As Adopted by the Senate

129th General Assembly Regular Session 2010-2011

Tempore of the Senate.

S. R. No. 6

19

20

21

Senator Faber

Cosponsors: Senators Stewart, Patton, Wagoner, Lehner, Daniels

RESOLUTION

To adopt Rules of the Senate for the 129th General	1
Assembly.	2
BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO:	
RESOLVED, That the following are the Rules of the Senate for	3
the 129th General Assembly:	4
RULES OF THE SENATE	5
128th 129th GENERAL ASSEMBLY	6
TIME OF CONVENING; DUTIES OF THE PRESIDENT	7
Rule 1. (Time of Sessions.) The sessions of the Senate shall	8
be held at such times as are determined by the President. For the	9
months of January through June in each year, and separately for	10
the months of July through December in each year, the President,	11
at the beginning of each six-month period, shall establish a	12
schedule of dates and times according to which the Senate shall	13
hold sessions and at which roll call votes are taken. The schedule	14
and any revision or supplement thereto shall be published and a	15
copy provided to each senator.	16
Rule 2. (May Select Senator to Preside.) The President may	17
name any senator to perform the duties of the chair, but such	18

substitution shall not extend beyond an adjournment; nor shall any

senator so named attest any document as President or President Pro

Reading of Journal.) As soon as the Senate is called to order

prayer may be offered, the pledge of allegiance to the flag may be

52

permitted to leave the Chamber until the order of business for

committee and the committee records shall reflect such fact and	145
the committee member for whom the President has been substituted.	146
The Minority Leader shall be an ex-officio nonvoting member of	147
each committee and the President may, at the Minority Leader's	148
request, substitute the Minority Leader as a voting member of any	149
committee and the committee records shall reflect such fact and	150
the committee member for whom the Minority Leader has been	151
substituted.	152

No committee or member thereof shall be permitted to incur

any expenses without first receiving the written consent of the

President or the Committee on Rules. Authorization by the

Committee on Rules shall be signed by the Chairperson of the

Committee on Rules.

When authorized by the President, the chairperson of a 158 standing committee of the Senate, with respect to any pending or 159 contemplated legislation, or with respect to any matter committed 160 to the standing committee, or the chairperson of a select 161 committee of the Senate, with respect to any matter committed to 162 the select committee, may issue a subpoena under sections 101.41 163 to 101.46 of the Revised Code, or may issue an order under section 164 101.81 of the Revised Code, to compel the attendance of witnesses 165 or the production of books, papers, or other tangible evidence. 166

Rule 21. (Committee Meetings, Called by, Rules, Record.) Each 167 committee shall meet upon the call of its chairperson, and in case 168 of the chairperson's absence, or refusal to call the committee 169 together, a meeting may be called by a majority of the members of 170 the committee. At least two days preceding the day bills or joint 171 resolutions to propose a constitutional amendment are to be given 172 a first hearing, the Clerk shall post in the Clerk's office the 173 schedule of such bills and joint resolutions in each standing 174 committee or subcommittee with the exception of the standing 175 Committee on Rules. In a case of necessity, the notice of hearing 176

may be	give	en in	a	shorter	period	than	two	days	by	such	reasonable	177
method	as s	shall	be	prescri	ibed by	the	Comm:	ittee	on	Rules	S.	178

Where applicable, the rules of the Senate apply to the 179 committee proceedings of the Senate. In addition, all committee 180 meetings shall be governed by section 101.15 of the Revised Code. 181 On any occasion when a majority or more of the members of a 182 standing committee, select committee, or subcommittee of a 183 standing or select committee of the Senate meet together for a 184 prearranged discussion of the public business of the committee or 185 subcommittee, the meeting shall be open to the public unless 186 closed in accordance with Ohio Constitution, Article II, Section 187 13. 188

Rule 22. (May Not Sit During Session of Senate.) No committee 189 shall sit during the daily sessions of the Senate without leave of 190 a majority of the Senate. A committee may sit during a recess from 191 the daily session of the Senate.

Rule 23. (Committee Quorum.) A majority of all members of a 193 committee shall constitute a quorum. A less number may meet to 194 hear a measure, but unless a quorum is present, no motion except 195 to adjourn shall be in order. 196

Rule 24. (Votes Required by Committee; Reconsideration by 197 Committee.) The affirmative vote of a majority of all members 198 constituting a committee shall be necessary to agree to any motion 199 to recommend for passage or to postpone indefinitely further 200 consideration of bills or resolutions. Every member present shall 201 vote in the affirmative or the negative except when excused by the 202 committee upon request made prior to the call of the roll. A 203 member may defer the member's vote only during the first call of 204 the roll on any question. No proxy vote shall be valid. At the 205 discretion of the chairperson, the roll call may be continued for 206 a vote by any member who was present at the meeting prior to the 207 roll call on a bill, resolution, or appointment for which the roll 208 call was continued, but the roll shall not remain open later than 209 10:00 a.m. on the next calendar day. 210

A motion to reconsider may be made by any member of a 211 committee, and, except as provided in Rule 25, such motion, to be 212 in order, must be made while the matter proposed to be 213 reconsidered remains before the committee. A motion to reconsider 214 shall not prevail unless it receives the same number of 215 affirmative votes as were required originally to pass the matter 216 proposed to be reconsidered.

