committees, ~~and submit to the House,~~ shall set a schedule of times when regular committees shall meet, which, in so far as possible, shall permit a full attendance of the members of committees, without conflict of committee engagements. Such regular schedule shall be announced publicly on the House bulletin board and in the printed Calendar, and each committee shall meet at the hour provided by the schedule, unless otherwise ordered by the chairman of said committee or by the Speaker.

Rule 35. (Committee quorum.) A majority of all members of a committee shall constitute a quorum to do business; but a smaller number may meet to hear testimony and receive evidence and to adjourn from time to time.

Rule 36. (Notice of meetings; none during daily session of House.) The chairman of a standing committee, subcommittee, select committee, or joint committee, not later than five days before a meeting of the committee, subcommittee, select committee, or joint committee, shall give due notice of the meeting. The notice shall identify the committee; identify the chairman; state the date, time, and place at which the meeting will be held; and set forth an agenda showing each bill, resolution, or other matter that will be considered at the meeting.

It is not in order for a committee to meet at a date, time, or place, or to

consider any bill, resolution, or other matter at a meeting, other than as stated in the notice of the meeting, unless otherwise ordered by the House or the committee. If, however, an emergency requires consideration of a matter at a meeting, and the matter has not been stated in the notice of the meeting, the chairman may revise or supplement the notice at any time before or during the meeting to include the matter and the matter may then be considered as the emergency requires.

The rule is cumulative with respect to, and amplifies, section 101.15 of the Revised Code.

No committee shall sit during the daily session of the House, unless by special leave of the House. A committee may sit during a recess from the daily session of the House.

Rule 37. (Public hearing required.) All House bills and resolutions introduced on or before the fifteenth day of May in an even-numbered year, and in compliance with the rules of the House, shall be referred to a standing, select, or special committee or standing subcommittee, and shall be scheduled by the chairman of the committee for a minimum of one public hearing.

The sponsor of a bill or resolution shall appear at least once before the committee that is considering the bill or resolution unless excused by the chairman of the committee or the Speaker. It is not in order for the committee to report the bill or resolution unless its sponsor has appeared or has been excused from appearing before the committee.

Rule 38. (Fiscal notes and analyses to be made public.) Any fiscal note and any bill analysis prepared by the staff of the Legislative Service Commission, that has been made available to committee members, shall also be made available to the public under section 101.30 of the Revised Code.

Rule 39. (Synopsis of substitute bill required.) Whenever a substitute bill is accepted by a committee or subcommittee for consideration, the staff of the Legislative Service Commission shall prepare and make available to the committee or subcommittee, a synopsis that summarizes each substantive difference between the substitute bill and the preceding version of the bill, and a synopsis that summarizes the difference in fiscal impact between the substitute bill and the preceding version of the bill. The staff of the Legislative Service Commission shall make these synopses available to the committee before the committee or subcommittee votes on the bill, unless the committee or subcommittee orders otherwise.

Rule 40. (Fiscal analysis; committee vote required.) Before the vote on reporting a bill is taken by a committee, the staff of the Legislative Service Commission shall make available to the committee chairman, who shall make available to all members of the committee, for their review, a fiscal impact statement that addresses the impact of the bill upon state and local government. This requirement applies to a bill only if section 103.143 of the Revised Code also applies to the bill. This requirement is cumulative with respect to section

103.143 of the Revised Code; however, a local impact statement prepared under that section may be used also to fulfill the requirement of this rule in whole or in part.

The affirmative votes of a majority of all members constituting a committee shall be necessary to report a bill or resolution out of committee, and a record of every vote shall be kept by the committee. The affirmative vote of a majority of all the members constituting the committee shall be necessary to agree to any motion to recommend for passage or to postpone indefinitely further consideration of bills or resolutions, and a record of such vote shall be kept by the committee. Every member present shall vote unless excused by the committee.

Rule 41. (Voting; consecutive absences; incurrences of expense.) No proxy vote shall be valid. Nor shall any member vote except while sitting in committee in actual session, unless the member shall have first been present and recorded as such during actual session before the vote is taken, and by motion the roll call on a motion to recommend a bill or resolution for passage is continued for a vote by any member who is temporarily absent from the meeting until the adjournment thereof, which shall be not later than 12:00 o'clock noon one day following the committee meeting. It is not in order for a member to vote on an amendment unless the member is actually present when the amendment is voted upon.

Three consecutive absences from regular committee meetings shall operate to suspend a member from such committee, unless excused by the chairman of said committee.

No committee or member thereof shall be permitted to incur any expense without first receiving the consent of the Speaker.

Rule 42. (Amendments.) Any paragraph, except one which contains the enacting, amending, or repealing clause, or the title, once amended during any meeting of a committee, other than by passage of a corrective or omnibus amendment, shall not be amended again. For the purpose of this rule, appropriation items shall be considered separate paragraphs and the chairman shall determine what are corrective and omnibus amendments. This rule does not prohibit the acceptance of substitute bills.

COMMITTEE RECORDS AND REPORTS

Rule 43. (Record to be kept.) Each committee shall keep a record of committee attendance and the names of all persons who speak before the committee, with the names of the persons, firms, associations, or corporations in whose behalf they appear. A record of every vote shall be kept by the committee.

Rule 44. (Records open to examination; filing of records.) During the period of sessions, committee records shall be open for examination by any member of the House. At reasonable times and subject to adequate safeguards established by the chairman to protect and preserve such records, any citizen of Ohio may also examine committee records. Upon final adjournment of the

House, the committee records shall be filed with the Clerk, to be kept for a period of two years, after which time said records shall be filed with the Legislative Service Commission.

Rule 45. (Committee reports.) All reports to the House shall be signed by a majority of the entire committee, except that a standing subcommittee, except Finance and Appropriations Subcommittees, created by these rules may consider bills assigned to it by the Rules and Reference Committee for hearing and a majority of said subcommittee may approve such reports to the House. The secretary shall add to said report the names of those who voted "no." No member shall sign a committee report who was not present at the meeting at which such action was taken and who did not vote in support of such action.

The secretary assigned to the chairman of the committee shall prepare, file, and maintain the minutes of every regular or special meeting of a committee. The committee, at its next regular or special meeting, shall approve the minutes prepared, filed, and maintained by the secretary, or, if the minutes prepared, filed, and maintained by the secretary require correction before their approval, the committee shall correct and approve the minutes at the next following regular or special meeting. The committee shall make the minutes available for public inspection not later than seven days after the meeting the minutes reflect or not later than the committee's next regular or special meeting, whichever occurs first, and upon making the minutes available shall immediately file a copy of the minutes with the Clerk.

Rule 46. (Filing of reports; inclusion of bills or resolutions.) All committee reports shall be filed with the Clerk ~~in sextuplicate~~, shall be signed by a majority of the committee, and shall be accompanied by the original bill or resolution. Each committee may include in a single report more than one bill or resolution; provided, however, that any bill or resolution amended by a committee or any substitute measure recommended by a committee shall be on a separate report. These reports shall be presented to the House and entered upon the Journal. For each day a committee meets, the committee secretary shall file with the Clerk a report of all actions of the committee taken that day, including a list of bills heard and reports received.

Rule 47. (House rules govern.) The rules governing the procedure of the committee of the whole and the standing and select committees of the House shall be the same as those governing the House, as far as they may be applicable.

DUTIES AND DECORUM OF MEMBERS

Rule 48. (Members desiring to speak.) When a member is about to speak in debate or present any matter to the House, the member shall rise and respectfully address the Speaker, confine remarks to the question under debate, and avoid personalities. All debate shall be addressed to the Speaker and not to the members.

Except as provided in Rule 7, no motion is in order by a member if made at the conclusion of a speech by said member unless the House gives unanimous

consent.

Rule 49. (From where members may speak.) A member may speak either from the member's seat, or from the seat of any other member, tendered the member for this purpose, or, upon approval of the Speaker, from the Clerk's stand.

Rule 50. (How long member may speak.) No member shall speak upon any single question, bill, or resolution more than a total of twenty minutes on any one legislative day. If a point of order is raised that a member is violating this rule, and unless the member speaking concedes the point of order, the point of order is sustainable only by a two-thirds vote of all the members elected to the House.

Rule 51. (Member called to order; question of order; stating question of order.) If any member, in speaking, or otherwise, transgresses the rules of the House, the Speaker shall call the offending member to order. The member so called to order shall take the member's seat immediately, unless permitted by the Speaker to explain. Any member may, by raising the point of order, call the attention of the Speaker to such transgression. If a member be called to order by another member for offensive words spoken in debate, the member calling the member to order shall, if the Speaker so requires, reduce the objectionable language to writing.

Except as provided in Rule 50, all questions of order and procedure shall be decided by the Speaker without debate, but such decision shall be subject to appeal to the House by any member if supported by four or more other members; on which appeal, no member shall speak more than once, unless by leave of the House, except the member appealing who may speak twice; and the Speaker may speak in preference to any other member. If the decision be in favor of the member called to order, the member shall be at liberty to proceed.

Any member who raises a question of order shall state the rule, statute, or constitutional provision which the member believes is being violated.

Rule 52. (Call of the House, how demanded.) While transacting the business of the House as set forth by the Committee on Rules and Reference and appropriately placed on the calendar, the Speaker or any two members may demand a call of the House, and upon such call being demanded, the roll shall be taken and the absentees shall be noted and sent for, unless otherwise ordered by the House. While the House is under call, the doors shall be closed and no other business shall be transacted, except to receive and act on the report of the Sergeant-at-arms, which the Sergeant-at-arms may make at any time. Those members who are found to be absent without leave shall be taken into custody forthwith by the Sergeant-at-arms or the Sergeant-at-arms's assistants wherever found, and brought to the Hall of the House. When the Sergeant-at-arms shall make a report showing that those who were absent without leave (naming them) are present, such report shall be entered upon the Journal and thereupon the pending business shall proceed. A call of the House may be dispensed with at

any time by a majority vote of the members present, and further proceedings under the call dispensed with.

Rule 53. (Statement of division of question.) Any member may call for a statement of the question, or for a division of the question; and the decision of the Speaker as to the divisibility shall be subject to appeal, as in the case of questions of order.

Rule 54. (Personal privilege.) Subject to Rule 10, any member may rise to explain a matter personal to self, and on stating it is a matter of personal privilege, the member shall be recognized by the Speaker, but shall not discuss a question or issue in such explanation. Such explanation shall not consume more than five minutes of time unless extended by consent of the House. Matters of personal privilege shall yield only to a motion to recess or adjourn.

Rule 55. (Member may read from books, etc.) Any member, while discussing a question, may read from books, papers, documents, or any matter pertinent to the subject under consideration, without asking leave.

Rule 56. (Conduct of members.) While the Speaker is putting any question or addressing the House, no one shall walk across the Hall of the House, and when a member is speaking, no one shall pass between the member and the Chair. No member or other person, except the Clerk and the Clerk's assistants, shall be allowed at the Clerk's desk while the votes are being recorded or counted.

VOTING PROCEDURE

Rule 57. (Members must vote.) Every member present when the question is put shall vote unless excused by the House or unless the member is the presiding officer and decides not to vote.

A request to be excused from voting shall be accompanied by a brief written statement of the reasons for making such request, which shall be acted upon by the House without debate.

Rule 58. (Yeas and nays, how demanded.) Any member may make a motion to call the yeas and nays upon any question, before the House votes upon a question, when such motion is supported, specifically, by at least one additional member; and upon the call of the yeas and nays, the Speaker shall order the Clerk to call the names of the members alphabetically or use the electric roll call system to record the vote of the members. No member shall vote by facsimile or electronic means other than those electronic devices used by the House in conducting its business. When once begun, voting shall not be interrupted. After the vote is announced, no member shall be allowed to change the member's vote, nor may a member have the member's vote recorded if any three members object thereto.

Before the vote on passage of a bill is taken by the House, the staff of the Legislative Service Commission shall make available to the Speaker, who shall make available to all members of the House, for their review, a fiscal impact

statement that addresses the impact of the bill upon state and local government. This requirement applies to a bill only if section 103.143 of the Revised Code also applies to the bill. This requirement is cumulative with respect to section 103.143 of the Revised Code; however, a local impact statement prepared under that section may be used also to fulfill the requirement of this rule in whole or in part.

When taking the yeas and nays on any question to be voted upon, the electric roll call system may be used, and when so used, shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the House is ready to vote upon any question requiring a roll call and the vote is to be taken by the electric roll call system, the Speaker shall state the question to be voted on and shall call for the vote. The House shall then proceed to vote.

At this instant, the Speaker shall direct the clerk to unlock the machine causing a bell to be sounded notifying the members of the roll call.

When sufficient time has been allowed the members to vote, the Speaker shall ask whether all members have voted and shall direct the Clerk to lock the machine and record the vote.

The Clerk shall advise the Speaker of the result of the vote, and the Speaker shall announce the result to the House. The Clerk shall enter upon the Journal the result in the manner provided by the rules of the House.

Rule 59. (Voting for another member prohibited.) No proxy vote is valid. No member shall vote for another member, nor shall any person not a member cast a vote for a member. In addition to such penalties as may be prescribed by law, any member, who shall vote or attempt to vote for another member may be punished in such manner as the Speaker shall bring before the House to determine. If a person not a member shall vote or attempt to vote for any member, the person shall be barred from the House for the remainder of the session and may be further punished in such manner as the Speaker may deem proper, in addition to such punishment as may be prescribed by law.

Rule 60. (Explanation of vote.) A member desiring to explain the member's vote shall make a request therefor, before the House divides or before the call of the yeas and nays is commenced. If such request is granted by unanimous consent of the members of the House, such statement shall not consume more than two minutes of time; nor shall arguments for or against the question be made in the statement. After the roll is closed as provided in Rule 58, no member may explain the member's vote, either orally or in writing.

