

As Introduced

**128th General Assembly
Regular Session
2009-2010**

S. C. R. No. 3

Senator Niehaus

CONCURRENT RESOLUTION

To adopt Joint Rules of the Senate and House of 1
Representatives for the 128th General Assembly. 2

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):

RESOLVED: That the following are the Joint Rules of the 3
Senate and House of Representatives for the 128th General 4
Assembly: 5

JOINT RULES 6
JOINT SESSIONS 7

Rule 1. (Convention: place and procedure.) Whenever the two 8
branches of the General Assembly convene for any purpose required 9
by the Constitution or laws of the state, such convention shall be 10
held in the Hall of the House of Representatives, unless otherwise 11
ordered by a joint resolution of the two branches, and the 12
President of the Senate shall preside. During all such conventions 13
each branch shall be held to be in session as a separate branch of 14
the General Assembly and to be governed by its own rules; and 15
except in voting on questions unique to the convention, where each 16
member is entitled to a separate vote, shall act as such and no 17
question shall be considered as carried otherwise than by the 18
concurrent action of both branches; provided, that either branch 19
may, by a vote of a majority of all its members, dissolve from 20
such convention by withdrawing therefrom; and such convention may, 21

by the concurrent vote of the two branches, take a recess or 22
adjourn to a time certain, but such recess or adjournment of the 23
convention shall not be held to be an adjournment or recess of 24
either branch nor to prevent either from proceeding with its usual 25
business during such recess or adjournment of the convention. 26
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Rule 2. (Voting in convention.) In voting on all questions 28
unique to a convention, a majority of the votes cast shall be 29
necessary to a choice. 30

JOINT SELECT COMMITTEES 31

Rule 3. (Joint select committees: creation.) The President 32
may initiate creation of a joint select committee of the Senate 33
and House for the purpose of considering a Senate bill or a Senate 34
joint or concurrent resolution. The Speaker may initiate creation 35
of a joint select committee of the Senate and House for the 36
purpose of considering a House bill or a House joint or concurrent 37
resolution. A bill or joint or concurrent resolution shall not be 38
referred to a joint select committee if its main feature is the 39
appropriation of money or a proposal to alter or modify the 40
state's existing tax structure. 41

To initiate creation of a joint select committee, the 42
President shall cause to be read before the Senate or the Speaker 43
shall cause to be read before the House a message creating the 44
joint select committee. After the message is read, it shall lie 45
over one calendar day before it is voted upon. If the message is 46
approved, it shall be transmitted to the second house. Upon 47
receipt, the President or Speaker shall cause the message to be 48
read before the second house. After the message is read in the 49
second house, it shall lie over one calendar day before it is 50
voted upon. If the message is approved in the second house, the 51
joint select committee thereupon is created as specified in the 52
message. The second house shall notify the first of its 53

disposition of the message. The message shall be spread in full 54
upon the Senate and House Journals. 55

The message is not amendable and shall be voted upon as a 56
whole. Either house, by vote of a majority of the members elected 57
thereto, may suspend the requirement that the message lie over one 58
calendar day before it is voted upon in that house. 59

The message shall be provided to each member of the Senate 60
and House at the time it is read therein. 61

The message shall specify the name of the joint select 62
committee, the equal number of members the joint select committee 63
is to have from each house, the number of members of the majority 64
party and the number of members of the minority party the joint 65
select committee is to have from each house, the purpose the joint 66
select committee is to fulfill, and any special rules with respect 67
to submission of its report. The bill or joint or concurrent 68
resolution shall be attached to the message. 69

Reading of the message in the first house constitutes second 70
consideration of the bill in that house; the reading of the 71
message and second consideration of the bill shall be recorded in 72
the journal of the first house. Reading of the message in the 73
second house constitutes first consideration of the bill in that 74
house; the reading of the message and first consideration of the 75
bill shall be recorded in the journal of the second house. 76

Rule 4. (Joint select committees: members and officers.) A 77
joint select committee shall have an equal number of members from 78
the Senate and House. The President shall appoint, and may remove 79
and replace, the Senate members of a joint select committee. The 80
Senate Minority Leader, in a manner to be determined by the Senate 81
Minority Caucus, may recommend Senate minority party members for a 82
joint select committee. The Speaker shall appoint, and may remove 83
and replace, the House members of a joint select committee. The 84

House Minority Leader, in a manner to be determined by the House 85
Minority Caucus, may recommend House minority party members for a 86
joint select committee. The President and Speaker shall appoint 87
members from their respective houses as necessary to fill 88
vacancies on a joint select committee. The appointment or removal 89
of a member of a joint select committee shall be entered upon the 90
journal of the house from which the member is appointed. 91