Rule 25. (Measures Postponed Indefinitely.) Any bill or 218 resolution postponed indefinitely is rejected and shall not be 219 subject to further consideration by the committee, except upon the 220 adoption of a motion for its reconsideration not later than the 221 next meeting of the committee. Notice shall be given immediately 222 to the Clerk when a bill or resolution has been indefinitely 223 postponed. Such measure shall not be reintroduced in the Senate 224 while indefinitely postponed. 225

Rule 26. (Committee Reports, Presentation of House Bills and 226 Resolutions.) Any committee of the Senate may report back to the 227 Senate any measure referred to it, with or without amendments, or 228 may report back a substitute for any measure referred to it. No 229 committee may report back any measure referred to it or any 230 substitute for such measure without recommending its passage or 231 adoption, and the report shall not be received by the Clerk unless 232 signed by the majority of the committee who voted in support of 233 the action. The report shall also contain the signatures of those 234 who voted against adoption or passage, which shall be included in 235 the Journal. No member shall sign a committee report who was not 236 present at the meeting. 237

When a standing committee recommends a House bill for passage 238 or a House joint or concurrent resolution for adoption, the 239 chairperson of the committee shall, when the same is called up for 240

Rule 31. (Motion to Commit, Cannot Be Amended.) When a motion

is made to commit to a standing committee, it shall not be in

order to amend such motion by substitution of any other committee.

269

270

285

Rule 32. (Motion to Discharge a Committee.) A motion to	272
discharge a committee of further consideration of a bill or	273
resolution which has been referred to such committee thirty	274
calendar days or more prior thereto, shall be in writing and	275
deposited in the office of the Clerk. Before such motion may be	276
filed with the Clerk, there shall be attached thereto the	277
signatures of a majority of the members elected to the Senate, and	278
each member so signing must do so in the office of the Clerk and	279
in the Clerk's presence, or in the presence of one of the Clerk's	280
assistants. Such motion, together with the signatures, shall be	281
printed in the Journal on the day the motion was filed with the	282
Clerk. Only one motion can be presented for each bill or	283
resolution.	284

Rule 33. (Introduction of Bills.) Bills to be introduced in 286 the Senate shall be typewritten, shall be in quadruplicate, shall 287 bear the name of the author and co-authors, if any, and shall be 288 filed in the Clerk's office at least one hour prior to the next 289 convening session of the Senate.

BILLS

Between the general election and the time for the next 291 convening session, a holdover member or a member-elect may file 292 bills for introduction in the next session with the Clerk's 293 office, and those bills shall be treated as if they were bills 294 introduced on the first day of the session.

No bill shall be accepted for filing by the Clerk unless it 296 is presented for filing by a member or member-elect of the Senate, 297 or by the member's legislative aide or administrative assistant 298 with authorization of the senator, and it has first been approved 299 as to form by the Legislative Service Commission and the face of 300 the bill is marked to indicate that approval. 301

When the time for introduction of bills is reached in the 302 regular order of business, the Clerk shall read the bills filed 303

with the Clerk in the same manner as if the bills were introduced	304
from the floor. This rule may be suspended by a majority vote of	305
the members elected.	306
Rule 34. (Bills, Title of.) Bills shall have noted in their	307
title a distinct reference to the subject or matter to which they	308
relate, and if they propose the amendment, enactment, or repeal of	309
any law, to the section proposed to be amended, enacted, or	310
repealed.	311
Rule 35. (Bills, Second Consideration and Committee on	312
Reference, Public Hearing.) On the second reading of a bill, the	313
Committee on Reference shall, if no motion or order be made to the	314
contrary, refer the bill to the proper standing committee in	315
regular order. Further, no bill shall be reported for a third	316
reading and passage unless the same shall have been considered at	317
a meeting of the committee to which the same has been referred.	318
All Senate bills and resolutions referred by the Committee on	319
Reference on or before the first day of April in an even-numbered	320
year shall be scheduled by the chairperson of the committee to	321
which the same has been referred for a minimum of one public	322
hearing.	323
Rule 36. (House Bills Engrossed When Amended.) House bills,	324
when altered or amended by the Senate, shall be engrossed in like	325
manner as Senate bills preparatory to their consideration.	326
Rule 37. (Recommitment of Bills.) At any time before its	327
passage, a bill or resolution may be recommitted or rereferred by	328
a majority vote of the Senate or the Committee on Rules.	329
Rule 38. (Recommitment after Reconsideration.) If a bill or	330
resolution be lost, and the vote reconsidered, such bill or	331
resolution shall not thereafter be committed to other than a	332
standing committee or to a select committee to which the bill or	333
resolution was originally referred.	334