INTRODUCTION AND PROCEDURE ON MEASURES

Rule 61. (Introduction of bills.) All bills to be introduced in the House shall be filed in the Clerk's office in sextuplicate not later than one hour prior to the time set for the next convening session. No bill shall be accepted by the Clerk for filing until it has been reviewed as to form by the Legislative Service

Commission, unless otherwise approved by the Speaker.

When the time for introducing bills is reached in the regular order of business, the Clerk shall report each of said bills in the order received by the Clerk in the same manner as if the bills were introduced from the floor.

If opposition to the bill be expressed by any member on first consideration, the question shall be put by the Speaker, "Shall the bill be rejected?" If the bill is not rejected by a majority vote of the members present, it shall proceed in the regular order. The question of consideration shall be decided without debate.

Bills introduced prior to the convening of the session under this rule shall be treated as if they were bills introduced on the first day of the session. Between the general election and the time for the next convening session, a member-elect may file bills for introduction in the next session with the Clerk. The Clerk shall number such bills consecutively, in the order in which they are filed, beginning with the number "1".

Rule 62. (Referral to Rules and Reference Committee.) When a bill has been considered the first time, it shall be referred to the Rules and Reference Committee, which shall consider the same and report its recommendation to the House. If it be apparent to said committee that any bill is of a frivolous nature, or that it was not introduced in good faith, or that it is in conflict with or a duplication of an existing statute without making proper provision for the repeal or amendment of such existing statute, said committee shall report said bill back to the House for its return to the author with a notation thereon of the reason for its return. The House may, by a majority vote, order any such bill referred to an appropriate committee; otherwise, it shall be returned by the Clerk to the author, and the Clerk shall make note of the fact in the Journal.

Rule 63. (Report back by Rules and Reference Committee.) All bills which are not returned to the author in accordance with Rule ~~61~~ 62, shall be reported back to the House by the Rules and Reference Committee, with recommendation for reference to the proper committee of the House, at which time it shall be considered and distributed after such reference. The Rules and Reference Committee shall make a written report to the House of its action on each bill referred to it, and such report shall be entered on the Journal of the House.

Rule 64. (Reference to Committee of the Whole.) When a bill has been referred to the committee of the whole, the House shall determine on what day it shall be considered by the committee.

Rule 65. (Bills carrying appropriations.) All bills carrying an appropriation shall be referred to the Finance and Appropriations Committee for consideration and report before being considered the third time.

Rule 66. (Third consideration.) When a bill is ordered to be engrossed it shall be placed upon the Calendar, unless the House by a majority vote otherwise

orders, and the Calendar for each day shall contain a list of all bills for third consideration on the succeeding day.

The Rules and Reference Committee of the House shall have the power to arrange the Calendar from day to day.

Rule 67. (Information on Calendar.) If a bill or resolution has been amended prior to its third consideration, the date and page of the House or Senate Journal containing said amendment shall be noted on the Calendar immediately below the title of the bill or resolution. A copy of the amendments or a copy of the section or sections amended with the amendment incorporated shall be supplied each member of the House at the time of third consideration unless the amendments are not of a substantive nature or the bill or resolution has been reprinted to incorporate the amendments.

Rule 68. (Synopsis of Senate amendments before vote.) Before a vote is taken upon the question of concurrence in Senate amendments to a House bill or resolution, the staff of the Legislative Service Commission shall prepare a synopsis of any substantive amendments made by a Senate committee to the bill or resolution as passed by the House. Before a vote is taken upon a conference committee report, the staff of the Legislative Service Commission, unless otherwise ordered by a majority of the members elected to the House, shall prepare a synopsis that summarizes the recommendations of the conference committee. The staff of the Legislative Service Commission shall prepare and make such a synopsis available to each member at the time the House votes on a question of concurrence in Senate amendments or upon a conference committee report. The Clerk shall provide each member with a copy of amendments made by the Senate during its third consideration of the bill or resolution unless the amendments are not of a substantive nature or the bill or resolution has been reprinted to incorporate the amendments.

Rule 69. (Senate bills.) All Senate bills, when altered or amended by the House, shall be engrossed in a like manner as House bills preparatory to their third consideration, and all bills ordered to be engrossed shall be authenticated as required by the joint rules.

Rule 70. (Questions on third consideration; bills with objections of Governor.) Unless otherwise ordered by the House, bills on the Calendar for third consideration shall be taken up and read in their order without a motion to that effect, and the question shall be put as to whether the bill shall pass.

Whenever a bill has been disapproved by the Governor and returned to the House with the Governor's objections thereto noted in writing, the question may be put as to whether the bill shall pass, notwithstanding the objections of the Governor.

Whenever an item of a bill making an appropriation of money has been disapproved and returned to the House by the Governor, the question may be put as to whether the item shall pass, notwithstanding the objections of the Governor.

Whenever two or more items of a bill making an appropriation of money have been disapproved and returned to the House by the Governor, the question may be put to take up for consideration the repassage of one or more of the items. Each item so considered shall be voted upon separately.

Rule 71. (Amendments on third consideration.) After a bill has been considered the third time and is up for consideration, it may be amended in any part.

All amendments offered to any bill or resolution from the floor of the House shall be written and ~~offered in triplicate~~ submitted to the Clerk.

Every amendment submitted on the floor of the House that is determined to be in order shall be considered.

~~The Clerk shall furnish to the members forms with the proper heading printed in blank upon which amendments shall be written.~~

A member desiring to offer an amendment to any pending proposition shall proceed as follows: the member shall prepare the text of the proposed amendment designating the line or lines where the member desires the proposed amendments to be placed, then rise in the member's seat and address the Speaker and when recognized say, "move to amend," or words of similar import.

Amendments to be offered from the floor of the House during third consideration of a bill or consideration of a resolution shall be filed ~~in triplicate~~ in the Clerk's office , in a number of copies to be determined by the Clerk, and not later than 10 a.m. on the day on which the bill or resolution is to be taken up, except amendments may be offered without being so filed if:

(1) the sponsor of the amendment is (a) ~~the Speaker;~~ (b) the Majority Floor Leader or ~~;~~ in the Majority Floor Leader's absence, the Assistant Majority Floor Leader ; or (c) ~~(b) the Minority Leader or ;~~ (b) the Minority Leader or ; ~~in the Minority Leader's absence,~~ the Assistant Minority Leader;

(2) the Speaker waives the filing requirement upon the request of the Majority Floor Leader or the Minority Leader;

(3) the bill or resolution to which the amendment is offered is not on the calendar for third consideration or adoption that day; or

(4) the amendment is a Clerk's amendment.

Rule 72. (When bill may be recommitted.) After the reference to a committee and a report thereon to the House, or at any time before its passage, a bill may be recommitted to a committee.

Rule 73. (Order on Calendar.) Bills for their third consideration, and all special orders, shall be placed upon the Calendar in the order or priority in which the order is made, save and except all bills or resolutions from the further consideration of which a committee has been discharged, which said bills or resolutions shall be placed on the Calendar for consideration upon the second

legislative day after the motion to discharge has been agreed to.

Rule 74. (Unfinished business.) Bills for their third consideration on a particular day, not reached on that day, shall be placed first on the Calendar in the order of third consideration on each succeeding day, until disposed of.

Rule 75. (Taking bill out of order.) No bill upon the Calendar shall be taken up out of its order thereon, unless otherwise ordered by a majority vote upon motion.

Rule 76. (Bills become acts.) When a bill has passed the House, the Clerk shall read its title, substituting the word "act" for the word "bill", and the Speaker shall inquire if the House agrees to the title; and if the House is agreed, the Clerk shall make out the title accordingly, and shall certify the passage of the bill upon the back thereof.

Immediately after the House has voted to concur in Senate amendments to a bill or resolution, and immediately after the House has voted to accept a conference committee report, a Representative may remove the Representative's name from the bill or resolution by rising and stating this desire to the Speaker. The Clerk shall thereupon remove the Representative's name from the bill or resolution.

Rule 77. (House resolutions.) All House joint resolutions which do not propose to amend the Ohio Constitution, or which do not propose to ratify an amendment to the United States Constitution, and all House concurrent resolutions and all House resolutions (hereinafter resolutions) shall be filed with the Clerk in sextuplicate. Thereupon, the Clerk shall submit the resolutions to the Committee on Rules and Reference.

Upon receipt from the Clerk of resolutions having a congratulatory, commendatory, or other similar purpose, the Committee on Rules and Reference shall report for adoption, report for introduction and referral, or report for other action, any and all such resolutions. The committee also is authorized not to report any or all of such resolutions having a congratulatory, commendatory, or other similar purpose.

Upon receipt from the Clerk of a resolution, other than one having a congratulatory, commendatory, or other similar purpose, and not later than forty-five days after the resolution was filed with the Clerk, the Committee on Rules and Reference shall report the resolution for adoption or for introduction and referral.

In reporting resolutions for adoption, the Rules and Reference Committee shall have the power to include more than one resolution in any report. A report containing more than one resolution shall list the resolutions by title only. Those resolutions reported for adoption relating to present or past members of the General Assembly or present or past elected state officials shall be reported automatically and separately and shall be read. Sponsors desiring other resolutions to be reported separately for adoption must request such action of the

Rules and Reference Committee.

All reports by the Rules and Reference Committee on the adoption of resolutions shall be entertained only under the item of business, "Motions and Resolutions." Such reports shall be voted on in their entirety on the day of the report, and require only one roll call or voice vote. Titles to such resolutions contained in the report may be amended on the Floor.

Resolutions reported for introduction and referral by the Rules and Reference Committee shall be contained in one report, shall be listed by title only, and shall indicate to what committee the particular resolutions are to be referred. All reports on the introduction of resolutions by the Rules and Reference Committee shall be entertained only under the item of business, "Motions and Resolutions." Such reports shall be voted on in their entirety on the day of the report, and require only one roll call or voice vote.

All House joint resolutions which propose to amend the Constitution of Ohio, or which propose to ratify an amendment to the United States Constitution, shall, for the purpose of House consideration, be treated as though they were bills.

Rule 78. (Senate resolutions.) Upon receipt of a message advising the House that the Senate has adopted a Senate concurrent resolution, or Senate joint resolution which does not propose to amend the Ohio Constitution, or which does not propose to ratify an amendment to the United States Constitution, the presiding officer may bring such resolution up for immediate consideration, or may refer such resolution to the Committee on Rules and Reference.

Upon receipt of such resolution, the Committee on Rules and Reference shall have the power to:

- a) report for adoption;
- b) report for referral; or
- c) report for other action

any or all such resolutions. The Committee shall also have the power not to report any or all such resolutions. The procedure in reporting such resolutions shall be the same as the procedure used to report House resolutions.

All Senate joint resolutions which propose to amend the Constitution of Ohio, or which propose to ratify an amendment to the United States Constitution, shall, for the purpose of House consideration, be treated as though they were bills.

Rule 79. (When yeas and nays taken on resolutions.) Upon the adoption of a resolution involving the expenditure of money, or which determines or involves the right of a member to a seat in the House, the yeas and nays shall be taken and entered on the Journal. Such resolutions shall require a majority of all members elected to the House for adoption except when a greater majority is required by the Constitution.

QUESTIONS AND MOTIONS

Rule 80. (Questions.) All questions, whether in committee or before the House, except privileged questions, shall be put in the order in which they are made.

The call for the vote shall be distinctly put in this form, "Those in favor of (as the question may be) say 'yes'," and after the affirmative vote is expressed, "Those of a contrary opinion say 'no'." If the Speaker is in doubt, or a division be called for, the House shall divide and a roll call be taken. The Speaker shall announce the results.

Rule 81. (Motions.) Every motion shall be reduced to writing, if the Speaker or any two members shall so request. A motion that is required to be in writing is not in order unless the writing has been filed with the Clerk. A motion that requires the signatures of members is not in order unless it contains original signatures. No motion may be made via facsimile or other electronic means other than those electronic devices used by the House in conducting its business.

When a motion is made, it shall be stated by the Speaker; or being in writing, it shall be read by the Clerk before debate is had. Such motion may, by leave of the House, be withdrawn at any time before a decision thereon or an amendment thereto is made.

A motion to take from the table is in order only if the rules are suspended for that purpose.

Rule 82. (Motions which take precedence.) When a question is under consideration no motion shall be in order, except the following, which motions shall have precedence in the following order:

1. To adjourn.
2. To take a recess.
3. To reconsider.
4. To proceed to the orders of the day.
5. To lay on the table.
6. To call for the previous question.
7. To postpone to a day certain.
8. To commit or to refer.
9. To amend.
10. To postpone indefinitely.

Rule 83. (No debate permitted.) The following questions shall be decided without debate:

1. To adjourn.

2. To take a recess.
3. To lay on the table.
4. The previous question.
5. To take from the table.
6. To go into the committee of the whole on the orders of the day.
7. All questions relating to the priority of business.
8. The question of consideration.
9. The suspension of rules.

Rule 84. (No motion during roll call.) No member shall be allowed to explain the member's vote or discuss the question being voted upon, while the vote is being taken. After the Clerk has commenced to take the vote on any question, no motion shall be in order until a decision has been announced by the Chair.

Rule 85. (Motions to refer to committee.) When a motion is made to refer to a committee, if more than one committee is suggested, the motion shall be put for reference to the committees suggested, in the order in which they are named; but a motion to refer to the committee of the whole, to a standing committee, or a select committee shall have precedence in the order herein named. A motion to refer to a committee may not be reconsidered.

Rule 86. (Motions to lie over one day.) Motions to discharge committees of further consideration of bills and resolutions shall lie over one day before being considered.

