

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. R. No. 17

Senator Faber

RESOLUTION

To amend Senate Rules 20, 21, 27, 35, 37, 40, 42, 53, 1
54, 55, 93, 96, 97, 108, and 110 to change 2
references to the Committee on Rules, and 3
references to the Committee on Reference, to apply 4
to the Committee on Rules and Reference. 5

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO:

That Senate Rules 20, 21, 27, 35, 37, 40, 42, 53, 54, 55, 93, 6
96, 97, 108, and 110 be amended to read as follows: 7

Rule 20. (Committee Chairperson; Expenses; Attendance of 8
Witnesses.) The President shall designate a chairperson and 9
vice-chairperson as well as a ranking minority member for each 10
committee. The Minority Leader of the Senate may recommend the 11
ranking minority member for each committee. In the absence of the 12
chairperson or vice-chairperson, the committee may designate a 13
chairperson. 14

The President may be substituted as a voting member of any 15
committee and the committee records shall reflect such fact and 16
the committee member for whom the President has been substituted. 17
The Minority Leader shall be an ex-officio nonvoting member of 18
each committee and the President may, at the Minority Leader's 19
request, substitute the Minority Leader as a voting member of any 20
committee and the committee records shall reflect such fact and 21
the committee member for whom the Minority Leader has been 22

substituted. 23

No committee or member thereof shall be permitted to incur 24
any expenses without first receiving the written consent of the 25
President or the Committee on Rules and Reference. Authorization 26
by the Committee on Rules and Reference shall be signed by the 27
Chairperson of the Committee on Rules and Reference. 28

When authorized by the President, the chairperson of a 29
standing committee of the Senate, with respect to any pending or 30
contemplated legislation, or with respect to any matter committed 31
to the standing committee, or the chairperson of a select 32
committee of the Senate, with respect to any matter committed to 33
the select committee, may issue a subpoena under sections 101.41 34
to 101.46 of the Revised Code, or may issue an order under section 35
101.81 of the Revised Code, to compel the attendance of witnesses 36
or the production of books, papers, or other tangible evidence. 37

Rule 21. (Committee Meetings, Called by, Rules, Record.) Each 38
committee shall meet upon the call of its chairperson, and in case 39
of the chairperson's absence, or refusal to call the committee 40
together, a meeting may be called by a majority of the members of 41
the committee. At least two days preceding the day bills or joint 42
resolutions to propose a constitutional amendment are to be given 43
a first hearing, the Clerk shall post in the Clerk's office the 44
schedule of such bills and joint resolutions in each standing 45
committee or subcommittee with the exception of the standing 46
Committee on Rules and Reference. In a case of necessity, the 47
notice of hearing may be given in a shorter period than two days 48
by such reasonable method as shall be prescribed by the Committee 49
on Rules and Reference. 50

Where applicable, the rules of the Senate apply to the 51
committee proceedings of the Senate. In addition, all committee 52
meetings shall be governed by section 101.15 of the Revised Code. 53
On any occasion when a majority or more of the members of a 54

standing committee, select committee, or subcommittee of a 55
standing or select committee of the Senate meet together for a 56
prearranged discussion of the public business of the committee or 57
subcommittee, the meeting shall be open to the public unless 58
closed in accordance with Ohio Constitution, Article II, Section 59
13. 60

Rule 27. (Records to be Kept.) Each committee shall keep 61
minutes of its proceedings, including a record of committee 62
attendance and the names of all persons who speak before the 63
committee, whether such persons are a proponent, opponent, or 64
other interested party on the issue on which they appear, the 65
names of the persons, firms, associations, or corporations in 66
whose behalf such persons appear, and such other matters as may be 67
directed by the Committee on Rules and Reference. A record of 68
motions and the votes thereon shall be kept by the committee. 69

Rule 35. (Bills, Second Consideration and Committee on Rules 70
and Reference, Public Hearing.) On the second reading of a bill, 71
the Committee on Rules and Reference shall, if no motion or order 72
be made to the contrary, refer the bill to the proper standing 73
committee in regular order. Further, no bill shall be reported for 74
a third reading and passage unless the same shall have been 75
considered at a meeting of the committee to which the same has 76
been referred. 77