Page 12

Rule 39. (Special Order, How Made.) A bill or resolution may	335
be made a special order by a three-fifths vote of the Senate.	336
Rule 40. (Bills Placed on Calendar, When.) Unless the Senate	337
otherwise orders, all bills and resolutions reported by a	338
committee with a recommendation for passage or adoption shall be	339
placed on the calendar with an indication that the bills and	340
resolutions have been recommended for passage or adoption by the	341
designated committees. Bills and resolutions recommended by	342
designated committees may be arranged on the calendar under the	343
regular order of business by action of the Committee on Rules,	344
pursuant to Rule 96.	345
Rule 41. (How Taken Up for Consideration.) Resolutions taken	346
up on the calendar under the fifth order of business listed in	347
Rule 7 and bills standing in order for third consideration shall	348
be taken up and read without a motion to that effect, and, unless	349
otherwise ordered by the Senate, the questions shall be,	350
respectively: "Shall the resolution be adopted?" and "Shall the	351
bill pass?"	352
Rule 42. (Carried Over to Succeeding Day.) When a bill which	353
has been set for a third consideration on a particular day shall	354
for any reason not be reached on that day, it shall stand for	355
third consideration on the first succeeding day when bills for	356
third consideration shall be reached in the regular order of	357
business, except as may be otherwise provided by the Committee on	358
Rules.	359
Rule 43. (Bills Taken Up Earlier, How.) When a bill has been	360
ordered for third consideration on a particular day, or at a	361
certain hour, it shall not sooner be taken up except upon	362
three-fifths vote of the senators elected.	363
Rule 44. (Calendar Must Show Amendments.) If a bill is	364
amended before being placed upon the calendar for third	365

372

373

374

consideration, the Clerk shall note on the calendar the fact that	366
it has been amended, and shall cite the date when such amendment	367
was made and the page of the Senate or House Journal upon which	368
such amendment appears. At the time of third consideration, the	369
bill with amendments incorporated shall be supplied to each	370
senator.	371

The Clerk may post on the calendar under the regular order of business pursuant to Rule 7 the title of bills for which a report of a committee of conference has been filed with the Clerk.

When a bill or joint or concurrent resolution has been passed 375 or been adopted in the Senate, and been amended, passed or 376 adopted, and returned by the House, it shall lie over one calendar 377 day, unless otherwise ordered by a majority vote of the Senate. 378

When a report of a committee of conference has been filed 379 with the Clerk, it shall be spread upon the pages of the Journal 380 and lie over one calendar day unless otherwise ordered by a 381 majority vote of the Senate. 382

Rule 45. (Amendments Provided Before Vote.) Before a vote may 383 be taken upon the question of concurrence in House amendments to a 384 Senate bill or resolution, or upon the question of agreement to 385 the report of a conference committee, each member of the Senate 386 shall be supplied with the amendments made by the House or 387 recommended by the conference committee and each member of 388 majority leadership, each member of the minority leadership, and 389 the sponsor or floor sponsor shall be supplied with the bill or 390 resolution as passed by the Senate. 391

Rule 46. (Synopsis of House Amendments before Vote.) Before a 392 vote is taken on the question of concurrence in House amendments 393 to a Senate bill or resolution, the staff of the Legislative 394 Service Commission shall prepare a synopsis of any substantive 395 amendments made by a House committee to the bill or resolution as 396

passed by the Senate. The staff of the Legislative Service	397
Commission shall make such a synopsis available to each senator at	398
the time the Senate votes on the question of concurrence in the	399
House amendments. The Clerk shall provide each member of the	400
majority leadership, each member of the minority leadership, and	401
the sponsor or floor sponsor with any amendments made by the House	402
during its third consideration of the bill or resolution.	403

Rule 47. (Title of Bill after Passage.) When a bill has 404 passed the Senate, the Clerk shall read its title and the 405 President shall demand if the Senate agrees thereto. Any senator 406 may then request the addition or deletion of a senator's name to 407 the title as a co-sponsor. Prior to passage of a bill, a former 408 senator who no longer is a member of the General Assembly may 409 present a writing to the Clerk requesting deletion of the former 410 senator's name from the title of the bill as sponsor or 411 co-sponsor. The President shall present the request to the Senate, 412 and the Clerk shall spread the request upon the pages of the 413 Journal. When the Senate is agreed, the Clerk shall make out the 414 title accordingly, and certify to the passage of the bill upon its 415 carrier. 416