Rule 87. (Motion to discharge a committee.) A motion to discharge a committee of further consideration of a bill or resolution which has been referred to such committee thirty calendar days or more prior thereto shall be in order under the order of business, "Motions and Resolutions." Such motion shall be in writing and deposited in the office of the Clerk. To initiate a discharge motion a member shall obtain from the Clerk a blank discharge motion and designate the bill to which the discharge motion applies. Before such motion may be filed with the Clerk, there shall be attached thereto the signatures of a majority of the members elected to the House. The member initiating the discharge motion personally shall circulate the motion and witness the signature of each member who signs the motion. A member who has signed the motion may not thereafter remove the member's signature from the motion. The Clerk shall verify each signature on the motion. Such motion, together with the signatures thereto, shall be printed in the Journal as of the day upon which the motion was filed with the Clerk. Only one discharge motion can be presented for each bill or resolution.

Rule 88. (Motion not to be repeated.) A motion to adjourn, a motion to postpone to a day certain, or a motion to postpone indefinitely being decided in the negative, shall not again be in order until after some motion, call, order, or

debate shall have taken place.

Rule 89. (Motion to introduce, when.) No motion to introduce or refer a bill or resolution of any type shall be in order except as provided elsewhere in these Rules.

Rule 90. (Motion to delete and insert, indivisible.) A motion to delete and insert shall be deemed indivisible.

Rule 91. (Amendments.) Every amendment proposed must be germane to the subject of the proposition or to the section or paragraph to be amended.

When an amendment is pending, it shall not be in order to amend the amendment by directing an amendment to any other part of the bill.

An amendment may be amended, but an amendment to an amendment may not be amended. Substitutes for amendments shall not be in order.

If the presiding officer determines that an amendment contains two or more distinct and separate subjects, such amendment may be divided upon the demand of any one member. If an amendment is divided, each branch of the divided amendment shall be considered as though it was introduced as an original amendment.

A vote to table an amendment or an amendment to an amendment shall not carry with it the measure sought to be amended.

Any paragraph, except one which contains the enacting, amending, or repealing clause, or the title, once amended during the same third consideration, other than by the passage of Clerk's amendments, shall not be amended again. For the purpose of this paragraph appropriation line items shall be considered separate paragraphs.

Rule 92. (Substitute as amendment.) Substitutes for bills or resolutions for the purpose of amendments shall be treated as original propositions, shall be offered in sextuplicate, and shall retain the same status as the original bill.

Rule 93. (Amendments by committees.) All amendments made in committee shall carry the name of the author of the amendment, and the report of any committee reporting a bill or resolution to the House shall indicate clearly the name of the author of the amendment which shall be entered in the Journal. Amendments made by committees and adopted by the House shall be subject to further amendment. The right to amend any bill or resolution shall extend to any matters added to or stricken from such bill or resolution by a committee.

Rule 94. (Amendments to titles.) Amendments to the title of a House or Senate bill may be offered in committee or on third consideration and shall be decided without debate, provided that upon third consideration a motion to amend the title may be made by a sponsor; but no amendments shall change the subject dealt with in the original title. Amendments to the title of a House or Senate bill offered on third consideration may be made by electronic means when permitted by the Speaker.

Amendments to the title of a resolution, other than one having a congratulatory, commendatory, or other similar purpose, may be offered on the floor and may be made by electronic means when permitted by the Speaker. No amendment to the title of a resolution shall change the subject dealt with in the original title.

RECONSIDERATION

Rule 95. (Motion to reconsider.) Any motion to reconsider the vote on a bill or resolution must be made by a member who voted with the prevailing side of the question. To be in order, such motion must be made not later than the second legislative day following that on which the vote was taken. The question of reconsideration, if left pending, shall be brought to a vote upon motion of the first-named House sponsor and approval of the House.

In the case of a motion to reconsider the vote on a bill or resolution which failed of passage or adoption, the motion must be supported by five members, or a sufficient number of members who either voted on the prevailing side or who did not previously vote on the question, to achieve a constitutional majority, whichever is less.

In the case of a motion to reconsider the vote on a bill or resolution which passed or was adopted, the motion must be supported only by members who voted with the prevailing side, and the motion must be supported by five members, or a sufficient number of members whose change of position would result in the failure to achieve a constitutional majority, whichever is less.

Reconsideration of a vote on a motion shall be initiated only by a member voting with the prevailing side and to be in order, such motion must be made while the bill or resolution to which the motion is directed is still being considered.

The motion to reconsider shall take precedence over all other questions except a motion to adjourn or to recess, and debate shall be limited to the reason that the matter is to be reconsidered.

The question of reconsideration, having once been decided, shall not be again taken up for consideration, nor shall the bill, resolution, or motion, having once been reconsidered, be again taken up for consideration.

Rule 96. (Vote necessary on reconsideration.) The vote on any question may be reconsidered by a majority of the members voting, a quorum being present.

Rule 97. (Effect of defeat of motion.) When the vote on a bill or resolution is lost, and the vote is reconsidered, the measure shall not be committed thereafter to any other than a standing committee.

Rule 98. (Procedure on motion.) Upon the adoption of a motion to reconsider, the Clerk immediately shall inform the House whether or not such bill or resolution is in the possession of the House.

If the Clerk reports in the negative, the Clerk shall effect the return of such bill or resolution. When the measure is in the possession of the House, it shall be placed on the Calendar under the appropriate order of business.

Rule 99. (Reconsideration of amendments after adoption of measure.) When it is desired to reconsider the vote on an amendment after the vote has been taken on the adoption of a main motion, it is necessary to reconsider the vote both on the main question and on the amendment. If it is desired to reconsider an amendment to an amendment after the latter has been adopted, both must be reconsidered in order to reach the amendment it is desired to reconsider. When it is thus necessary to reconsider two or three votes, one motion may be made to cover them all, but debate is limited to the question first voted upon.

Rule 100. (Effect of tabling motion.) If a motion to reconsider be laid on the table, it does not carry the bill or resolution with it, and if a motion to reconsider is coupled with a motion to lay on the table, the motion to lay on the table shall be disposed of first; if decided in the negative, the motion to reconsider shall immediately recur.

PREVIOUS QUESTION

Rule 101. (How and when previous question put.) The previous question shall be in this form: "Shall the debate now close?" It shall be put after the motion is submitted to the presiding officer in writing and when the member submitting the motion is recognized, and supported by four or more members. The motion shall be sustained by a majority vote, and when put, and until decided, it shall preclude further debate on all amendments and motions, except one motion to adjourn, or one motion to lay on the table. If the previous question is demanded when an amendment to a bill or resolution is under consideration, the previous question shall apply only to the debate on the amendment.

Rule 102. (No debate or appeal.) All incidental questions, or questions of order, arising after a motion is made for the previous question and pending such motion, shall be decided without debate, and shall not be subject to appeal.

Rule 103. (Action after previous question order.) On a motion for the previous question, and prior to voting on the same, a call of the House shall be in order; but after the demand for the previous question shall have been sustained, no call shall be in order; and the House shall be brought at once to a vote upon the question immediately pending.

Rule 104. (Action when not ordered.) If a motion for the previous question be not sustained, the subject under consideration shall be proceeded with the same as if the motion had not been made.

COMMITTEE OF THE WHOLE

Rule 105. (Motion takes precedence.) When the House shall be ready to proceed to the orders of the day, a motion to go into committee of the whole on the orders of the day shall have precedence over all other motions, except to adjourn, to take a recess, and for the previous question.

Rule 106. (Procedure of committee of the whole.) The entire membership of the House shall constitute the committee of the whole. When the House meets as the committee of the whole, the Speaker may appoint in the Speaker's place a chairman who shall preside and vote as other members. In the committee of the whole, bills shall be read by the chairman or Clerk, and be considered section by section, unless it shall be directed otherwise by the committee, leaving the title to be considered last.

Rule 107. (Amendments to be noted.) The body of the bill shall not be defaced or interlined, but amendments shall be noted by the chairman or Clerk as the same shall be agreed to by the committee and so reported to the House.

Rule 108. (Consideration of amendments.) When the House convenes again, following a meeting of the committee of the whole, the amendments offered to the bill shall be taken up immediately for consideration, unless otherwise ordered by the House, and be again subject to discussion and amendment before the question of adoption shall be put.

PRIVILEGES OF THE HOUSE

Rule 109. (Persons admitted to Hall of House.) No person shall be admitted to the Hall of the House except the Governor, members and employees of the two houses, persons charged with any message or paper affecting the business of the House, the authorized representatives of the press, radio, and television, and those invited by a member with the approval of the Speaker or by the order of the House. No former member who is currently a legislative agent registered with the Office of the Legislative Inspector General shall have access to the floor without prior approval of the Speaker.

Rule 110. (Use of Hall not to be granted.) The use of the Hall of the House shall not at any time, except by resolution, be granted for any other than legislative purposes. No committee shall use the Hall of the House for hearings, except upon permission previously granted by the House upon motion.

Rule 111. (Representatives of the press, how admitted.) Representatives of the press who are members of the Legislative Correspondents' Association are entitled to the privilege of the floor of the House, but shall notify the Speaker prior to exercising the privilege. The Speaker, or, in the Speaker's absence, the Clerk, has authority to grant immediate access to the floor of the House to visiting members of the media. Representatives of the press desiring the privilege of the floor of the House who are not members of the Legislative Correspondents' Association shall make application to the Speaker, and make application with the Legislative Correspondents' Association, and shall state, in writing, for what paper or papers, legislative information services, or magazines, or any affiliate of any of the foregoing they are employed; and further shall state that they are not engaged in the promotion of legislation or the prosecution of claims pending before the General Assembly, and will not become so engaged while allowed the privileges of the floor; and that they are not in any sense the agents or representatives of persons or corporations having legislation before the General Assembly, and will not become either while retaining their privileges.

Visiting newswriters and editors and visiting magazine writers and editors may be allowed, temporarily, the privileges herein mentioned, but they must conform to the restrictions prescribed.

The application required by the above rule shall be authenticated in a manner that shall be satisfactory to the executive committee of the Legislative Correspondents' Association, in the case of newspaper, legislative information service, and magazine representatives and in the case of representatives of any affiliate of any of the foregoing. It shall be the duty of the executive committee of the Legislative Correspondents' Association to see that the privileges of the floor shall be granted only to representatives of press associations serving daily newspaper clients, representatives of daily Columbus newspapers, and bona fide telegraphic correspondents of reputable standing in their profession, who represent daily newspapers, or representatives of daily newspapers, or representatives of daily legislative information services, or representatives of magazines, or representatives of any affiliate of any of the foregoing, of known standing and integrity, organized for that one purpose and not controlled by or connected with any association, firm, corporation, or individual representing any trade, profession, or other commercial enterprise, and which have been in continuous and bona fide operation for such a period of years immediately prior to the date of making application for floor privileges as will have made possible the establishment of a reputation for honesty and integrity; and it shall be the duty of the executive committee of the Legislative Correspondents' Association, at its discretion, to report violations of the privileges herein granted to the Speaker. Persons whose chief attention is not given to newspaper correspondence, legislative information service, or magazine correspondence shall not be entitled to the privileges of the floor. No still photographing during the sessions of the House shall be permitted without notification of the Speaker and the Legislative Correspondents' Association prior to session.

No still photographing during committee hearings of the House shall be carried on without prior notification of and under conditions prescribed by the chairman of the committee.

Rule 112. (Representatives of radio and television stations and broadcasting networks, how admitted.) Representatives of radio and television stations and broadcasting networks who are members of the Radio and Television Correspondents' Association are entitled to the privilege of the floor of the House, but shall notify the Speaker prior to exercising the privilege. The Speaker, or, in the Speaker's absence, the Clerk, has authority to grant immediate access to the floor of the House to visiting members of the media. Representatives of radio and television stations and broadcasting networks desiring the privilege of the floor of the House who are not members of the Radio and Television Correspondents' Association shall make application to the Speaker, and make application with the Radio and Television Correspondents' Association, and shall state, in writing, by what stations or broadcasting network they are employed; and further shall state that they are not engaged in the promotion of legislation or the prosecution of claims pending before the General

Assembly, and will not become so engaged while allowed the privileges of the floor; and that they are not, in any sense, the agents or representatives of persons or corporations having legislation before the General Assembly, and will not become either while retaining their privileges. Visiting correspondents and editors may be allowed, temporarily, the privileges herein mentioned, but they must conform to the restrictions prescribed.

The application required by the above rule shall be authenticated in a manner that shall be satisfactory to the officers of the Radio and Television Correspondents' Association of Ohio. It shall be the duty of the Radio and Television Correspondents' Association to see that the privileges of the floor shall be granted only to the representatives of stations and broadcasting networks serving radio and television stations or networks serving such radio and television stations as have been duly licensed by the Federal Communications Commission. It shall be the duty of the officers of the Radio and Television Correspondents' Association, at their discretion, to report violations of the privileges herein granted to the Speaker. Persons whose chief attention is not given to radio and television broadcasting shall not be entitled to the privileges of the floor.

~~No~~ Except as provided in Rule 120, no video taping or filming of sessions of the House shall be carried on without the notification of the Speaker and the Radio and Television Correspondents' Association, and then only under the conditions authorized by the Speaker.

No video taping or filming of committee hearings of the House shall be carried on without the prior notification of and under conditions prescribed by the chairman of the committee.

Audio taping by representatives of the press and of radio and television stations and broadcasting networks accredited pursuant to Rules 111 and 112, shall be permitted during committee hearings upon prior notification of the committee chairman and during House floor sessions upon prior notification of the Speaker.

Live broadcast coverage of floor sessions or committee hearings may be conducted with prior notification of the Speaker, and under such conditions as the Speaker and committee chairman may establish.

Rule 113. (Privileges of the House, how revoked.) Upon complaint in writing, made by any member of the House, addressed to the Speaker, that any person has abused the privileges granted the person, such complaint shall be referred to the standing Committee on Rules and Reference for investigation, and such committee shall notify the person so charged of the time and place for hearing; and if such accusation be sustained, such person or persons shall be barred from the privileges granted.