If a joint select committee is created to consider a Senate 92
bill or joint or concurrent resolution referred by the Senate, the 93
first-named Senate member is chairman and the first-named House 94
member is vice-chairman of the joint select committee. If a joint 95
select committee is created to consider a House bill or joint or 96
concurrent resolution referred by the House, the first-named House 97
member is chairman and the first-named Senate member is 98
vice-chairman of the joint select committee. 99

In the absence of the chairman of a joint select committee, 100
the vice-chairman of the joint select committee has the duties and 101
authority of the chairman. 102

Rule 5. (Joint select committees: consideration and report 103
by.) A joint select committee shall study and conduct hearings 104
with respect to, and may amend or substitute, the bill or joint or 105
concurrent resolution. The joint select committee may report the 106
bill or joint or concurrent resolution. Bills or joint or 107
concurrent resolutions that are reported shall be filed in 108
sextuplicate with the clerk of the house where the bill or joint 109
or concurrent resolution originated. The original bill or joint or 110
concurrent resolution shall accompany the report. The joint select 111
committee shall indicate in the report the members who voted "yes" 112
and "no" on the report. 113

The report shall be presented to the house where the bill or 114
joint or concurrent resolution originated and shall be spread upon 115
the journal. 116

If a bill reported by a joint select committee passes the 117
house of origin, its subsequent introduction in the second house 118
constitutes second consideration of the bill in that house. The 119
introduction and second consideration of the bill shall be 120
recorded in the journal of the second house. 121

A bill or joint or concurrent resolution reported by a joint 122
select committee is not required to be referred to a Senate or 123
House standing or select committee or subcommittee. 124

Rule 6. (Joint select committees: quorum; voting.) A majority 125
of the Senate members and a majority of the House members of a 126
joint select committee is a quorum. Each member of a joint select 127
committee has one vote. A joint select committee may not take any 128
action unless the action is agreed to by a majority of its members 129
on the part of the Senate and by a majority of its members on the 130
part of the House. However, except for reporting a bill or joint 131
or concurrent resolution with a recommendation that it be 132
indefinitely postponed or passed or adopted, a joint select 133
committee, by vote of a majority of its members on the part of the 134
Senate and a majority of its members on the part of the House, may 135
choose to take any action upon agreement, not of separate 136
majorities, but of a majority of all the members of the whole 137
joint select committee. 138

A proxy vote in a joint select committee is invalid. A member 139
of a joint select committee who is present shall vote unless 140
excused by the joint select committee. A member of a joint select 141
committee is not entitled to vote except while actually present in 142
a meeting of the joint select committee, unless the member has 143
first actually been present in the meeting, and the vote is 144
continued for members who, before the vote, were actually present 145
in, but at the time of the vote are absent from, the meeting. 146
Continuation of a vote may not extend later than midnight of the 147
day on which the vote was continued. 148

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 181
notification and the bill or joint or concurrent resolution then 182
may be considered at the emergency meeting as the emergency 183
requires. 184

A joint select committee shall not meet during a session of 185
the Senate or House, except by special leave of that house. 186

Rule 9. (Joint select committees: records.) The chairman of a 187
joint select committee shall maintain a record of evidence that is 188
presented before, or obtained by, the joint select committee. 189

The joint select committee shall keep minutes of its 190
proceedings and at each meeting except the first shall approve the 191
minutes taken at the previous meeting, or, if the minutes require 192
correction, shall correct and approve the minutes. The joint 193
select committee shall maintain a record of its approved minutes, 194
and promptly after approval shall file a copy of its minutes with 195
the Clerk of the Senate and Clerk of the House. 196

When a joint select committee concludes its work, or upon 197
sine die adjournment of the house of which the joint select 198
committee's chairman is a member, the chairman shall deliver all 199
the joint select committee's records to the Clerk of the Senate if 200
the chairman is a member of the Senate or to the Clerk of the 201
House if the chairman is a member of the House. 202

VETOES 203

Rule 10. (Question when bill is vetoed.) When under Ohio 204
Constitution, Article II, Section 16, a message is transmitted to 205
the house of origin by the Governor, expressing disapproval of any 206
bill or item of an appropriation bill that has been passed by the 207
General Assembly, the house of origin may reconsider and repass 208
the bill or item. If the house of origin repasses the bill or 209
item, it shall send the bill or item, together with the message of 210
the Governor expressing disapproval, to the other house, which 211

then may reconsider and repass the bill or item. A vetoed bill or 212
item shall be repassed by not fewer than three-fifths of the 213
members elected to each house, and in no case by a fewer number of 214
votes than was constitutionally required upon its original 215
passage. The question upon reconsidering a vetoed bill in either 216
house shall be presented as follows: "Shall the bill (or item or 217
items of an appropriation bill) be passed notwithstanding the 218
objections of the Governor?" The vote shall be taken in either 219
house by calling the yeas and nays and shall be recorded in the 220
journal. 221