Immediately after the Senate has voted to concur in House 417 amendments to a bill or resolution, and immediately after the 418 Senate has voted to accept a conference committee report, the 419 President shall demand if the Senate agrees to the co-sponsorship 420 of the bill or resolution. Any senator may then request the 421 addition or deletion of a senator's name from the bill or 422 resolution as co-sponsor. Prior to the vote on concurrence in 423 House amendments to a bill or resolution, and prior to the vote on 424 a conference committee report, a former senator who no longer is a 425 member of the General Assembly may present a writing to the Clerk 426 requesting deletion of the former senator's name from the bill or 427 resolution as sponsor or co-sponsor. The President shall present 428

S. R. No. 6

Page 15

committee shall be, upon its introduction	, automatically referred 46
to the Committee on Rules. This rule shal	l be dispensed with only 46
by a two-thirds vote of the Senate.	46

Rule 54. (Resolutions, When Considered.) Resolutions to be 463 introduced in the Senate shall be typewritten, shall be in 464 quadruplicate, shall bear the name of the author and co-authors, 465 if any, and shall be filed in the Clerk's office at least one hour 466 prior to the next convening session of the Senate. All resolutions 467 offered in the Senate shall be considered immediately by either 468 being adopted or referred to the Committee on Reference, except as 469 provided in Rules 53 and 55. If so referred, the Committee on 470 Reference shall examine and otherwise consider the resolution, and 471 may indefinitely postpone it, refer it to another standing 472 committee, or report it back to the Senate. 473

All death, commemorative, and congratulatory resolutions 474 shall be printed by title only unless otherwise ordered by a 475 majority vote of the members elected. 476

Upon reading a resolution from the House, such resolution 477 shall be considered immediately by either being adopted or 478 referred to the Committee on Reference. If so referred, the 479 Committee on Reference shall examine and otherwise consider the 480 resolution, and may indefinitely postpone it, refer it to another 481 standing committee, or report it back to the Senate. 482

It shall be a prerogative of the presiding officer to 483 consolidate into a single motion for consideration by the Senate 484 some or all commemorative and congratulatory resolutions offered 485 for adoption on any particular legislative day. Should the 486 presiding officer exercise this prerogative, which shall be called 487 a President's Prerogative, the presiding officer shall direct the 488 Clerk to supply a list entitled President's Prerogative 489 Resolutions which identifies by title all resolutions proposed to 490 be adopted by a single vote. This list shall be supplied to all 491

523

members prior to a vote on said resolutions. The presiding officer	492
shall put the following question: "Shall the resolutions listed	493
under the President's Prerogative be adopted?"	494
Rule 55. (Concurrent Resolutions, Agency Rule Review.) The	495
Chairperson or Vice-Chairperson of the Joint Committee on Agency	496
Rule Review shall offer under the ninth order of business listed	497
in Rule 7, all concurrent resolutions recommended by that	498
committee for adoption by the Senate. The resolution shall be	499
offered within three Senate legislative days after the date of	500
recommendation by the joint committee, and shall that day be	501
referred to the Committee on Rules, which shall place the	502
resolution on the Senate calendar for consideration within twelve	503
calendar days; but the resolution shall be offered and taken up	504
for consideration on an earlier legislative day if necessary to	505
permit its adoption within the period of time specified by section	506
119.03 of the Revised Code for invalidating a proposed rule,	507
amendment, rescission, or any part thereof.	508
Rule 56. (Resolutions, Preparation.) Upon adoption, all	509
Senate resolutions shall be prepared and authenticated by the	510
Clerk and signed by the President. The Clerk shall also provide a	511
place on all death, commemorative, and congratulatory resolutions	512
for signature of the senator whose name first appears on the	513
resolution as author.	514
VOTING	515
Rule 57. (Senator Must Vote.) Every senator present when the	516
question is put shall vote on the question unless excused by the	517
Senate. The Clerk shall call the roll of the Senate in	518
alphabetical order with the President called last. The President	519
may direct the Clerk to call the President Pro Tempore first in	520
the call of the roll.	521
A request from any senator to be excused from voting must be	522

made before the Senate divides or before the call of the roll

Rule 63. (House Amendments, Conference Reports.) The yeas and

Page 18

554

S. R. No. 6

As Adopted by the Senate

575

585

nays shall be called upon the question of concurring in amendments	555
made by the House to all bills or resolutions passed by the	556
Senate, and upon agreeing to the report of conference committees,	557
except where amendment is to the title only.	558

Rule 64. (Only Clerks at Desk During Roll Call.) No person, 559 other than the Clerk and the Clerk's assistants, shall be 560 permitted at the Clerk's desk while the yeas and nays are being 561 taken.