RULES OF THE HOUSE

Rule 114. (How amended.) The rules of the House may be amended. A member who desires to amend the rules shall prepare a resolution that sets forth

the proposed amendment and file it in sextuplicate with the Clerk. The Speaker shall announce the resolution at the next session of the House at which bills are given third consideration, and shall refer the resolution to the Committee on Rules and Reference. A majority of all members elected shall be required for the adoption of the resolution.

Rule 115. (How suspended.) Any rule, or portion thereof, except Rule 2, and as otherwise noted, may be suspended by a two-thirds vote of all the members present.

Rule 116. (Parliamentary guide.) Mason's Manual of Legislative Procedure (2000), as amplified or clarified in Hughes' American Parliamentary Guide for the Ohio General Assembly (1932), shall govern in all cases not provided for in the foregoing rules.

MISCELLANEOUS

Rule 117. (Reintroduction of bill prohibited.) If a House bill or resolution is defeated or indefinitely postponed in the House it shall not be reintroduced during either annual session of the same General Assembly.

Rule 118. (Reintroduction of bill permitted.) A bill which has been passed by the House and defeated or indefinitely postponed by the Senate, may be introduced during the subsequent calendar year of the same General Assembly provided it shall be in the identical language as that passed by the House. Upon motion made and approved by two-thirds majority, the bill shall be considered on three successive dates and voted upon by the House without reference to committee.

Rule 119. (Index to bill authorized.) Any bill which, when introduced, consists of ten typewritten pages or more, may be accompanied by a printed index showing the contents of such bill.

Rule 120. (Proceedings of the House public; exception.) "The proceedings of the House of Representatives shall be public, except in cases which, in the opinion of two-thirds of those present, require secrecy." (Article II, Section 13, Ohio Constitution.)

Except in cases where secrecy has been approved, all proceedings of the House of Representatives while in voting session shall be broadcast by Ohio Government Telecommunications, and shall be archived. The use of any session video in political or commercial activities is prohibited in all circumstances, unless two-thirds of the the House adopt a resolution granting permission for such a use of the video.

Rule 121. (Committee meetings public.) Each committee and subcommittee shall give notice of each of its regular and special meetings in accordance with division (C) of section 101.15 of the Revised Code as amplified in Rule 36.

Each regular and special meeting of each committee and subcommittee shall be a public meeting that is open to the public at all times in accordance

with division (B) of section 101.15 of the Revised Code. Each committee and subcommittee shall prepare, file, and maintain; approve or correct and approve; and make available, minutes of each of its regular and special meetings in accordance with division (B) of section 101.15 of the Revised Code.

Rule 122. (LSC analyses and fiscal notes to be made available at third consideration.) The bill analysis and the fiscal note prepared by the staff of the Legislative Service Commission, that has been made available to the members of the House, shall be made available to the public by the Speaker when the bill to which the analysis or fiscal note pertains receives third consideration in the House.

Rule 123. (Communications devices prohibited on House floor.) Except for uses authorized under Rule 112, no telephones or other electronic communication devices (except for those used by the House in conducting its business) may be used on the floor of the House of Representatives during session for communication with persons inside or outside the Hall of the House, unless authorized by the Speaker.

KEVIN DEWINE
LARRY L. FLOWERS
WILLIAM J. SEITZ
STEVE L. DRIEHAUS

MICHELLE G. SCHNEIDER
JIM CARMICHAEL
FRED STRAHORN
T. TODD BOOK

The question being, "Shall the report of the Special Committee on Rules be agreed to and shall the resolution be adopted?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White

Widener
Wolpert

Widowfield
Yates

Williams B.
Yuko

Williams S.
Zehringer
Husted-97.

The report of the Special Committee on Rules was agreed to and the resolution was adopted.

Representative DeWine submitted the following report:

Pursuant to H. R. No. 10 of the 127th General Assembly, Representative DeWine reported for the Special Committee on Rules recommending the adoption of Joint Rules 1 through 30 as contained in the report of the special committee and recommends the adoption of the following resolution (New rules effective from the date of adoption):

H. C. R. No. 4-Representative DeWine.

To adopt Joint Rules of the Senate and House of Representatives for the 127th General Assembly.

RESOLVED: That the following are the Joint Rules of the Senate and House of Representatives for the 127th General Assembly:

**JOINT RULES
JOINT SESSIONS**

Rule 1. (Convention: place and procedure.) Whenever the two branches of the General Assembly convene for any purpose required by the Constitution or laws of the state, such convention shall be held in the Hall of the House of Representatives, unless otherwise ordered by a joint resolution of the two branches, and the President of the Senate shall preside. During all such conventions each branch shall be held to be in session as a separate branch of the General Assembly and to be governed by its own rules; and except in voting on questions unique to the convention, where each member is entitled to a separate vote, shall act as such and no question shall be considered as carried otherwise than by the concurrent action of both branches; provided, that either branch may, by a vote of a majority of all its members, dissolve from such convention by withdrawing therefrom; and such convention may, by the concurrent vote of the two branches, take a recess or adjourn to a time certain, but such recess or adjournment of the convention shall not be held to be an adjournment or recess of either branch nor to prevent either from proceeding with its usual business during such recess or adjournment of the convention.

Rule 2. (Voting in convention.) In voting on all questions unique to a convention, a majority of the votes cast shall be necessary to a choice.

JOINT SELECT COMMITTEES

Rule 3. (Joint select committees: creation.) The President may initiate creation of a joint select committee of the Senate and House for the purpose of

considering a Senate bill or a Senate joint or concurrent resolution. The Speaker may initiate creation of a joint select committee of the Senate and House for the purpose of considering a House bill or a House joint or concurrent resolution. A bill or joint or concurrent resolution shall not be referred to a joint select committee if its main feature is the appropriation of money or a proposal to alter or modify the state's existing tax structure.

To initiate creation of a joint select committee, the President shall cause to be read before the Senate or the Speaker shall cause to be read before the House a message creating the joint select committee. After the message is read, it shall lie over one calendar day before it is voted upon. If the message is approved, it shall be transmitted to the second house. Upon receipt, the President or Speaker shall cause the message to be read before the second house. After the message is read in the second house, it shall lie over one calendar day before it is voted upon. If the message is approved in the second house, the joint select committee thereupon is created as specified in the message. The second house shall notify the first of its disposition of the message. The message shall be spread in full upon the Senate and House Journals.

The message is not amendable and shall be voted upon as a whole. Either house, by vote of a majority of the members elected thereto, may suspend the requirement that the message lie over one calendar day before it is voted upon in that house.

The message shall be provided to each member of the Senate and House at the time it is read therein.

The message shall specify the name of the joint select committee, the equal number of members the joint select committee is to have from each house, the number of members of the majority party and the number of members of the minority party the joint select committee is to have from each house, the purpose the joint select committee is to fulfill, and any special rules with respect to submission of its report. The bill or joint or concurrent resolution shall be attached to the message.

Reading of the message in the first house constitutes second consideration of the bill in that house; the reading of the message and second consideration of the bill shall be recorded in the journal of the first house. Reading of the message in the second house constitutes first consideration of the bill in that house; the reading of the message and first consideration of the bill shall be recorded in the journal of the second house.

Rule 4. (Joint select committees: members and officers.) A joint select committee shall have an equal number of members from the Senate and House. The President shall appoint, and may remove and replace, the Senate members of a joint select committee. The Senate Minority Leader, in a manner to be determined by the Senate Minority Caucus, may recommend Senate minority party members for a joint select committee. The Speaker shall appoint, and may remove and replace, the House members of a joint select committee. The House

Minority Leader, in a manner to be determined by the House Minority Caucus, may recommend House minority party members for a joint select committee. The President and Speaker shall appoint members from their respective houses as necessary to fill vacancies on a joint select committee. The appointment or removal of a member of a joint select committee shall be entered upon the journal of the house from which the member is appointed.

If a joint select committee is created to consider a Senate bill or joint or concurrent resolution referred by the Senate, the first-named Senate member is chairman and the first-named House member is vice-chairman of the joint select committee. If a joint select committee is created to consider a House bill or joint or concurrent resolution referred by the House, the first-named House member is chairman and the first-named Senate member is vice-chairman of the joint select committee.

In the absence of the chairman of a joint select committee, the vice-chairman of the joint select committee has the duties and authority of the chairman.

Rule 5. (Joint select committees: consideration and report by.) A joint select committee shall study and conduct hearings with respect to, and may amend or substitute, the bill or joint or concurrent resolution. The joint select committee may report the bill or joint or concurrent resolution. Bills or joint or concurrent resolutions that are reported shall be filed in sextuplicate with the clerk of the house where the bill or joint or concurrent resolution originated. The original bill or joint or concurrent resolution shall accompany the report. The joint select committee shall indicate in the report the members who voted "yes" and "no" on the report.

The report shall be presented to the house where the bill or joint or concurrent resolution originated and shall be spread upon the journal.

If a bill reported by a joint select committee passes the house of origin, its subsequent introduction in the second house constitutes second consideration of the bill in that house. The introduction and second consideration of the bill shall be recorded in the journal of the second house.

A bill or joint or concurrent resolution reported by a joint select committee is not required to be referred to a Senate or House standing or select committee or subcommittee.

Rule 6. (Joint select committees: quorum; voting.) A majority of the Senate members and a majority of the House members of a joint select committee is a quorum. Each member of a joint select committee has one vote. A joint select committee may not take any action unless the action is agreed to by a majority of its members on the part of the Senate and by a majority of its members on the part of the House. However, except for reporting a bill or joint or concurrent resolution with a recommendation that it be indefinitely postponed or passed or adopted, a joint select committee, by vote of a majority of its members on the part of the Senate and a majority of its members on the part of

the House, may choose to take any action upon agreement, not of separate majorities, but of a majority of all the members of the whole joint select committee.

A proxy vote in a joint select committee is invalid. A member of a joint select committee who is present shall vote unless excused by the joint select committee. A member of a joint select committee is not entitled to vote except while actually present in a meeting of the joint select committee, unless the member has first actually been present in the meeting, and the vote is continued for members who, before the vote, were actually present in, but at the time of the vote are absent from, the meeting. Continuation of a vote may not extend later than midnight of the day on which the vote was continued.

Rule 7. (Joint select committees: subpoena power; power to administer oaths.) The chairman of a joint select committee, when authorized by the joint select committee and by the President and Speaker, may issue subpoenas and subpoenas duces tecum in aid of the joint select committee's consideration of a bill or joint or concurrent resolution that has been referred to the joint select committee. Subpoenas may require witnesses in any part of the state to appear before the joint select committee at a time and place designated in the subpoena to testify. Subpoenas duces tecum may require witnesses or other persons in any part of the state to produce books, papers, records, and other tangible evidence before the joint select committee at a time and place designated in the subpoena duces tecum. A subpoena or subpoena duces tecum shall be issued, served, and returned, and have consequences, as provided in sections 101.41 to 101.45 of the Revised Code.

The chairman of a joint select committee may administer oaths to witnesses appearing before the joint select committee.

Rule 8. (Joint select committees: open meetings.) All meetings of a joint select committee shall be open to the public unless closed in accordance with Ohio Constitution, Article II, Section 13.

The chairman of a joint select committee, not later than two days before a meeting of the joint select committee, shall give due notice of the meeting. The notice shall identify the joint select committee, identify the chairman, state the time and place at which the meeting will be held, and set forth an agenda showing the bill or joint or concurrent resolution that will be considered at the meeting. If an emergency requires consideration of a bill or joint or concurrent resolution at a meeting, and two days' advance notice of the meeting therefore is impractical, the chairman may schedule an emergency meeting of the joint select committee by giving twenty-four hours' advance notice of the emergency meeting to the news media that have requested such notification and the bill or joint or concurrent resolution then may be considered at the emergency meeting as the emergency requires.

A joint select committee shall not meet during a session of the Senate or House, except by special leave of that house.

Rule 9. (Joint select committees: records.) The chairman of a joint select committee shall maintain a record of evidence that is presented before, or obtained by, the joint select committee.

The joint select committee shall keep minutes of its proceedings and at each meeting except the first shall approve the minutes taken at the previous meeting, or, if the minutes require correction, shall correct and approve the minutes. The joint select committee shall maintain a record of its approved minutes, and promptly after approval shall file a copy of its minutes with the Clerk of the Senate and Clerk of the House.

When a joint select committee concludes its work, or upon sine die adjournment of the house of which the joint select committee's chairman is a member, the chairman shall deliver all the joint select committee's records to the Clerk of the Senate if the chairman is a member of the Senate or to the Clerk of the House if the chairman is a member of the House.

VETOES

Rule 10. (Question when bill is vetoed.) When under Ohio Constitution, Article II, Section 16, a message is transmitted to the house of origin by the Governor, expressing disapproval of any bill or item of an appropriation bill that has been passed by the General Assembly, the house of origin may reconsider and repass the bill or item. If the house of origin repasses the bill or item, it shall send the bill or item, together with the message of the Governor expressing disapproval, to the other house, which then may reconsider and repass the bill or item. A vetoed bill or item shall be repassed by not fewer than three-fifths of the members elected to each house, and in no case by a fewer number of votes than was constitutionally required upon its original passage. The question upon reconsidering a vetoed bill in either house shall be presented as follows: "Shall the bill (or item or items of an appropriation bill) be passed notwithstanding the objections of the Governor?" The vote shall be taken in either house by calling the yeas and nays and shall be recorded in the journal.

BILLS

Rule 11. (Form of bills introduced.) Bills introduced in either house shall be printed, shall bear the name of the author, and must in all respects, as to form, comply with the laws and the rules of both houses of the General Assembly.

