

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, JANUARY 25, 2017

## SEVENTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, January 25, 2017, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson of Capitol Ministries in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Representatives from Scene75 Entertainment Cincinnati Center received H.R. 10, presented by Representative Becker-65th district.

Dr. Cynthia Jackson-Hammond and Representatives from Central State University received H.Rs. 11 and 16 respectively, presented by Representatives Perales-73rd district and Dean-74th district.

Parents supporting school choice received H.R. 19, presented by Representative Brenner-67th district.

A.J. Keyes, a guest of Representative Craig-26th district.

Chase Harlan, a guest of Representative Antani-42nd district.

Charlie Lyon, a guest of Representative Perales-73rd district.

The journal of yesterday was read and approved.

**MOTIONS AND RESOLUTIONS**

Representative Patton moved that majority party members asking leave to be absent or absent the week of Wednesday, January 25, 2017, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Antonio moved that minority party members asking leave to be absent or absent the week of Wednesday, January 25, 2017, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Schuring 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. 22-Representative Schuring**

To adopt Rules of the House of Representatives for the 132<sup>nd</sup> General Assembly.

That the following are the rules of the House of Representatives for the 132<sup>nd</sup> General Assembly:

RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE ~~131<sup>st</sup>~~ 132<sup>nd</sup> GENERAL ASSEMBLY  
TIME OF CONVENING; ORDER OF BUSINESS

Rule 1. (Time of sessions; schedule.) (a) 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.

(b) 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 or presiding officer to call House to order.) The Speaker or presiding officer 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, a presiding officer being present, and shall have the power to compel the attendance of absent members. However, in no event may business be conducted unless a member of the majority party is present.

Rule 3. (Order of business.) (a) 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.

(b) 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. It is not in order for the House to adjourn unless the presiding officer is in the chair.

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 or presiding officer shall, at all times, preserve order and decorum. The Speaker or presiding officer shall see that members conduct themselves in a civil and orderly manner. When necessary, the Speaker or presiding officer 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 or presiding officer 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.) (a) The Speaker or presiding officer shall have general direction and control of the Hall and shall provide for the security of the Hall. In case of any actual or anticipated disturbance or disorderly conduct in the galleries, lobby, rooms, or hallways adjacent to the Hall, the Speaker or presiding officer may order those places to be cleared.

(b) 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.

(c) 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 presiding officer, or, if the House is not in session, 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 and boards.) The Speaker shall name all committees and subcommittees, and shall appoint all members and chairs thereto. The Speaker shall appoint members to a standing committee so that its membership is proportional to the partisan composition of the House. The chair and the vice-chair of the Finance Committee and the Rules and Reference 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.) (a) The Speaker shall see that all officers of the House satisfactorily perform their respective duties.

(b) 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 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 passed, and every joint resolution or concurrent resolution adopted, by both houses of the General Assembly has met the procedural requirements for passage or adoption by signing such bills, 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.) (a) 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.

(b) 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.

#### DUTIES OF THE CLERK

Rule 21. (Distribution of House documents.) The Clerk shall have charge of and regulate the distribution of all printed and electronic records and reports of the House, and shall have supervision of the printing or electronic preparation of all documents ordered by the House as specified in Rule 25 and in section 101.52 of the Revised Code. The number of copies of bills, journals, and other documents to be printed, or the documents to be prepared electronically, shall be determined by the Clerk with the approval of the Speaker, except when the House by motion determines the number to be printed or the documents to be prepared electronically.

Rule 22. (Legislative duties and responsibilities of the Clerk.) (a) 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.

(b) 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.

(c) 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.

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

(e) 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.

(f) 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 or ruled out of order, shall be spread upon the Journal. For all amendments that are offered, the Journal shall include the number assigned to the amendment by the Legislative Service Commission.

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

(h) 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 may call the House to order, and, if called to order, the House shall proceed to choose some member to act as presiding officer until either the Speaker, Speaker Pro Tempore, Majority Floor Leader, or the Assistant Majority Floor Leader shall be present. No business may be conducted unless a member of the majority party is present.

Rule 24. (Composition of the Office of the Clerk.) (a) The office of the Clerk shall be comprised of the Clerk and employees of the House who are directly involved in the legislative process.

Rule 25. (Printing of documents.) The Clerk shall attend to the printing or electronic preparation 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.) (a) 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 Sergeant-at-arms may request the assistance of, or work with, the State Highway Patrol to fulfill those duties.

(b) The Speaker may also contract for security services for the House.

#### VACANCY OF CLERK, CHIEF ADMINISTRATIVE OFFICER, OR 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 fills the vacancy.

#### COMMITTEES OF THE HOUSE

Rule 28. (Standing committees and standing subcommittees.)



(a) The standing committees and standing subcommittees of the House shall be named by the Speaker.