Rule 65. (Verification of Vote.) After the roll has been 563 called, any senator may demand a verification of the vote. The 564 Clerk shall read, first the names of those senators voting in the 565 affirmative, then of those voting in the negative, at which time 566 any senator, on account of error or for any other reason, may 567 change his or her vote; but no senator shall be permitted to 568 change his or her vote, as recorded, after the roll call has been 569 verified and the results declared except by unanimous consent of 570 the Senate. A request by a senator for unanimous consent to change 571 the senator's vote must be made from the well of the Senate and 572 before the Senate proceeds to the next item within the same or 573 next order of business. 574

DECORUM AND DEBATE

Rule 66. (Senators Shall Address President.) When a senator 576 desires to address the Senate or to make a motion, the senator 577 shall arise and respectfully address "Mr. President," and the 578 President shall recognize the senator and may do so by announcing, 579 "The Senator from," naming the District. 580

A senator who wishes to question another senator shall, for 581 each question, first request and receive the President's 582 permission to ask the question. No senator is required to answer a question put by another senator. 584

Rule 67. (President Decides Who Shall Speak.) The prime

sponsor of a bill shall be recognized first. When two or more	586
senators seek recognition of the chair at the same time, the	587
President shall decide which senator shall speak first. No senator	588
shall yield the floor to another senator without consent of the	589
Senate.	590
Rule 68. (How Often Senator May Speak.) No senator shall	591
speak more than twice on the same question except by leave of the	592
Senate or responding to the floor; and the senator speaking shall	593
confine the speech to the question under debate and avoid	594
personalities.	595
Rule 69. (May Read from Books, etc.) Any senator while	596
discussing a question may read, or cause to be read, from books,	597
papers, documents or any matter pertinent to the subject under	598
consideration for a period of five minutes without asking leave.	599
Additional time may be granted by a majority vote of the Senate.	600
Rule 70. (Statement of Question.) Any senator may call for a	601
statement of the pending question, whereupon the President shall	602
restate the same.	603
Rule 71. (Division of Question.) Any senator may call for a	604
division of the question; the decision of the President as to its	605
divisibility shall be subject to appeal as in questions of order.	606
Rule 72. (Questions of Order Decided by.) All questions of	607
order shall be decided by the President without debate; such	608
decision shall be subject to appeal to the Senate by any three	609
senators, on which appeal no senator shall speak more than once,	610
unless by leave of the Senate; and the President may speak in	611
preference to the senators.	612
Rule 73. (Senator May Be Called to Order.) If any senator, in	613
speaking or otherwise, is transgressing the Rules of the Senate,	614
the President shall, or any member may, call the senator to order;	615
and the senator called to order shall take the senator's seat	616

until the question of order is decided.	617
Rule 74. (If Called to Order.) If the decision be in favor of	618
a senator called to order, the senator shall be at liberty to	619
proceed; if otherwise, the senator shall not be permitted to	620
proceed without further leave of the Senate.	621
MOTIONS	622
Rule 75. (When Motions Must Be in Writing.) Whenever an	623
amendment is offered to any bill or resolution under	624
consideration, or any amendment to such an amendment, the senator	625
proposing the same shall reduce it to writing and send it to the	626
Clerk's desk. Amendments prepared and distributed in advance of	627
their offering shall identify the bill or resolution sought to be	628
amended and the name of the senator proposing to amend; when a	629
senator prepares more than one amendment to the same bill or	630
resolution, the amendments shall be numbered sequentially. Unless	631
objection is waived, debate shall cease until all members are	632
supplied with copies of amendments offered on the floor.	633
Rule 76. (Precedence of Motions.) Except as otherwise	634
provided in Rule 81, motions shall take precedence in the	635
following order:	636
1. To informally pass.	637
2. To adjourn.	638
3. To take a recess.	639
4. To lay on the table.	640
5. The previous question.	641
6. To proceed to the orders of the day.	642
7. To postpone to a time certain.	643
8. To commit.	644
9. To amend.	645

Page 21

S. R. No. 6

As Adopted by the Senate

vote.	675
RECONSIDERATION	676
Rule 81. (Reconsideration, How and When.) A motion to	677
reconsider a vote may be made only by a senator who voted with the	678
prevailing side, and such motion, to be in order, must be made	679
within the next two legislative days of the Senate after such vote	680
is taken. A motion to reconsider shall take precedence over all	681
questions except a motion to adjourn, and may be called up at any	682
time in the appropriate order of business after disposal of	683
pending questions.	684
Rule 82. (Vote Necessary on Reconsideration.) The vote on any	685
question other than the previous question may be reconsidered by a	686
majority of those voting, a quorum being present, except when a	687
bill or resolution has been declared lost, in which case the	688
motion shall not prevail unless it receives the number of	689
affirmative votes which would be required to pass such a bill or	690
resolution.	691
Rule 83. (One Reconsideration Only.) A motion to reconsider,	692
having been decided, shall not again be entertained unless the	693
question has been changed in form by amendment.	694
Rule 84. (Reconsideration, Motion Postponed.) Consideration	695
of a motion to reconsider may be postponed to a time certain or	696
left pending. However, if a motion to reconsider is not called up	697
within thirty days after it was made, the motion is deemed lost.	698
Rule 85. (Procedure on Reconsideration.) A motion to	699
reconsider action on a bill, joint resolution, or other paper that	700
may have gone out of possession of the Senate shall be entertained	701
if made within the time specified in Rule 81; such motion to	702
reconsider shall be regarded as an order to the Clerk to request	703
the House to return the bill, joint resolution, or other paper,	704