Rule 12. (Content of title of bills.) Bills shall have noted in their titles a distinct reference to the subject or matter to which they relate and also, if they propose the amendment or repeal of any law, to the section proposed to be amended or repealed.

Rule 13. (Printing of bills and resolutions.) Bills and joint and concurrent resolutions, unless otherwise ordered by the house in which they are introduced or offered, shall be printed and available for distribution upon first consideration.

Rule 14. (Drafting of bills.) Bills shall be submitted for introduction with all material double-spaced. The Legislative Service Commission shall determine the size of the paper on which bills shall be printed and the manner in which all

new language and punctuation to be amended or enacted into the Revised Code and all language and punctuation to be eliminated from an existing section of the Revised Code shall be formatted.

CONCURRENCE

Rule 15. (When notice of action on bills or resolutions shall be given to the other house.) When a bill or joint or concurrent resolution has been passed or adopted in either house, notice shall be forthwith given to the other house. When a bill or joint or concurrent resolution that has been passed or adopted in one house is rejected or lost in the other, or postponed indefinitely, notice thereof shall forthwith be given to the other house.

Rule 16. (Procedure when a bill or resolution is amended by the other house.) When a bill or joint or concurrent resolution has passed or been adopted in one house, and been amended, passed or adopted, and returned by the other, it shall lie over one calendar day, unless otherwise ordered by a majority of the members elected to the house to which it was returned. The amendment shall be printed in the journal of the house to which it was returned. The bill or joint or concurrent resolution shall be placed on the calendar. The calendar shall show on what page of the journal the amendment has been printed.

When taken up, the question shall be on the concurrence in the amendment of the other house and no motions shall be in order except (1) a motion to informally pass or (2) if the rules of the member's house authorize such a motion, a motion of a member to add or remove the member's name from the bill or joint or concurrent resolution. The same number of votes shall be required to concur in the amendment as was required to pass or adopt the bill or joint or concurrent resolution in the house in which it originated; if the question be upon concurrence in an amendment to a bill which has passed the other house as an emergency measure, then a vote shall be taken first, upon the emergency features of the bill and second, upon concurrence in the amendment. The same number of votes shall be required on each vote as was required to pass the bill as an emergency measure. If such house refuses to concur in the amendment to the bill or joint or concurrent resolution, or if the house refuses to agree to the emergency features of the bill, notice shall be forthwith sent to the other house where the proceedings shall be either:

First, to insist upon its amendment and ask for a committee of conference;

Second, to recede from its amendment, which has the effect of passing the bill or adopting the joint or concurrent resolution in the form in which it passed or was adopted by the house in which it originated; or

Third, to adhere to its amendment, which precludes a committee of conference.

COMMITTEE OF CONFERENCE

Rule 17. (Membership of committee; acceptance of report.) All committees of conference are joint committees that shall consist of three

members of the Senate and three members of the House of Representatives unless committee membership is otherwise specially ordered by both houses.

If a committee of conference has under consideration a House bill or joint or concurrent resolution, the first-named House member shall be chair of the committee. If the committee has a Senate bill or joint or concurrent resolution under consideration, the first-named Senate member shall be chair.

A question in a committee of conference shall be decided by at least a majority of the members on the part of the Senate and a majority of the members on the part of the House. However, except for the question of agreeing to the committee's report, the committee, by vote of a majority of its members on the part of the Senate and a majority of its members on the part of the House, may choose to decide a question, not by separate majorities, but by a majority of all the members of the whole committee.

Rule 18. (Procedure when the committee disagrees.) Whenever any committee of conference cannot reach agreement, another committee may be appointed; and if either of the two houses disagrees to any report of a committee of conference, such house shall forthwith notify the other house of such disagreement, and upon request of that house another committee shall be appointed.

If the disagreeing house does not make such a request, the committee of conference whose report was refused may proceed to propose another report.

Rule 19. (What the report may include.) A committee of conference appointed to consider matters of difference between the two houses upon any bill or joint or concurrent resolution may consider and include in its report any amendments pertinent to the bill or joint or concurrent resolution, provided such amendments relate exclusively to the original matters of difference between the two houses.

Rule 20. (When the report of the committee is in order; consideration.) The report of a committee of conference cannot be laid on the table, referred to a committee, or indefinitely postponed, and must be voted upon as a whole.

Conference committee reports shall lie over at least one day after conference committee approval before the House or Senate may consider them, unless otherwise ordered by a majority vote of all the members present in that house.

Rule 21. (Where the papers are to be filed.) When a committee of conference has met and come to an agreement, or where no agreement is reached, the bill or joint or concurrent resolution and papers adhering thereto shall remain in the house in which the bill or joint or concurrent resolution originated.

Rule 22. (Vote required by each house.) The yeas and nays shall be called upon agreeing to the report of the committee of conference, and except as otherwise provided in this rule, no such report shall be agreed to unless it

receives the vote of a majority of the members elected to each house.

In the case of emergency bills, or bills to which an emergency clause was attached by the committee of conference, the report shall receive two votes of two-thirds of the members elected to each house. The question on the first such vote shall be: "Shall the emergency clause of the bill stand as part of the report?" The question on the second such vote shall be: "Shall the report of the committee of conference be agreed to as an emergency measure?"

In the case of joint resolutions proposing amendments to the Ohio Constitution, the report shall receive the votes of not fewer than three-fifths of the members elected to each house. The joint resolution shall be spread in full upon the journal of each house.

When the question of agreeing to the report of a committee of conference is taken up, no motions are in order except (1) a motion to informally pass or (2) if a rule of the member's house authorizes such a motion, a member's motion to add or remove the member's name from the bill or joint or concurrent resolution.

MESSAGES

Rule 23. (By and to whom delivered.) All messages sent from one house to the other shall be carried by an officer or employee of the sending house, who shall take a receipt for the same from the message clerk of the receiving house to whom the officer or employee delivers the message. The message clerk shall deliver the message without delay to the clerk of the receiving house and take a receipt therefor from the receiving clerk or one of the receiving clerk's assistants authorized by the receiving clerk to receipt for messages. The receiving clerk shall deliver each message to the presiding officer of the receiving house, who shall, in the proper order of business, and within a reasonable time, lay it before the house.

ENGROSSMENT OF BILLS AND RESOLUTIONS

Rule 24. (Manner of engrossment of bills and resolutions.) All bills and resolutions, before they are passed or adopted by either house, shall be carefully engrossed in printing, and the engrossed copy shall be carefully compared with the original bill or resolution and with the journal showing the amendments agreed to.

Rule 25. (Printing.) When the Clerk of the Senate or Clerk of the House is required to print a bill, resolution, report, or other document belonging to or in the possession of the Senate or House, the Clerk may use a method of printing as contemplated by sections 101.51 to 101.524 of the Revised Code.

Rule 26. (Manner of engrossment when bill or resolution amended by the other house.) When a bill or joint or concurrent resolution has passed or been adopted in one house, and been amended in the other, the bill or joint or concurrent resolution, as amended, shall be fully engrossed, and both returned, with the engrossed bill or joint or concurrent resolution received from the other house, to the house in which it originated. In such engrossments, amendments shall be engrossed in printing. Whenever a bill or joint or concurrent resolution

is passed or adopted in one house and sent to the other and a substitute therefor is agreed to by such house, in the communications between the houses, such substitutes shall be designated and treated as an amendment to the original bill or resolution.

SIGNING OF BILLS AND JOINT RESOLUTIONS

Rule 27. (Who shall sign bills and joint resolutions; procedure when bill vetoed by Governor.) All bills and joint resolutions that have passed or been adopted in both houses shall be first signed by the presiding officer of the House of Representatives, and then by the presiding officer of the Senate, the latter delivering the same to the Clerk of the Senate, who shall deliver each bill so passed to the Governor, taking a receipt therefor, and each joint resolution to the Secretary of State, taking a receipt therefor. When any bill is vetoed by the Governor and subsequently enacted into law over such veto, in accordance with Ohio Constitution, Article II, Section 16, the enrolled copy shall be endorsed with the record of the proceedings in each house subsequent to the veto attested by the presiding officer of the House and the presiding officer of the Senate, and the presiding officer of the second house shall file it with the Secretary of State.

GENERAL PROCEDURE

Rule 28. (Floor privileges for the news media.) Whenever the two branches of the General Assembly are convened in joint convention, representatives of the press and representatives of radio and television stations and broadcasting networks shall be granted floor privileges in the same manner provided for by the Rules of the House of Representatives.

Rule 29. (Letters and simple resolutions.) When a member of the House of Representatives and a member of the Senate jointly request on behalf of the House and Senate letters or simple resolutions conveying messages of commendation, congratulation, recognition, or condolence to persons or organizations named in such request, the Speaker of the House shall sign on behalf of the House and the President of the Senate shall sign on behalf of the Senate.

The Clerk of the Senate or Clerk of the House shall arrange for the transmittal of such message to persons or organizations designated in the request and shall keep a record of the distribution of such letters and resolutions, which record shall be open for inspection by any member of the General Assembly.

Rule 30. (Suspension of Joint Rules.) Except as otherwise explicitly provided in the Joint Rules, no joint rule may be suspended or altered except by joint resolution adopted by two-thirds vote of each house of the General Assembly.

STEVE L. DRIEHAUS
KEVIN DEWINE
MICHELLE G. SCHNEIDER
WILLIAM J. SEITZ

LARRY L. FLOWERS
JIM CARMICHAEL
T. TODD BOOK
FRED STRAHORN

The question being, "Shall the report of the Special Committee on Rules be agreed to and shall the resolution be adopted?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-97.

The report of the Special Committee on Rules was agreed to and the resolution was adopted.

Representative DeWine moved that the following concurrent resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. C. R. No. 5-Representative DeWine.

To adopt the Legislative Code of Ethics for the members and employees of both chambers of the 127th General Assembly, employees of any legislative agency, and candidates for the 128th General Assembly.

WHEREAS, The Joint Legislative Ethics Committee, appointed by the Speaker of the House of Representatives and the President of the Senate pursuant to section 101.34 of the Revised Code, is required to recommend a

Code of Ethics that is consistent with the law to govern all members and employees of each chamber of the General Assembly and all candidates for the office of member of each chamber; and

WHEREAS, The Joint Legislative Ethics Committee is the appropriate ethics committee for matters relating to members and employees of the General Assembly, employees of any legislative agency, including the Correctional Institution Inspection Committee, Joint Committee on Agency Rule Review, Legislative Information Systems, Legislative Inspector General, and Legislative Service Commission, and candidates for the office of member of the General Assembly; now therefore be it

RESOLVED, That the House of Representatives and the Senate of the 127th General Assembly adopt the following Legislative Code of Ethics:

LEGISLATIVE CODE OF ETHICS
FOR MEMBERS AND EMPLOYEES OF THE
~~126th~~ 127th OHIO GENERAL ASSEMBLY,
EMPLOYEES OF ANY LEGISLATIVE AGENCY,
AND CANDIDATES FOR THE ~~127th~~ 128th GENERAL ASSEMBLY

SECTION 1. CONDUCT

All members of the Senate or the House of Representatives shall conduct themselves at all times so as to reflect credit upon the member's respective chamber of the General Assembly, shall obey all rules of the member's respective chamber of the General Assembly, and shall conform the member's conduct to this Code of Ethics. All employees of the Senate or House of Representatives and all employees of any legislative agency shall conduct themselves at all times so as to reflect credit upon the employee's respective chamber of the General Assembly or institution of employment, shall obey all rules of the employee's respective chamber of the General Assembly or institution of employment, and shall conform the employee's conduct to this Code of Ethics.

SECTION 2. DISCLOSURE STATEMENT

(A) The Office of the Legislative Inspector General shall accept disclosure statements filed by members and employees of the General Assembly and employees of any legislative agency pursuant to section 102.02 of the Revised Code and shall maintain a file of all disclosure statements that are filed pursuant to that section. Every member of the General Assembly and every employee of the General Assembly and any legislative agency who is required to file a financial disclosure statement, within the period prescribed by law, shall file with the Office of the Legislative Inspector General, a disclosure statement as provided for by section 102.02 of the Revised Code. Each member and each employee of the General Assembly and employee of any legislative agency required to file a financial disclosure statement, within the period and in the manner prescribed by section 102.02 of the Revised Code, shall receive from the Office of the Legislative Inspector General the form on which the statement shall

be prepared.

(B) Division (A)(2)(c) of section 102.02 of the Revised Code applies to members of the General Assembly who are attorneys or physicians or who otherwise engage in the practice of a profession and to the clients, patients, and other recipients of professional services of members of the General Assembly who are attorneys or physicians or who otherwise engage in the practice of a profession, even if those clients, patients, and other recipients of professional services are legislative agents.

(C) Division (A)(8) of section 102.02 of the Revised Code requires a member of the General Assembly and an employee of the General Assembly or any legislative agency required to file a disclosure statement under section 102.02 of the Revised Code to identify on a disclosure statement the source and amount of any payment of expenses incurred for travel to destinations inside or outside this state that the member or employee receives in the member's or employee's own name or that another person receives for the member's or employee's use or benefit in connection with the member's or employee's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues.

(D) Division (A)(9) of section 102.02 of the Revised Code requires a member of the General Assembly and an employee of the General Assembly or any legislative agency required to file a disclosure statement under section 102.02 of the Revised Code to identify on a disclosure statement the source of payment of expenses for meals and other food and beverages that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year, except for expenses for meals and other food and beverages provided at a meeting at which the member or employee participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which a state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues.

(E)(1) Except as otherwise provided in division (E)(2) of this section, in accordance with section 102.02 of the Revised Code, every member of the General Assembly and every employee of the General Assembly or any legislative agency required to file an annual statement under section 102.02 of the Revised Code shall disclose the source of a gift or gifts, where the value of the gift or gifts aggregated per calendar year exceeds seventy-five dollars, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings,

nephews, nieces, uncles, aunts, cousins, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, step-relations, or any person to whom the member or employee of the General Assembly or employee of any legislative agency stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor.