All Senate bills and resolutions referred by the Committee on 78
Rules and Reference on or before the first day of April in an 79
even-numbered year shall be scheduled by the chairperson of the 80
committee to which the same has been referred for a minimum of one 81
public hearing. 82

Rule 37. (Recommitment of Bills.) At any time before its 83
passage, a bill or resolution may be recommitted or rereferred by 84
a majority vote of the Senate or the Committee on Rules and 85
Reference. 86

Rule 40. (Bills Placed on Calendar, When.) Unless the Senate 87
otherwise orders, all bills and resolutions reported by a 88
committee with a recommendation for passage or adoption shall be 89
placed on the calendar with an indication that the bills and 90
resolutions have been recommended for passage or adoption by the 91
designated committees. Bills and resolutions recommended by 92
designated committees may be arranged on the calendar under the 93
regular order of business by action of the Committee on Rules and 94
Reference, pursuant to Rule 96. 95

Rule 42. (Carried Over to Succeeding Day.) When a bill which 96
has been set for a third consideration on a particular day shall 97
for any reason not be reached on that day, it shall stand for 98
third consideration on the first succeeding day when bills for 99
third consideration shall be reached in the regular order of 100
business, except as may be otherwise provided by the Committee on 101
Rules and Reference. 102

Rule 53. (Resolutions, How Offered; Special Committees by.) 103
Resolutions may be offered by a senator in the senator's 104
individual capacity, or as a report of a committee in the regular 105
order of business, or at any time on leave of the Senate. Any 106
resolution proposing the creation of a special investigating 107
committee shall be, upon its introduction, automatically referred 108
to the Committee on Rules and Reference. This rule shall be 109
dispensed with only by a two-thirds vote of the Senate. 110

Rule 54. (Resolutions, When Considered.) Resolutions to be 111
introduced in the Senate shall be typewritten, shall be in 112
quadruplicate, shall bear the name of the author and co-authors, 113
if any, and shall be filed in the Clerk's office at least one hour 114
prior to the next convening session of the Senate. All resolutions 115
offered in the Senate shall be considered immediately by either 116
being adopted or referred to the Committee on Rules and Reference, 117
except as provided in Rules 53 and 55. If so referred, the 118

Committee on Rules and Reference shall examine and otherwise 119
consider the resolution, and may indefinitely postpone it, refer 120
it to another standing committee, or report it back to the Senate. 121

All death, commemorative, and congratulatory resolutions 122
shall be printed by title only unless otherwise ordered by a 123
majority vote of the members elected. 124

Upon reading a resolution from the House, such resolution 125
shall be considered immediately by either being adopted or 126
referred to the Committee on Rules and Reference. If so referred, 127
the Committee on Rules and Reference shall examine and otherwise 128
consider the resolution, and may indefinitely postpone it, refer 129
it to another standing committee, or report it back to the Senate. 130

It shall be a prerogative of the presiding officer to 131
consolidate into a single motion for consideration by the Senate 132
some or all commemorative and congratulatory resolutions offered 133
for adoption on any particular legislative day. Should the 134
presiding officer exercise this prerogative, which shall be called 135
a President's Prerogative, the presiding officer shall direct the 136
Clerk to supply a list entitled President's Prerogative 137
Resolutions which identifies by title all resolutions proposed to 138
be adopted by a single vote. This list shall be supplied to all 139
members prior to a vote on said resolutions. The presiding officer 140
shall put the following question: "Shall the resolutions listed 141
under the President's Prerogative be adopted?" 142