but the Senate may vote on the motion to reconsider without

S. R. No. 6

As Adopted by the Senate

Page 24

recess, and on the reassembling at the appointed hour any question	737
pending at the time of taking such recess shall be resumed without	738
a motion to that effect; and unless the Senate shall otherwise	739
order by resolution or motion, the hour to which it shall adjourn	740
shall be half past one p.m. the succeeding day; and the hour to	741
which it shall recess shall be stated in the motion.	742
Pule 92 (Motion to Adjourn in Order When) A motion to	7/13

Rule 92. (Motion to Adjourn in Order, When.) A motion to 743 adjourn shall be in order at any time, except while a member is 744 addressing the Senate, or while a vote is being taken, but cannot 745 be made except by a senator who has been recognized by the 746 President, and being decided in the negative shall not again be 747 entertained until some motion, call, or order shall have been 748 acted upon.

Rule 93. (If under Consideration When Adjourned.) A bill or 750 resolution under consideration when adjournment is taken shall be, 751 when its order of business on the succeeding day is reached, the 752 first question before the Senate in that order of business, except 753 as otherwise provided by the Committee on Rules. 754

755

OF THE RULES

Rule 94. (Rules Altered, How.) These rules shall not be 756 altered except after due notice of the intention of alteration; 757 and no rule shall be altered, except by a three-fifths vote of the 758 senators elected. Any of these rules may be suspended by a 759 three-fifths vote of the members elected, excepting rules which 760 specifically require otherwise.

Rule 95. (Parliamentary Guide.) Mason's Manual of Legislative 762

Procedure (2000 edition) shall be used by the Senate as authority 763

in all cases not provided for in the Senate Rules or the Joint 764

Rules of the Senate and House of Representatives, if any. 765

Rule 96. (Committee on Rules.) The standing Committee on 766
Rules shall have the power to prescribe the order of business of 767

the Senate and shall arrange and post the calendar at least one	768
calendar day in advance, so that all matters shall appear thereon	769
for the consideration of the Senate with reference to their	770
importance. Measures expected to be reported by committee may be	771
placed conditionally on the calendar for consideration by the	772
Senate in the regular order of business, and may be carried over	773
to a succeeding legislative day, subject to favorable action by	774
committee. In a case of necessity, the Chairperson of the	775
Committee on Rules may call a special meeting upon proper notice	776
to add a bill to the calendar upon a majority vote. One day's	777
notice shall not be required for calendars during the first week	778
after an adjournment of more than five calendar days.	779

Rule 97. (Executive Appointments.) When executive 781 appointments are received by the Senate they shall, unless the 782 Senate otherwise orders, be referred to the Committee on Rules. 783 The Committee on Rules may refer the appointments to another 784 committee. 785

780

EXECUTIVE APPOINTMENTS

Rule 98. (Yeas and Nays, Appointments.) The yeas and nays 786 shall be called upon advising and consenting to an executive 787 appointment. Failure of the question to receive the concurrence of 788 a majority of the senators elected constitutes refusal of the 789 Senate to advise and consent to the appointment. The Senate may 790 advise and consent to two or more appointments by a single roll 791 call vote. When a committee to which an appointment has been 792 referred recommends its rejection, or when a senator demands that 793 an appointment be separately considered, the question of its 794 approval shall not be included in a single roll call vote 795 affecting more than one appointment, but the yeas and nays shall 796 be separately called on the question of advising and consenting to 797 such an appointment. When two or more appointments are made the 798 subject of a single roll call vote, the failure of the question to 799

805

830

receive the concurrence of a majority of the senators elected	800
shall not constitute refusal to advise and consent to the	801
appointments, but in such case the yeas and nays shall then be	802
separately called on the question of advising and consenting to	803
each appointment.	804

DUTIES OF OFFICERS

Rule 99. (Clerk Shall Keep Index to Bills, etc.) The Clerk 806 shall keep an index record of all bills and resolutions introduced 807 in the Senate regardless of the house of origin, showing the 808 number, title, and author of each measure, the section sought to 809 be amended, enacted, or repealed, and the subject or matter 810 affected thereby. The Clerk may call upon the staff of the Ohio 811 Government Telecommunications to produce a video of all Senate 812 voting sessions. Such video shall be accessible as provided by law 813 and the rules of the Ohio Government Telecommunications 814 Programming Committee. 815