(2) In accordance with section 102.02 of the Revised Code, every member of the General Assembly and every employee of the General Assembly or any legislative agency required to file an annual statement under section 102.02 of the Revised Code shall disclose the source of a gift or gifts from a legislative agent, where the value of the gift or gifts aggregated per calendar year exceeds twenty-five dollars.

SECTION 3. LICENSE DISCLOSURE

Any member of the General Assembly who engages in the conduct or practice of a particular business, profession, trade, or occupation that is subject to licensing or regulation by any branch, department, division, institution, instrumentality, board, commission, or bureau of the state shall file a notice that the member is the holder of a particular license, or is engaged in such activity, as part of the financial disclosure statement required by section 102.02 of the Revised Code.

SECTION 4. VOTING ABSTENTION

(A) A member who has reason to believe that the member has a substantial personal interest in legislation may request permission of the chair to abstain from voting on the legislation and may state the member's reason for the request. The request shall be granted by the chair or the member's respective chamber of the General Assembly pursuant to the rules of that chamber. The request and permission to abstain shall be entered in the House or Senate Journal, as is appropriate.

(B) No member of the General Assembly shall vote on any legislation that the member knows is then being actively advocated if the member is one of the following with respect to a legislative agent or employer that is then actively advocating on that legislation:

(1) An employee, as defined in section 102.031 of the Revised Code;

(2) A business associate, as defined in section 102.031 of the Revised Code;

(3) A person, other than an employee, who is hired under contract to perform certain services, and such position involves a substantial and material exercise of administrative discretion in the formulation of public policy.

(C) The Joint Legislative Ethics Committee may impose a fine of not more than one thousand dollars upon a member of the General Assembly who violates division (B) of this section.

SECTION 5. COMPENSATION

(A) Except as provided in division (D) of section 102.04 of the Revised Code, no person elected to or employed by the General Assembly or employed by any legislative agency shall receive or agree to receive, directly or indirectly, compensation other than from the house with which the person serves or from any legislative agency, if the person is a legislative agency employee, for any service rendered or to be rendered by the person personally in any case, proceeding, application, or other matter that is before the General Assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

Division (A) of this section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, security registrations, and other documents.

Except as provided in division (D) of section 102.04 of the Revised Code, no person elected to or employed by the General Assembly or employed by any legislative agency shall sell or agree to sell, except through competitive bidding, any goods or services to the General Assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(B) No member or employee of the General Assembly or employee of any legislative agency shall knowingly accept any of the following from a legislative agent:

(1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;

(2) More than seventy-five dollars aggregated per calendar year as payment for meals and other food and beverages, other than for those meals and other food and beverages provided to the member or employee at a meeting at which the member or employee participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which either house of the General Assembly or any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which all members of the General Assembly or all members of either house of the General Assembly are invited.

(C) No member or employee of the General Assembly or employee of any legislative agency shall knowingly accept from a legislative agent a gift of any amount in the form of cash or the equivalent of cash, or a gift or gifts of any other thing of value where the value of the gift or gifts aggregated per calendar year exceeds seventy-five dollars. As used in this division, "gift" does not include any contribution as defined in section 3517.01 of the Revised Code or any gifts of meals and other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is

received by a member of the General Assembly and that is incurred in connection with the member's official duties.

(D) It is not a violation of division (B)(2) of this section if, within sixty days after receiving notice pursuant to division (F)(2) of section 101.73 of the Revised Code from a legislative agent that the legislative agent has provided a member of the General Assembly or an employee of the General Assembly or any legislative agency with more than seventy-five dollars aggregated in a calendar year as payment for meals and other food and beverages that were purchased for consumption on the premises in which the food and beverages were sold, the member or employee of the General Assembly or employee of any legislative agency returns to that legislative agent the amount received that exceeds seventy-five dollars.

SECTION 6. CONFIDENTIAL INFORMATION

No present or former member or employee of the General Assembly or present or former employee of any legislative agency shall disclose or use for the member's or employee's personal profit, without appropriate authorization, any information acquired by the member or employee in the course of the member's or employee's official duties that has been clearly designated to the member or employee as confidential when such confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business. No present or former member or employee of the General Assembly or present or former employee of any legislative agency shall disclose or use, without appropriate authorization, any information acquired by the member or employee in the course of the member's or employee's official duties that is confidential because of statutory provisions, except as provided in section 101.30 of the Revised Code or Section 12 or 13 of Article II, Ohio Constitution.

SECTION 7. IMPROPER INFLUENCE

(A) No member or employee of the General Assembly or employee of any legislative agency shall use or attempt to use or authorize the use of the authority or influence of the member's or employee's office or employment to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the member or employee with respect to the member's or employee's duties.

(B) No member or employee of the General Assembly or employee of any legislative agency shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the member or employee with respect to the member's or employee's duties.

(C) No member of the General Assembly shall solicit or receive funds from any legislative agent who is registered pursuant to section 101.72 of the Revised Code, for use other than by a political party, campaign committee, legislative campaign fund, political action committee, or political contributing

entity, as defined in section 3517.01 of the Revised Code, except that a member may solicit or receive funds from any legislative agent on behalf of religious and benevolent organizations regulated by Chapter 1716. of the Revised Code or charitable organizations that have registered with the Attorney General pursuant to section 109.26 or 1716.02 of the Revised Code.

(D) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, the receipt of contributions, as defined in section 3517.01 of the Revised Code, made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of a member of or candidate for the General Assembly does not violate divisions (A) and (B) of this section.

(E) A member or employee of the General Assembly and an employee of any legislative agency may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to the member's or employee's official duties if the travel, meals, lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the member or employee with respect to those duties and if, in relation to expenses or reimbursement for travel or lodging provided to a member by a legislative agent, the expenses or reimbursement are not made in violation of division (C)(1) of section 102.031 of the Revised Code. A member or employee who acts in compliance with this division does not violate division (A), (B), or (C) of this section.

SECTION 8. STAFF USE

(A) A member of the General Assembly shall utilize General Assembly employees only for the official purposes for which they are employed.

(B)(1) In accordance with section 3517.092 of the Revised Code, no member of or candidate for the General Assembly, no campaign committee of a member of or candidate for the General Assembly, no legislative caucus campaign committee, and no other person or entity shall knowingly solicit or accept a contribution on behalf of that member or candidate ~~or~~ that member's or candidate's campaign committee , or a legislative caucus campaign committee from any of the following:

(a) A state employee whose appointing authority is the member of the General Assembly;

(b) A state employee whose appointing authority is authorized or required by law to be appointed by the member of the General Assembly;

(c) A state employee who functions in or is employed ~~in or by the same public agency, department, division, or office as the member of the General Assembly~~ by the Ohio Senate, the Ohio House of Representatives, or any legislative agency;

(d) A state employee at the time of the solicitation, whose appointing

authority will be the candidate for the General Assembly, if elected;

(e) A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate for the General Assembly, if elected, as authorized or required by law;

(f) A state employee at the time of the solicitation, who will function in or be employed in or by the same public agency, department, division, or office as the candidate for the General Assembly, if elected.

(2) As used in this section, "contribution" does not include services provided by individuals volunteering a portion of their time on behalf of a campaign.

(C) In addition to any complaint brought or penalty that may be imposed under sections 3517.152 to 3517.157 of the Revised Code, the Joint Legislative Ethics Committee may receive and initiate complaints against members and employees of, and candidates for, the General Assembly and employees of any legislative agency concerning conduct alleged to be in violation of this section. Upon a finding of a violation of this section, the Joint Legislative Ethics Committee may recommend whatever sanction is appropriate with respect to a particular member, employee, or candidate as will best maintain in the minds of the public a good opinion of the conduct and character of members and employees of the General Assembly.

SECTION 9. SEPARATION OF FUNDS

(A) No member of or candidate for the General Assembly shall convert, receive, or accept for personal or business use anything of value from the member's or candidate's campaign fund, as defined in section 3517.01 of the Revised Code, including, without limitation, payments to the member or candidate for services personally performed by the member or candidate, except as reimbursement for any of the following:

(1) Legitimate and verifiable prior campaign expenses incurred by the member or candidate;

(2) Legitimate and verifiable, ordinary, and necessary prior expenses incurred by the member or candidate in connection with duties as the holder of a public office, including, without limitation, expenses incurred through participation in nonpartisan or bipartisan events where the participation of the holder of a public office would normally be expected;

(3) Legitimate and verifiable, ordinary, and necessary prior expenses incurred by a member or candidate while doing any of the following:

(a) Engaging in activities in support of or opposition to another candidate, political party, or ballot issue;

(b) Raising funds for a political party, political action committee, campaign committee, legislative campaign fund, political contributing entity, or other candidate;

(c) Participating in the activities of a political party, political action committee, legislative campaign fund, political contributing entity, or campaign committee;

(d) Attending a political party convention or other political meeting.

(B) For purposes of division (A) of this section, an expense is incurred whenever a member or candidate has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure, or by the use of goods or services received on account.

(C) No member or candidate for the General Assembly shall knowingly receive or accept reimbursement for an expense under division (A) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (A) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, a member or candidate shall immediately repay the reimbursement received under division (A) of this section to the extent of the payment made or reimbursement received from the other source.

(D) A member of the General Assembly may be reimbursed under division (A)(1) or (3) of this section for expenses incurred for the member's meals and lodging in Franklin County if the expenses otherwise meet the requirements for reimbursement under division (A)(1) or (3) of this section and were not incurred while the member was in Franklin County to attend floor sessions of the General Assembly or meetings of its committees, except that a member may be reimbursed under division (A)(1), (2), or (3) of this section for expenses incurred for the member's meals in Franklin County at any time if the expenses otherwise meet the requirements for reimbursement under division (A)(1), (2), or (3) of this section and were incurred for meals at which the member hosted other persons.

(E) No member or candidate for the General Assembly shall accept for personal or business use anything of value from a political party, political action committee, legislative campaign fund, political contributing entity, or campaign committee other than the member's or candidate's own campaign committee, except for the following:

(1) Reimbursement for legitimate and verifiable, ordinary, and necessary prior expenses not otherwise prohibited by law incurred by the member or candidate while engaged in any legitimate activity of the political party, political action committee, legislative campaign fund, political contributing entity, or such campaign committee. Without limitation, reimbursable expenses under this division include those incurred while doing any of the following:

(a) Engaging in activities in support of or opposition to another candidate, political party, or ballot issue;

(b) Raising funds for a political party, campaign committee, legislative campaign fund, or another candidate;

(c) Attending a political party convention or other political meeting.

(2) Compensation not otherwise prohibited by law for actual and valuable personal services rendered under a written contract to the political party, political action committee, legislative campaign fund, political contributing entity, or the member's or candidate's own campaign committee for any legitimate activity of the political party, political action committee, legislative campaign fund, political contributing entity, or such campaign committee.

Reimbursable expenses under this division do not include, and it is a violation of this division for a member or candidate to accept from a political party, political action committee, legislative campaign fund, political contributing entity, or campaign committee other than the member's or candidate's own campaign committee, anything of value for activities primarily related to the member's or candidate's own campaign for election, except for contributions to the member's or candidate's campaign committee.

For purposes of this division, an expense is incurred whenever a member or candidate has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure, or by the use of goods or services received on account.

(F)(1) Divisions (A) and (C) of this section do not prohibit a member's or candidate's campaign committee from making a direct advance or post payment from the member's or candidate's campaign fund to vendors for goods and services for which reimbursement is permitted under division (A) of this section, except that no campaign committee shall pay a member or candidate for services personally performed by the member or the candidate.

(2) When any expense that may be reimbursed under division (A), (C), or (E) of this section is part of other expenses that may not be paid or reimbursed, the separation of the two types of expenses for the purpose of allocating for payment or reimbursement those expenses that may be paid or reimbursed may be by any reasonable accounting method, considering all of the surrounding circumstances.

(3) For purposes of divisions (A), (C), and (E) of this section, mileage allowance at a rate not greater than that allowed by the Internal Revenue Service at the time the travel occurs may be paid instead of reimbursement for actual travel expenses allowable.

(G) The Joint Legislative Ethics Committee shall report violations of this section to the Elections Commission pursuant to division (E)(1) of Section 13 of this Code of Ethics.

SECTION 10. HONORARIA AND TESTIMONIALS

(A) No member of the General Assembly, employee of the General Assembly who is required to file a financial disclosure statement under section 102.02 of the Revised Code, or employee of any legislative agency who is required to file a financial disclosure statement under section 102.02 of the

Revised Code shall solicit or accept an honorarium. This division and divisions (A), (B), and (C) of Section 7 of this Code of Ethics do not prohibit a member or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the member or employee at a meeting at which the member or employee participates in a panel, seminar, or speaking engagement or provided to the member or employee at a meeting or convention of a national organization to which either house of the General Assembly, or any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. This division and divisions (A), (B), and (C) of Section 7 of this Code of Ethics do not prohibit an employee of the General Assembly or employee of any legislative agency who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the employee that exist apart from the employee's public employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of such person or entities, that is regulated by, doing business with, or seeking to do business with the General Assembly or any legislative agency.

(B) No member of the General Assembly shall conduct a public or private fund raising event that seeks to provide money for the member's personal use.

(C) As used in this section, "honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the member or employee conducting that business was elected or appointed to the member's or employee's office or position of employment.

SECTION 11. IMPROPER INDUCEMENT

If any person attempts to induce a member or employee of or candidate for the General Assembly or employee of any legislative agency to violate any provision of this Code of Ethics, the member, employee, or candidate shall report the matter to the Joint Legislative Ethics Committee.