Rule 55. (Concurrent Resolutions, Agency Rule Review.) The 143
Chairperson or Vice-Chairperson of the Joint Committee on Agency 144
Rule Review shall offer under the ninth order of business listed 145
in Rule 7, all concurrent resolutions recommended by that 146
committee for adoption by the Senate. The resolution shall be 147
offered within three Senate legislative days after the date of 148
recommendation by the joint committee, and shall that day be 149
referred to the Committee on Rules and Reference, which shall 150

place the resolution on the Senate calendar for consideration 151
within twelve calendar days; but the resolution shall be offered 152
and taken up for consideration on an earlier legislative day if 153
necessary to permit its adoption within the period of time 154
specified by section 119.03 of the Revised Code for invalidating a 155
proposed rule, amendment, rescission, or any part thereof. 156

Rule 93. (If under Consideration When Adjourned.) A bill or 157
resolution under consideration when adjournment is taken shall be, 158
when its order of business on the succeeding day is reached, the 159
first question before the Senate in that order of business, except 160
as otherwise provided by the Committee on Rules and Reference. 161

Rule 96. (Committee on Rules and Reference.) The standing 162
Committee on Rules and Reference shall have the power to prescribe 163
the order of business of the Senate and shall arrange and post the 164
calendar at least one calendar day in advance, so that all matters 165
shall appear thereon for the consideration of the Senate with 166
reference to their importance. Measures expected to be reported by 167
committee may be placed conditionally on the calendar for 168
consideration by the Senate in the regular order of business, and 169
may be carried over to a succeeding legislative day, subject to 170
favorable action by committee. In a case of necessity, the 171
Chairperson of the Committee on Rules and Reference may call a 172
special meeting upon proper notice to add a bill to the calendar 173
upon a majority vote. One day's notice shall not be required for 174
calendars during the first week after an adjournment of more than 175
five calendar days. 176

EXECUTIVE APPOINTMENTS 177

Rule 97. (Executive Appointments.) When executive 178
appointments are received by the Senate they shall, unless the 179
Senate otherwise orders, be referred to the Committee on Rules and 180
Reference. The Committee on Rules and Reference may refer the 181
appointments to another committee. 182

Rule 108. (Press Privileges, How Obtained.) Representatives 183
of the press desiring the privileges of the press area of the 184
Senate floor shall make application to the President of the Senate 185
and shall state in writing for what paper or papers or legislative 186
information services, magazines, or their affiliates they are 187
employed; and shall further state that they are not engaged in the 188
prosecution of claims pending before the General Assembly and will 189
not become so engaged while allowed the privileges of the floor; 190
and that they are not in any sense the agents or representatives 191
of persons or corporations having legislation before the General 192
Assembly, and will not become either while retaining their 193
privileges. Visiting newspaper writers and editors may be allowed, 194
temporarily, the privileges herein mentioned, but they must 195
conform to the restrictions prescribed. 196

The application required by the above rule shall be 197
authenticated in a manner that shall be satisfactory to the 198
Executive Committee of the Ohio Legislative Correspondents' 199
Association, who shall see that the privileges of the floor be 200
granted to representatives of the press association serving 201
newspapers of general circulation, bona fide correspondents of 202
reputable standing in their profession who represent newspapers of 203
general circulation or magazines, or representatives of daily 204
legislative information services of known standing and integrity, 205
or their affiliates; organized for that one purpose and not 206
controlled by or connected with an association, firm, corporation, 207
or individual representing any trade, profession, or other 208
commercial enterprise, and which have been in continuous and bona 209
fide operation for such a period of years immediately prior to the 210
date of making application for floor privileges as will have made 211
possible the establishment of a reputation for honesty and 212
integrity; and it shall be the duty of the Executive Committee of 213
the Ohio Legislative Correspondents' Association, at its 214
discretion, to report violations of the privileges herein granted, 215

to the Committee on Rules and Reference. 216

Rule 110. (Privileges, How Revoked.) Upon complaint that any 217
person has abused the privileges granted the person under Rule 108 218
or 109, such complaint shall be submitted to the standing 219
Committee on Rules and Reference for investigation, and such 220
Committee shall notify the person so charged of the time and place 221
for hearing, and if such accusation be sustained, such person or 222
persons, upon the report of the Committee, shall be debarred from 223
the privileges theretofore granted. 224