Rule 100. (Duties of Clerk.) The distribution and receipt of 816 bills, resolutions, reports, messages from the House and from any 817 branch of the executive or judicial department of the State, and 818 all other documents belonging to the Senate shall be under the 819 direction and control of the Clerk. All records kept by the Clerk 820 are governed by the records retention schedule adopted by the 821 Clerk. The property and premises of the Senate shall also be under 822 the direct supervision of the Clerk. 823

When the Clerk is required to print a bill, resolution, 824 report, or other document belonging to the Senate, the Clerk may 825 use any method of printing contemplated by sections 101.51 to 826 101.524 of the Revised Code. 827

The Senate by resolution shall prescribe the powers and

duties of the Chief of Staff and Clerk.

829

In case of the death or resignation of the Clerk, the

President may designate any individual to perform the Clerk's	831
duties until such time as the Senate, by vote, fills the vacancy.	832
PRIVILEGES	833
Rule 101. (Use of Senate Chamber.) The use of the Senate	834
chamber shall not be granted at any time, by resolution or	835
otherwise, for any purpose other than legislative purposes, except	836
by consent of two-thirds of the members elected. At no time shall	837
food or beverages be allowed in the Senate chamber.	838
Rule 102. (Use of Committee Rooms.) A person who wishes to	839
use a Senate committee room for a purpose other than a meeting of	840
a committee, subcommittee, or other official Senate business shall	841
not do so without obtaining the Clerk's prior approval. In	842
requesting the Clerk's approval, the person shall inform the Clerk	843
of the committee room the person wishes to use and the time and	844
purpose of the proposed use. Senate committee rooms may be used	845
for only appropriate purposes. At no time shall food or beverages	846
be allowed in Senate committee rooms unless otherwise authorized	847
by the Clerk.	848
Rule 103. (Who Admitted in Chamber, Members' Lounge.) During	849
the daily sessions of the Senate, no person shall be admitted	850
within the railing except members of the two houses, their	851
officers and employees in the performance of their duties, or	852
persons charged with messages or papers to the Senate; clergy, by	853
invitation of the President; the Governor of this or any other	854
state; and representatives of newspapers or legislative	855
information services who have been granted the privileges of the	856
Senate by the President. When the Senate is not in session, only	857
senators and their guests and officers and employees of the Senate	858
in the performance of their duties are permitted within the	859
railing without the President's permission.	860

During the daily sessions of the Senate, no person shall be

admitted in the Members' Lounge except members of the Senate and

861

officers or employees of the Senate in the performance of their	863
duties. The Sergeant-at-Arms shall strictly enforce this rule.	864
Rule 104. (Posters, Placards, Banners and Signs.) No poster,	865
placard, banner, sign or other similar material shall be carried	866
into the Senate Chamber or committee or meeting rooms of the	867
Senate by any person, and no person shall attach or affix any	868
poster, placard, banner, sign or other similar material to the	869
doors, walls, rails, seats or banisters of the Senate Chamber or	870
committee or meeting rooms of the Senate. The Sergeant-at-Arms	871
shall strictly enforce this rule.	872
Rule 105. (Applause, Outbursts or Demonstrations.) No	873
applause, outburst or other demonstration by any spectator shall	874
be permitted during a session of the Senate and during any meeting	875
of a committee.	876
Rule 106. (Distribution of Printed Materials.) No general	877
distribution of printed material to the members of the Senate	878
shall be permitted in the Senate Chamber during the daily sessions	879
of the Senate unless authorized by a senator or the Clerk. The	880
printed material shall bear the name of the person authorizing its	881
distribution. The Sergeant-at-Arms shall strictly enforce this	882
rule.	883
Rule 107. (Cellular Telephones and Pagers, Prohibitions.) The	884
use of a cellular telephone, audible pager, or any other audible	885
wireless electronic telecommunication device is prohibited during	886
sessions of the Senate and during any meeting of a committee.	887
Rule 108. (Press Privileges, How Obtained.) Representatives	888
of the press desiring the privileges of the press area of the	889
Senate floor shall make application to the President of the Senate	890
and shall state in writing for what paper or papers or legislative	891
information services, magazines, or their affiliates they are	892
employed; and shall further state that they are not engaged in the	893

S. R. No. 6 As Adopted by the Senate

prosecution of claims pending before the General Assembly and will 894 not become so engaged while allowed the privileges of the floor; 895 and that they are not in any sense the agents or representatives 896 of persons or corporations having legislation before the General 897 Assembly, and will not become either while retaining their 898 privileges. Visiting newspaper writers and editors may be allowed, 899 temporarily, the privileges herein mentioned, but they must 900 conform to the restrictions prescribed. 901