SECTION 12. ADVISORY BODY

(A) The Joint Legislative Ethics Committee may recommend legislation

relating to ethics, conflicts of interest, and financial disclosure and, upon a vote of a majority of its members, may render advisory opinions with regard to questions concerning these matters for members and employees of and candidates for the General Assembly and for employees of any legislative agency.

(B) When the Joint Legislative Ethics Committee renders an advisory opinion that has been publicly sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from the person's office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states that there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. The committee shall include in every advisory opinion it renders a statement as to whether the set of circumstances described in the advisory opinion constitutes a violation of section 2921.42 or 2921.43 of the Revised Code. When the Joint Legislative Ethics Committee renders an opinion that has been publicly sought, the advisory opinion is a public record available under section 149.43 of the Revised Code.

(C) When the Joint Legislative Ethics Committee renders a written opinion that has been privately sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the written opinion does not have the legal effect of an advisory opinion issued under division (B) of this section. When the Joint Legislative Ethics Committee renders a written opinion that has been privately sought, the written opinion is not a public record available under section 149.43 of the Revised Code.

The person to whom a written opinion is issued under this division may request the committee to issue the written opinion as an advisory opinion. The person may make the request at any time within thirty days after the written opinion is issued and prior to committing any proposed action discussed in the written opinion. Upon receiving a timely request and with the approval of a majority of the members of the committee, the committee may issue the written opinion as an advisory opinion. If the committee issues the written opinion as an advisory opinion, the advisory opinion has the same legal effect as an advisory opinion issued under division (B) of this section and is a public record available under section 149.43 of the Revised Code. If the person commits any proposed action discussed in the written opinion before the committee issues the written opinion as an advisory opinion, the advisory opinion grants no immunity to the person regarding any action that is discussed in the written opinion and that the person commits before the committee issues the written opinion as an advisory opinion.

(D) The Joint Legislative Ethics Committee shall issue an advisory opinion under division (B) of this section or a written opinion under division (C) of this section, whether it is publicly or privately sought, only at a meeting of the committee and only with the approval of a majority of the members of the committee.

(E) All requests for an opinion shall be submitted in writing by the member or employee of or candidate for the General Assembly or employee of any legislative agency who desires the opinion and shall state in the request whether the opinion is being publicly or privately sought. If the request fails to state whether the opinion is being publicly or privately sought, the committee shall consider the opinion to be privately sought. The committee shall issue in writing all advisory opinions that have been publicly sought, appropriately number them, and make them available for public inspection. The Joint Legislative Ethics Committee shall conduct all of its proceedings surrounding the rendering of an opinion so as to protect the confidentiality of those named in the request for the opinion.

SECTION 13. CONSIDERATION AND HEARING OF COMPLAINTS

(A)(1) The Joint Legislative Ethics Committee shall receive, and may initiate, complaints concerning breach of privilege and complaints against members and employees of and candidates for the General Assembly and employees of any legislative agency concerning conduct alleged to be misconduct, a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, this Code of Ethics, or the House or Senate rules. All complaints except those by the committee shall be by affidavit made on personal knowledge, subject to the penalties of perjury. A complaint by the committee shall be by affidavit, based upon facts that constitute reasonable cause to believe that a breach of privilege, misconduct, or a violation of the House or Senate rules, this Code of Ethics, or Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, has occurred. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

At the first meeting of the committee in each calendar year, the chairperson of the committee for that year shall appoint an investigation subcommittee. The subcommittee shall consist of the chairperson of the committee for that year and a member of the committee who is a member of the chamber and political party of which the chairperson is not a member. This subcommittee shall have the authority to issue subpoenas regarding complaints referred to it and approve depositions by the Office of the Legislative Inspector General.

(2) A complaint other than a complaint by the committee shall be filed with the executive director of the Office of the Legislative Inspector General of the Joint Legislative Ethics Committee. Upon receiving the complaint, the executive director or the executive director's designee shall gather, if necessary, preliminary facts surrounding the complaint for presentation to the chairperson or committee. Thereafter, the executive director shall seal the complaint and

deliver it to the chairperson of the Joint Legislative Ethics Committee. A complaint by the committee shall be drafted by the legal counsel of the Office of the Legislative Inspector General, and, if at least eight members of the committee approve the draft complaint, the draft complaint shall be a complaint by the committee and shall be filed with the Office of the Legislative Inspector General and delivered to the chairperson of the committee.

Within fourteen days after the filing of a complaint by a complainant, the chairperson shall notify the complainant that the complaint has been filed with the committee, that all further proceedings of the committee are confidential, that the committee is required to dismiss the complaint if it is not disposed of within six months after the complaint is filed, and that, if a report dealing with the complaint has not been published in the House or Senate Journal, as appropriate, within that time, the complaint has been dismissed because no violation was found to have been committed by the accused person. Within fourteen days after the filing of any complaint, the chairperson shall deliver a copy of the complaint to the accused person and shall notify the accused person that the accused person may file, within twenty days after receiving the copy, a written response to the complaint with the executive director of the Office of the Legislative Inspector General and, if desired, may file in addition to the written response a request to appear personally before the committee to answer to the complaint. The executive director immediately shall seal the written response to the complaint, the request, or both and deliver the written response, the request, or both to the chairperson.

Within forty-five days after the filing of any complaint and at least twenty days after the chairperson has delivered a copy of the complaint to the accused person, the chairperson shall convene a meeting of the committee regarding the complaint. If at least eight members of the committee find that the complaint before the committee is not frivolous and that the facts alleged constitute on their face a breach of privilege, misconduct, a violation of this Code of Ethics or the House or Senate Rules, or a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the committee shall refer the complaint to the Office of the Legislative Inspector General for further investigation and may delegate to the investigation subcommittee appointed pursuant to division (A)(1) of this section the authority to issue subpoenas regarding a given complaint or other matter. The chairperson of the committee shall notify the accused of the referral. Unless eight members of the committee find that the complaint before the committee alleges facts that, on their face, constitute a breach of privilege, misconduct, a violation of this Code of Ethics or the House or Senate Rules, or a violation of Chapter 102. or sections 2921.42 or 2921.43 of the Revised Code, the committee shall dismiss the complaint.

(B) The Office of the Legislative Inspector General shall investigate each complaint referred to it by the committee and shall investigate any other matters as directed by the committee. The Office of the Legislative Inspector General may request further information from the complainant, any person presenting charges to the committee, the accused person if the information sought is directly

relevant to a complaint or charges received by the committee pursuant to this section, and any other person it believes may have information pertaining to the complaint or other matter referred for investigation to the Office of the Legislative Inspector General. It may request the committee to issue a subpoena to obtain any necessary information. Upon the approval of the investigation subcommittee appointed pursuant to division (A)(1) of this section, the Office of the Legislative Inspector General may depose any person. Any person interviewed or deposed by the Office of the Legislative Inspector General may be represented by an attorney. The substance of any request for further information and the information provided pursuant to any request are confidential. Except as otherwise provided in this section, the person from whom information is requested shall not divulge the substance of the committee's request to any person other than the person's attorney and shall not divulge the information provided in response to the request to any person other than the person's attorney and any person necessary to prepare the information for delivery to the committee. Except as otherwise provided in this section, no attorney or person who prepares information for delivery to the committee shall divulge the substance of the committee's request or the information provided in response to the request.

Upon the completion of an investigation based on a complaint referred to the Office of the Legislative Inspector General, the executive director, or the executive director's designee, shall present to the committee the executive director's or designee's preliminary findings with respect to the facts and evidence gathered regarding the complaint. Upon receiving the preliminary findings, the committee, upon a vote of at least eight members of the committee, may refer the complaint back to the Office of the Legislative Inspector General for further investigation, hold a hearing pursuant to divisions (D) and (G) of this section, order remedial action pursuant to division (D) of this section, or dismiss the complaint.

Upon the completion of an investigation of any other matter referred to the Office of the Legislative Inspector General, the executive director or the executive director's designee shall present to the committee the executive director's or designee's preliminary findings with respect to the facts and evidence gathered regarding the matter referred. Upon receiving the preliminary findings, the committee, upon a vote of at least eight members of the committee, may refer the matter back to the Office of the Legislative Inspector General for further investigation, request that a complaint be drafted by the legal counsel of the Office of the Legislative Inspector General, terminate the investigation, or hold a hearing pursuant to division ~~(D)~~ (E) of this section.

Before the fifth day of each month, the executive director of the Office of the Legislative Inspector General shall make a report, in writing, to the committee regarding the status of any ongoing investigation that the committee referred to the Office of the Legislative Inspector General.

(C) Before the committee takes any formal action against a person who is

the subject of an investigation based upon a complaint filed with the committee, the committee shall consider the complaint.

(D) The committee may defer action on a complaint against members and employees of and candidates for the General Assembly and employees of any legislative agency when the complaint alleges conduct that at least eight members of the committee find reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when at least eight members of the committee determine that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(E)(1) If, in any case in which a complaint is filed with the committee, at least eight members of the committee find that the complaint is not frivolous and there is reasonable cause to believe that the facts alleged in the complaint constitute a breach of privilege, misconduct, or a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, this Code of Ethics, or the House or Senate Rules, the committee shall hold a hearing. At the hearing, the legal counsel of the Office of the Legislative Inspector General shall present to the committee the case against the accused person, introduce evidence, call witnesses, and cross-examine witnesses. The chairperson of the committee shall make all rulings regarding procedure and the admissibility of evidence. The hearing and all related proceedings of the committee are absolutely confidential as provided under this Code of Ethics and section 102.06 of the Revised Code. No member or employee of the committee, person who staffs or otherwise serves the committee, witness, or other person shall divulge any information about the hearing or related proceedings, except that a witness and the complainant may consult with an attorney before and after the hearing and any related proceeding, any witness may be represented by an attorney while the witness is being examined or cross-examined, the accused person may be represented by an attorney at all stages of the proceedings, and the attorney of the accused person may attend all hearings and related proceedings of the committee.

(2) If, in any case in which a complaint is filed with the committee, at least eight members of the committee find that the complaint is frivolous or that there is no reasonable cause to believe that the charge or complaint constitutes a breach of privilege, misconduct, or a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, this Code of Ethics, or the House or Senate Rules, the committee shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. If the committee so dismisses the complaint, the committee shall not issue a report of its findings unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report in accordance with division (F)(2) of this section.

(3) If, in any case in which a complaint is filed with the committee, the committee finds by unanimous concurrence of its membership that there is reasonable cause to believe that the charges presented constitute a breach of privilege, misconduct, or a violation of this Code of Ethics or the House or

Senate Rules but do not constitute a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code and also finds by unanimous concurrence of its membership that the breach of privilege, misconduct, or violation was in good faith and without wrongful intent and the person has taken or will take suitable remedial action, it may order the person to take any further remedial action it considers necessary and, upon satisfaction that any order it makes is complied with, terminate the investigation, with the concurrence of the accused person. If an investigation is so terminated, the committee shall not issue a report of its findings unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report in accordance with division (F)(2) of this section. If the accused person fails to comply with an order of the committee, the committee, upon concurrence of at least eight of its members, shall proceed with the original complaint filed against the person.

(F)(1) If, upon the basis of the hearing, at least eight members of the committee find, based upon a preponderance of the evidence, that the facts alleged in the complaint are true and constitute a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the committee, upon concurrence of at least eight of its members, shall order the Office of the Legislative Inspector General to prepare a report of the committee's findings to the appropriate prosecuting authority or other appropriate body for proceedings in prosecution of the violations and, in accordance with division (F)(1) of this section, issue a report to the General Assembly recommending reprimand, censure, expulsion, or other sanction the committee considers appropriate. Upon acceptance by at least eight members of the committee of the report to the appropriate prosecuting authority or other appropriate body, the committee shall report its findings to the appropriate prosecuting authority, the Elections Commission, or other appropriate body. This report is the investigative report described in division (E) of section 101.34 of the Revised Code and shall contain any findings of fact and conclusions of law made by the committee. This report shall not contain any papers, records, affidavits, or documents upon any complaint, inquiry, or investigation relating to the proceedings of the committee. If at least eight members of the committee find, based upon a preponderance of the evidence, that the facts alleged in the complaint are true and constitute a violation of division (B) of section 102.031 of the Revised Code, the committee may impose a fine of not more than one thousand dollars upon the member.

(2) If, upon the basis of the hearing, at least eight members of the committee find, based upon a preponderance of the evidence, that a breach of privilege has been committed or that a member or employee of or candidate for the General Assembly or employee of any legislative agency has violated a provision of this Code of Ethics or the House or Senate Rules that is not a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, or has committed misconduct, the committee, upon concurrence of at least eight of its members and in accordance with division (F)(1) of this section, may issue a report recommending reprimand, censure, expulsion, or other sanction the committee considers appropriate or, upon a finding by unanimous concurrence

of its membership that the breach of privilege, misconduct, or violation was in good faith and without wrongful intent and the person has taken or will take suitable remedial action, may order the person to take any further remedial action it considers necessary and, upon satisfaction that any order it makes is complied with, dismiss the complaint without issuing a report of its findings, unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report in accordance with division (F)(2) of this section. If the person fails to comply with an order of the committee, the committee, upon concurrence of eight of its members, shall recommend some sanction.

(3) If, upon the basis of the hearing, at least eight members of the committee do not find, based upon a preponderance of the evidence, that the facts alleged in a complaint constitute a breach of privilege, misconduct, or a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, this Code of Ethics, or the House or Senate Rules, the committee shall dismiss the complaint. The complaint shall also be dismissed if the committee has not conducted a hearing within ninety days after the complaint is filed with the committee, or if the committee has not finally disposed of the complaint within six months after the complaint is filed with the committee. The committee shall notify the accused person in writing of the dismissal of the complaint. The committee shall not issue a report of its findings unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report in accordance with division (F)(2) of this section. If the committee issues the report, all evidence and the record of the hearing shall remain confidential unless the accused person also requests that the evidence and record be made public. Upon request by the accused person, the committee shall make the evidence and the record available for public inspection.