BILLS 222

Rule 11. (Form of bills introduced.) Bills introduced in 223
either house shall be printed, shall bear the name of the author, 224
and must in all respects, as to form, comply with the laws and the 225
rules of both houses of the General Assembly. 226

Rule 12. (Content of title of bills.) Bills shall have noted 227
in their titles a distinct reference to the subject or matter to 228
which they relate and also, if they propose the amendment or 229
repeal of any law, to the section proposed to be amended or 230
repealed. 231

Rule 13. (Printing of bills and resolutions.) Bills and joint 232
and concurrent resolutions, unless otherwise ordered by the house 233
in which they are introduced or offered, shall be printed and 234
available for distribution upon first consideration. 235

Rule 14. (Drafting of bills.) Bills shall be submitted for 236
introduction with all material double-spaced. The Legislative 237
Service Commission shall determine the size of the paper on which 238
bills shall be printed and the manner in which all new language 239
and punctuation to be amended or enacted into the Revised Code and 240
all language and punctuation to be eliminated from an existing 241
section of the Revised Code shall be formatted. 242

CONCURRENCE

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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.

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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.

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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

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pass the bill as an emergency measure. If such house refuses to 275
concur in the amendment to the bill or joint or concurrent 276
resolution, or if the house refuses to agree to the emergency 277
features of the bill, notice shall be forthwith sent to the other 278
house where the proceedings shall be either: 279

First, to insist upon its amendment and ask for a committee 280
of conference; 281

Second, to recede from its amendment, which has the effect of 282
passing the bill or adopting the joint or concurrent resolution in 283
the form in which it passed or was adopted by the house in which 284
it originated; or 285

Third, to adhere to its amendment, which precludes a 286
committee of conference. 287

COMMITTEE OF CONFERENCE 288

Rule 17. (Membership of committee; acceptance of report.) All 289
committees of conference are joint committees that shall consist 290
of three members of the Senate and three members of the House of 291
Representatives unless committee membership is otherwise specially 292
ordered by both houses. 293

If a committee of conference has under consideration a House 294
bill or joint or concurrent resolution, the first-named House 295
member shall be chair of the committee. If the committee has a 296
Senate bill or joint or concurrent resolution under consideration, 297
the first-named Senate member shall be chair. 298

A question in a committee of conference shall be decided by 299
at least a majority of the members on the part of the Senate and a 300
majority of the members on the part of the House. However, except 301
for the question of agreeing to the committee's report, the 302
committee, by vote of a majority of its members on the part of the 303
Senate and a majority of its members on the part of the House, may 304
choose to decide a question, not by separate majorities, but by a 305

majority of all the members of the whole committee. 306

Rule 18. (Procedure when the committee disagrees.) Whenever 307
any committee of conference cannot reach agreement, another 308
committee may be appointed; and if either of the two houses 309
disagrees to any report of a committee of conference, such house 310
shall forthwith notify the other house of such disagreement, and 311
upon request of that house another committee shall be appointed. 312

If the disagreeing house does not make such a request, the 313
committee of conference whose report was refused may proceed to 314
propose another report. 315

Rule 19. (What the report may include.) A committee of 316
conference appointed to consider matters of difference between the 317
two houses upon any bill or joint or concurrent resolution may 318
consider and include in its report any amendments pertinent to the 319
bill or joint or concurrent resolution, provided such amendments 320
relate exclusively to the original matters of difference between 321
the two houses. 322

Rule 20. (When the report of the committee is in order; 323
consideration.) The report of a committee of conference cannot be 324
laid on the table, referred to a committee, or indefinitely 325
postponed, and must be voted upon as a whole. 326

Conference committee reports shall lie over at least one day 327
after conference committee approval before the House or Senate may 328
consider them, unless otherwise ordered by a majority vote of all 329
the members present in that house. 330

Rule 21. (Where the papers are to be filed.) When a committee 331
of conference has met and come to an agreement, or where no 332
agreement is reached, the bill or joint or concurrent resolution 333
and papers adhering thereto shall remain in the house in which the 334
bill or joint or concurrent resolution originated. 335

Rule 22. (Vote required by each house.) The yeas and nays 336

shall be called upon agreeing to the report of the committee of 337
conference, and except as otherwise provided in this rule, no such 338
report shall be agreed to unless it receives the vote of a 339
majority of the members elected to each house. 340

In the case of emergency bills, or bills to which an 341
emergency clause was attached by the committee of conference, the 342
report shall receive two votes of two-thirds of the members 343
elected to each house. The question on the first such vote shall 344
be: "Shall the emergency clause of the bill stand as part of the 345
report?" The question on the second such vote shall be: "Shall the 346
report of the committee of conference be agreed to as an emergency 347
measure?" 348