902 The application required by the above rule shall be authenticated in a manner that shall be satisfactory to the 903 Executive Committee of the Ohio Legislative Correspondents' 904 Association, who shall see that the privileges of the floor be 905 granted to representatives of the press association serving 906 newspapers of general circulation, bona fide correspondents of 907 reputable standing in their profession who represent newspapers of 908 general circulation or magazines, or representatives of daily 909 legislative information services of known standing and integrity, 910 or their affiliates; organized for that one purpose and not 911 controlled by or connected with an association, firm, corporation, 912 or individual representing any trade, profession, or other 913 commercial enterprise, and which have been in continuous and bona 914 fide operation for such a period of years immediately prior to the 915 date of making application for floor privileges as will have made 916 possible the establishment of a reputation for honesty and 917 integrity; and it shall be the duty of the Executive Committee of 918 the Ohio Legislative Correspondents' Association, at its 919 discretion, to report violations of the privileges herein granted, 920 to the Committee on Rules. 921

Rule 109. (Representative of Radio and Television Stations 922 and Broadcasting Networks, How Admitted.) Representatives of radio 923 and television stations and broadcasting networks desiring the 924 privileges of the radio and television area of the Senate floor 925

shall make application to the President, and shall state, in	926
writing, by what stations or broadcasting network they are	927
employed; and further shall state that they are not engaged in the	928
promotion of legislation or the prosecution of claims pending	929
before the General Assembly, and will not become so engaged while	930
allowed the privileges of the floor; and that they are not in any	931
sense, the agents or representatives of persons or corporations	932
having legislation before the General Assembly, and will not	933
become either while retaining their privileges. Visiting	934
correspondents and editors may be allowed, temporarily, the	935
privileges herein mentioned, but they must conform to the	936
restrictions prescribed.	937

The application required by the above rule shall be 938 authenticated in a manner that shall be satisfactory to the Radio 939 and Television Correspondents' Association of Ohio. It shall be 940 the duty of the Radio and Television Correspondents' Association 941 of Ohio to see that the privileges of the floor shall be granted 942 only to the representatives of stations and broadcasting networks 943 serving radio and television stations, or networks serving such 944 radio and television stations as have been duly licensed by the 945 Federal Communications Commission. It shall be the duty of the 946 Radio and Television Correspondents' Association of Ohio, at their 947 discretion, to report violations of the privileges herein granted 948 to the President. Persons whose chief attention is not given to 949 radio and television broadcasting shall not be entitled to the 950 privileges of the floor. 951

Rule 110. (Privileges, How Revoked.) Upon complaint that any 952 person has abused the privileges granted the person under Rule 108 953 or 109, such complaint shall be submitted to the standing 954 Committee on Rules for investigation, and such Committee shall 955 notify the person so charged of the time and place for hearing, 956 and if such accusation be sustained, such person or persons, upon 957

the report of the Committee, shall be debarred from the privileges	958
theretofore granted.	959
Rule 111. (Filming or Taping of the Senate.) Filming, video	960
taping, or audio taping during the legislative session shall be	961
done under the conditions designated by the President of the	962
Senate.	963
Taping or filming of a member or members of the Senate in the	964
Senate chamber or in committee rooms when the Senate is not in	965
session is permissible with the prior consent of all members taped	966
or filmed and with the prior notification of the Clerk.	967
Taping or filming of sessions of committees of the Senate is	968
permissible with the prior consent of the chairperson of the	969
committee involved. Such approved filming or taping may be for	970
specific time periods set by the chairperson, if such taping or	971
filming interferes with the orderly procedure of the hearing.	972
Rule 112. (Letters of Commendation, etc.) When requested by	973
any member of the Senate, the President of the Senate may, on	974
behalf of the Senate, in its name and in the President's	975
discretion, sign letters or simple resolutions conveying messages	976
of commendation, congratulation, recognition, and condolence to	977
persons or organizations named in such request.	978
The President of the Senate shall keep a record of the	979
disposition of all such letters or simple resolutions, which	980
record shall be open for inspection by any member of the Senate.	981
Rule 113. (Use of the Senate Coat of Arms.) Use of the Senate	982
Coat of Arms shall be limited to members of the Senate, employees	983
of the Senate in the performance of their duties, the Chief of	984
Staff of the Senate and the Clerk. No other person shall use or	985
permit to be used any reproduction or facsimile of the Senate Coat	986
of Arms or a counterfeit or non-official version of the Senate	987

Coat of Arms for any purpose not authorized by the Clerk.

S. R. No. 6 As Adopted by the Senate	Page 33
Rule 114. (Application to 129th 130th General Assembly.) The	989
Rules of the Senate for the 128th <u>129th</u> General Assembly shall be	990
effective until the Senate of the 129th 130th General Assembly	991
adopts Rules of the Senate for the 129th 130th General Assembly.	992