(G)(1) Any report of the committee that is issued pursuant to division (E)(1) of this section and contains a finding that the facts in the complaint are true and constitute a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, or that is issued pursuant to division (E)(2) of this section and contains a finding that a breach of privilege, misconduct, or violation of this Code of Ethics or the House or Senate Rules has occurred and recommends reprimand, censure, expulsion, or another appropriate sanction, shall be entered in the House Journal and the Senate Journal. The House of Representatives and the Senate shall vote on approval of any report entered in the House or Senate Journal in accordance with this division. Concurrence of two-thirds of the members of both the House and the Senate shall be necessary for approval of the report, and, upon approval, any recommended sanction shall be imposed immediately.

(2) If the investigation of the committee results in a finding that a complaint that is filed is frivolous or that no misconduct, breach of privilege, or violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, this Code of Ethics, or the House or Senate Rules has been committed or if the committee terminates an investigation or dismisses a complaint pursuant to

division (E)(2) or (3) of this section, the committee shall not issue a report of its findings unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report and publish it in the House Journal, if the accused person is a member or employee of, or candidate for, the House of Representatives, or the Senate Journal, if the accused person is a member or employee of, or candidate for, the Senate or an employee of any legislative agency. A report published in the House or Senate Journal under division (F)(2) of this section does not require a vote by the House or Senate.

(H) A person against whom a complaint is filed shall be given by certified mail, return receipt requested, or by personal service reasonable notice of the date, time, and place of the hearing and a statement of the charges and the law or provision directly involved, and shall be granted the following rights: to be represented by counsel, to have counsel appointed for the person if the person is unable to afford counsel without undue hardship, to examine the evidence against the person, to have access to all information relative to the complaint that is in the possession or knowledge of the committee or the Office of the Legislative Inspector General, to produce evidence and to call and subpoena witnesses in the person's defense, to confront the person's accusers, to cross-examine witnesses, to have a stenographic record made of the hearing, to have the hearing follow the rules of evidence applicable to the courts of this state, and to have the hearing closed to the public. A person, with the approval of the committee, may waive any or all of such rights by executing a written waiver and filing it with the committee.

(I) The chairperson of the committee and the executive director and chief legal counsel of the Office of the Legislative Inspector General may administer oaths, and the committee or the investigation subcommittee appointed pursuant to division (A)(1) of this section may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and records. The committee or the investigation subcommittee shall issue subpoenas to compel the attendance of witnesses and the production of documents upon the request of an accused person. Section 101.42 of the Revised Code shall govern the issuance of such subpoenas insofar as applicable. Upon the refusal of any person to obey a subpoena, be sworn, or answer as a witness, the committee or the investigation subcommittee may apply to the Court of Common Pleas of Franklin County under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705. of the Revised Code. The committee, the Office of the Legislative Inspector General, or the accused person may take the depositions of witnesses residing within or without the state in the same manner as prescribed by law for the taking of depositions in civil actions in the court of common pleas.

(J)(1) All complaints, papers, records, affidavits, and documents upon any complaint, inquiry, or investigation relating to the proceedings of the committee shall be sealed and are private and confidential, except as otherwise provided in this section. The substance of any charges received by the committee and of any request made by the committee for further information, any

information received by the committee, all testimony and other evidence presented during a hearing, and all committee discussions are private and confidential, except as otherwise provided in this section. No person serving on or employed in the service of the committee, or employee of the Office of the Legislative Inspector General who staffs or otherwise assists the committee or the Office of the Legislative Inspector General employee who staffs the committee shall divulge any of the following:

(a) Any matter concerning a complaint after it is filed with the executive director of the Office of the Legislative Inspector General;

(b) In the case of complaints initiated by the committee, any matter concerning a complaint after the matter is under investigation by the committee, whether before or after a complaint is filed;

(c) Any other information that is made private and confidential by this section.

(2) The requirement of confidentiality set forth in division (I)(1) of this section includes without limitation divulging any matter to members or employees of the House or Senate or employees of any legislative agency who are not members of or assigned to the committee or to any employees of the Office of the Legislative Inspector General who are not assigned to staff the committee or do not assist any Office of the Legislative Inspector General employee assigned to staff the committee, but does not prevent any of the following:

(a) The issuance of a final report by the committee or any commentary upon the contents of the final report;

(b) Discussion of any complaint, request for an advisory opinion, charges presented to the committee, information related to a complaint, to an advisory opinion request, or to charges presented to the committee, proceedings of the committee, or other papers, records, affidavits, documents, or proceedings that are made private and confidential by this section between the members of the committee and any of the following:

(i) Any employees or staff of the committee;

(ii) Any employees of the General Assembly assigned to serve the committee, and any employee who serves as legal counsel for a caucus of the General Assembly;

(iii) Any employees of the Office of the Legislative Inspector General assigned to staff the committee;

(iv) Any other persons employed by or assigned to serve the committee.

(c) The preparation of any documents necessary for the operation of the committee by employees of the General Assembly assigned to the committee chairperson, employees of the General Assembly assigned to staff the committee, or employees of the Office of the Legislative Inspector General who

assist the Office of the Legislative Inspector General employee assigned to staff the committee, except that any confidentiality requirements of this section applicable to the members of the committee shall apply to the employees of the General Assembly, committee, or Office of the Legislative Inspector General who prepare those documents.

(K) If a complaint filed with the committee alleges a violation by a member of the committee, the member against whom the allegation is made shall not vote on the matter. The committee shall conduct no business concerning complaints unless a majority of its members are present.

(L) The committee shall deliver all notices and other documents by certified mail, return receipt requested, or by personal service.

(M) Within fourteen days after the final disposition of a complaint, either by dismissal or by referral to the appropriate prosecuting authority, the committee shall notify the complainant of the dismissal or referral by certified mail, return receipt requested, or by personal service.

SECTION 14. AMENDMENTS TO THE ETHICS CODE

The Joint Legislative Ethics Committee may recommend amendments to this Code of Ethics at any time by proposing to the General Assembly a concurrent resolution containing the desired amendments.

SECTION 15. DISTRIBUTION OF ETHICS CODE

Each member and employee of the General Assembly and each employee of any legislative agency shall be given a copy of this Code of Ethics within ten days after its adoption.

SECTION 16. APPLICATION TO ~~127th~~ 128th GENERAL ASSEMBLY

The Code of Ethics for the ~~126th~~ 127th General Assembly shall be effective until the ~~127th~~ 128th General Assembly adopts the Code of Ethics for the ~~127th~~ 128th General Assembly.

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Bacon	Barrett	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger

Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
			Husted-97.

The concurrent resolution was adopted.

Representative DeWine moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 13-Speaker Husted, Representative Beatty.

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay members whose mileage was not paid for the last quarter of the second year of the 126th General Assembly; and be it further

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following members travel allowance based upon their round trip mileage as set opposite their names and district numbers:

Member's Name	District Number	Round Trip Mileage
John Adams	78	178.4
Jim Aslanides	94	157.4
Kevin Bacon	21	N/A
Matthew Barrett	58	254
William G. Batchelder	69	233
Joyce Beatty	27	N/A
Louis W. Blessing, Jr.	29	228
Linda S. Bolon	01	356

Todd Book	89	184
Barbara Boyd	09	306
Jennifer Brady	16	314
Tom Brinkman, Jr.	34	205
Edna Brown	48	306.8
Danny R. Bulp	88	220
Armond Budish	08	290
Kenneth Carano	59	350
Jim Carmichael	03	198
Ted Celeste	24	N/A
Kathleen Chandler	68	282
Bill Coley	55	205.4
Thom Collier	90	108
Courtney Eric Combs	54	220
Tony Core	83	120
David T. Daniels	86	134
Michael DeBose	12	304
Timothy J. DeGeeter	15	274.6
Kevin DeWine	70	130
L. George Distel	99	430
Dan Dodd	91	68.22
Matthew J. Dolan	98	306
John Domenick	95	295
Steve Driehaus	31	224
Stephen Dyer	43	262
Clyde Evans	87	185
Lorraine M. Fende	62	320.9
Diana M. Fessler	79	130
Mike Foley	14	262
Larry L. Flowers	19	N/A
Jennifer D. Garrison	93	250
Bob Gibbs	97	176
Bruce W. Goodwin	74	283
Jay P. Goyal	73	128
John P. Hagan	50	287
Robert F. Hagan	60	350
Sandra Stabile Harwood	65	352
William J. Healy, II	52	280
Tracy Maxwell Heard	26	N/A
Cliff Hite	76	212
Jay Hottinger	71	82
Matt Huffman	04	180
Jim Hughes	22	N/A
Jon A. Husted	37	172
Shannon Jones	67	166
Joseph F. Koziura	56	246
Robert E. Latta	06	251.4
Tom Letson	64	340
Clayton R. Luckie	39	172
Matt Lundy	57	254
Dale Mallory	32	220
Josh Mandel	17	292.18
Jim McGregor	20	N/A
Ross W. McGregor	72	90
Eugene R. Miller	10	151.56
Scott Oelslager	51	264
Mark D. Okey	61	286
Robert J. Otterman	45	250
Thomas F. Patton	18	253
Jon Peterson	02	62
Jim Raussen	28	199
Chris Redfern	80	253.1

Steve Reinhard	82	126
Allan R. Sayre	96	244
Carol-Ann Schindel	63	345.62
John M. Schlichter	85	110
Michelle Schneider	35	196
Bill Seitz	30	231
Arlene J. Setzer	36	146
Michael J. Skindell	13	272
Gerald L. Stibelton	05	62
Dan Stewart	25	N/A
Jimmy Stewart	92	177.8
Fred Strahorn	40	165
Vernon Sykes	44	250
Matt Szollosi	49	290
Joe Uecker	66	196
Peter S. Ujvagi	47	296
Lynn Wachtmann	75	295.6
Jeff Wagner	81	160
Mark Wagoner	46	288
Shawn N. Webster	53	214
John J. White	38	153
Chris Widener	84	103
John Widowfield	42	266
Brian G. Williams	41	248
Sandra Williams	11	318
Larry Wolpert	23	N/A
Tyrone K. Yates	33	208
Kenny Yuko	07	300
Jim Zehringer	77	121.5

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stibelton	Stewart D.	Stewart J.	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-97.

The resolution was adopted.

Representative DeWine moved that the following concurrent resolution be read by title only and brought up for immediate adoption:

H. C. R. No. 6-Speaker Husted, Representative Beatty.

Authorizing a joint convention of the Ohio General Assembly for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

The motion was agreed to without objection.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-97.

The concurrent resolution was adopted.

Representative DeWine moved that the following concurrent resolution be read by title only and brought up for immediate adoption:

H. C. R. No. 7-Speaker Husted, Representative Beatty.

Authorizing a joint convention of the Ohio General Assembly for the purpose of receiving a message from the Chief Justice and calling for a

committee to wait upon the Chief Justice in anticipation of his State of the Judiciary Address.

The motion was agreed to without objection.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Bubp	Budish	Carano	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-97.

The concurrent resolution was adopted.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, 30, the Speaker hereby appoints Representative Zehringer to the following House standing committees:

Agriculture and Natural Resources;

Economic Development and Environment, vice chair;

Financial Institutions, Real Estate and Securities;

Insurance.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 101.35, the Speaker hereby makes the following changes to the Joint Committee on Agency Rule Review:

Remove Representatives Peterson and Widener; appoint Representatives R. McGregor (chair) and Batchelder.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Administrative Code section 4501:3-02 and Ohio Revised Code sections 5502.22 and 5502.25, the Speaker hereby appoints Representative Wagner to the Ohio Drought Executive Committee.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code sections 3301.48, Article III(A), and 3301.49, the Speaker hereby appoints Representative Setzer to the Education Commission of the States.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3319.60(A)(6), the Speaker hereby appoints Representative Setzer to the Educator Standards Board.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3745.21(A), the Speaker hereby appoints Representative Collier to the Environmental Education Council.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 901.13(A), the Speaker hereby appoints Representative Reinhard to the Ethanol Incentive Board.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 107.12 (D), the Speaker hereby appoints the following members to the Governor's Advisory Board of Faith-Based and Community Initiatives:

Representatives White and Yates.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3109.401(C), the Speaker hereby appoints Representative Hughes to the Task Force on Family Law and Children.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 2953.08(I)(1), the Speaker hereby appoints Representative Huffman to the Felony Sentence Appeal Cost Oversight Committee.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 4501.025, the Speaker hereby

appoints Representative Schlichter to the Citizens Advisory Committee.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 121.40 (A), the Speaker hereby appoints Representative Setzer to the Ohio Community Service Council.

MESSAGE FROM THE SPEAKER

Pursuant to Section 3 (B)(3)(4) of H.B. 474, 124th General Assembly, the Speaker hereby appoints the following members to the Compassionate Care Task Force:

Representatives Schindel and Fessler.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code sections 122.40 and 121.22(E), the Speaker hereby appoints Representative Widener to the Development Financing Advisory Council.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code sections 6161.01, Article IV(A), and 6161.02, the Speaker hereby appoints Representative Dolan to the Great Lakes Commission and Great Lakes Basin Compact.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 41.35(A)(3), the Speaker hereby appoints the following members to the Head Start Partnership Study Council:

Representatives Wagoner and J. Stewart.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code sections 3924.07(A) and 3924.08(A)(2), the Speaker hereby appoints Representative Batchelder to the Ohio Health Reinsurance Program.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3701.92(A)(2), the Speaker hereby appoints Representative Wachtmann to the Ohio Hepatitis C Advisory Council.

On motion of Representative DeWine, the House adjourned until Wednesday, February 21, 2007, 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.