In the case of joint resolutions proposing amendments to the 349
Ohio Constitution, the report shall receive the votes of not fewer 350
than three-fifths of the members elected to each house. The joint 351
resolution shall be spread in full upon the journal of each house. 352

When the question of agreeing to the report of a committee of 353
conference is taken up, no motions are in order except (1) a 354
motion to informally pass or (2) if a rule of the member's house 355
authorizes such a motion, a member's motion to add or remove the 356
member's name from the bill or joint or concurrent resolution. 357

MESSAGES 358

Rule 23. (By and to whom delivered.) All messages sent from 359
one house to the other shall be carried by an officer or employee 360
of the sending house, who shall take a receipt for the same from 361
the message clerk of the receiving house to whom the officer or 362
employee delivers the message. The message clerk shall deliver the 363
message without delay to the clerk of the receiving house and take 364
a receipt therefor from the receiving clerk or one of the 365
receiving clerk's assistants authorized by the receiving clerk to 366
receipt for messages. The receiving clerk shall deliver each 367
message to the presiding officer of the receiving house, who 368

shall, in the proper order of business, and within a reasonable 369
time, lay it before the house. 370

ENGROSSMENT OF BILLS AND RESOLUTIONS 371

Rule 24. (Manner of engrossment of bills and resolutions.) 372
All bills and resolutions, before they are passed or adopted by 373
either house, shall be carefully engrossed in printing, and the 374
engrossed copy shall be carefully compared with the original bill 375
or resolution and with the journal showing the amendments agreed 376
to. 377

Rule 25. (Printing.) When the Clerk of the Senate or Clerk of 378
the House is required to print a bill, resolution, report, or 379
other document belonging to or in the possession of the Senate or 380
House, the Clerk may use a method of printing as contemplated by 381
sections 101.51 to 101.524 of the Revised Code. 382

Rule 26. (Manner of engrossment when bill or resolution 383
amended by the other house.) When a bill or joint or concurrent 384
resolution has passed or been adopted in one house, and been 385
amended in the other, the bill or joint or concurrent resolution, 386
as amended, shall be fully engrossed, and both returned, with the 387
engrossed bill or joint or concurrent resolution received from the 388
other house, to the house in which it originated. In such 389
engrossments, amendments shall be engrossed in printing. Whenever 390
a bill or joint or concurrent resolution is passed or adopted in 391
one house and sent to the other and a substitute therefor is 392
agreed to by such house, in the communications between the houses, 393
such substitutes shall be designated and treated as an amendment 394
to the original bill or resolution. 395

SIGNING OF BILLS AND JOINT RESOLUTIONS 396

Rule 27. (Who shall sign bills and joint resolutions; 397
procedure when bill vetoed by Governor.) All bills and joint 398
resolutions that have passed or been adopted in both houses shall 399
be first signed by the presiding officer of the House of 400

Representatives, and then by the presiding officer of the Senate, 401
the latter delivering the same to the Clerk of the Senate, who 402
shall deliver each bill so passed to the Governor, taking a 403
receipt therefor, and each joint resolution to the Secretary of 404
State, taking a receipt therefor. When any bill is vetoed by the 405
Governor and subsequently enacted into law over such veto, in 406
accordance with Ohio Constitution, Article II, Section 16, the 407
enrolled copy shall be endorsed with the record of the proceedings 408
in each house subsequent to the veto attested by the presiding 409
officer of the House and the presiding officer of the Senate, and 410
the presiding officer of the second house shall file it with the 411
Secretary of State. 412

GENERAL PROCEDURE 413

Rule 28. (Floor privileges for the news media.) Whenever the 414
two branches of the General Assembly are convened in joint 415
convention, representatives of the press and representatives of 416
radio and television stations and broadcasting networks shall be 417
granted floor privileges in the same manner provided for by the 418
Rules of the House of Representatives. 419

Rule 29. (Letters and simple resolutions.) When a member of 420
the House of Representatives and a member of the Senate jointly 421
request on behalf of the House and Senate letters or simple 422
resolutions conveying messages of commendation, congratulation, 423
recognition, or condolence to persons or organizations named in 424
such request, the Speaker of the House shall sign on behalf of the 425
House and the President of the Senate shall sign on behalf of the 426
Senate. 427

The Clerk of the Senate or Clerk of the House shall arrange 428
for the transmittal of such message to persons or organizations 429
designated in the request and shall keep a record of the 430
distribution of such letters and resolutions, which record shall 431
be open for inspection by any member of the General Assembly. 432

Rule 30. (Suspension of Joint Rules.) Except as otherwise	433
explicitly provided in the Joint Rules, no joint rule may be	434
suspended or altered except by joint resolution adopted by	435
two-thirds vote of each house of the General Assembly.	436