(b) The standing committees and the standing subcommittees of the House for the ~~131st~~ 132nd 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. Aging and Long-Term Care
2. Agriculture and Rural Development
- ~~2-3.~~ Armed Services, Veterans Affairs, and ~~Public Safety~~ Homeland Security
- ~~3.~~ Commerce and Labor
4. Civil Justice
5. Community and Family Advancement
  - I. Minority Affairs Subcommittee
6. Criminal Justice
- ~~5-7.~~ Economic and ~~Workforce~~ Development, Commerce, and Labor
- ~~6-8.~~ Education and Career Readiness
- ~~7-9.~~ Energy and Natural Resources
10. Federalism and Interstate Relations
- ~~8-11.~~ Finance
  - I. Primary and Secondary Education Subcommittee
  - II. Higher Education Subcommittee
  - III. Transportation Subcommittee
  - IV. Health and Human Services Subcommittee
  - V. Agriculture, Development, and Natural Resources Subcommittee
  - VI. State Government and Agency Review Subcommittee
- ~~9-12.~~ Financial Institutions, Housing, and Urban Development
- ~~10-13.~~ Government Accountability and Oversight
- ~~11-14.~~ Health and Aging
15. Higher Education and Workforce Development

~~12-16. Insurance~~~~I. Workers' Compensation Subcommittee~~~~13. Judiciary~~~~14. Local Government~~~~15-17. Public Utilities~~~~16-18. Rules and Reference~~~~17-19. State and Local Government~~~~18-20. Transportation and Infrastructure Public Safety~~~~19-21. Ways and Means~~

(c) The Speaker, by message to the House, may abolish any of the standing committees and standing subcommittees created by this rule and may establish additional standing committees or standing subcommittees as the Speaker considers necessary, without amendment of this rule.

(d) The chairs and members of all committees and subcommittees shall be appointed by the Speaker. The chair of each standing subcommittee shall be under the direction of the general chair of the committee.

(e) When the chair 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 Speaker's consideration the minority membership of the special subcommittee.

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

(b) In case death, disability, or resignation shall cause a vacancy in the membership or chair of any committee, the Speaker shall appoint another member or chair.

(c) 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 CHAIR

Rule 31. (Duties.) (a) The duties of the committee chair 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.

(b) The chair of a committee shall not require any person testifying before the committee to provide a written copy of the person's testimony.

Rule 32. (Presentation of Senate Bills.) When a standing committee recommends a Senate Bill for passage, the chair 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.) (a)(1) The chair 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, electronic documents, or records and other tangible evidence.

(2) The chair 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.)

(b) 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 chair 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, electronic documents, or records 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 chair 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 33A. (House rules govern.) The rules governing the procedure of the standing and select committees of the House shall be the same as those governing the House, as far as they may be applicable.

Rule 34. (Schedule of committee meetings.) The Speaker, after consultation with the chairs of the several committees, 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, and each committee shall meet at the hour provided by the schedule, unless otherwise ordered by the chair 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. But a committee may not conduct business unless a member of the majority party is present.

Rule 36. (Notice of meetings; none during daily session of House.)

(a) The chair of a standing committee, subcommittee, select committee, or joint committee shall give due notice of a meeting of the committee, subcommittee, select committee, or joint committee not later than twenty-four hours before the meeting, in accordance with section 101.15 of the Revised Code, and shall attempt to give that notice not later than five days before the meeting. The notice shall identify the committee; identify the chair; 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.

(b) 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 chair 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.

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

(d) 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.) (a) 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 chair of the committee for a minimum of one public hearing.

(b) 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 chair 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.) (a) 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 chair, 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.

(b) 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.) (a) 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 immediately before or 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.

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

(c) 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 chair 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 chair 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.) (a) All reports to the House shall be signed by a majority of the entire committee, except that a standing subcommittee, except Finance 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.

(b) The legislative staff assigned to the chair 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 legislative staff, or, if the minutes prepared, filed, and maintained by the legislative staff 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, 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.

#### DUTIES AND DECORUM OF MEMBERS

Rule 48. (Members desiring to speak.) (a) 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 must be addressed to the Speaker or presiding officer and not to members.

(b) 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 or presiding officer, from the well of the House.

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.

Rule 51. (Member called to order; question of order; stating question of order.) (a) If any member, in speaking, or otherwise, transgresses the rules

of the House, the Speaker or presiding officer 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 or presiding officer to explain. Any member may, by raising the point of order, call the attention of the Speaker or presiding officer 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 or presiding officer so requires, reduce the objectionable language to writing.

(b) 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.

(c) 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.) (a) 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 presiding officer 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.

(b) 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.

(c) 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 or presiding officer 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 or presiding officer, 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, physical or electronic documents, or any matter pertinent to the subject under consideration, without asking leave.

Rule 56. (Conduct of members.) While the Speaker or presiding officer 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.) (a) Except as otherwise provided in this rule, 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.

(b) 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.) (a) 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 or presiding officer 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.

(b) 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 or presiding officer, 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.

(c) 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.

(d) 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 or presiding officer 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 or presiding officer 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 or presiding officer 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 or presiding officer of the result of the vote, and the Speaker or presiding officer 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.) (a) All bills to be introduced in the House shall be filed in the Clerk's office, in a number of copies or electronically as determined by the Clerk, 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.

(b) 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.

(c) If opposition to the bill be expressed by any member on first consideration, the question shall be put by the Speaker or presiding officer, "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.

(d) 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 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. 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. If the report of the Rules and Reference Committee is accepted, the bills standing in order for second consideration are deemed to have been considered a second time, and are referred to committee as recommended in the report.

Rule 65. (Bills carrying appropriations.) All bills carrying an appropriation shall be referred to the Finance 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. The Rules and Reference Committee shall set the Calendar for a session not later than twenty-four hours before that session is scheduled to begin, unless otherwise ordered by a majority of the House.

Rule 66A. (Conference committee reports carrying appropriations.) All conference committee reports carrying an appropriation shall lie over two calendar days before being considered, unless otherwise ordered by a majority of the House.

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, unless otherwise ordered by a majority of the members elected to the House, 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 Clerk's amendments or the bill or resolution has been reprinted to incorporate the amendments.

As used in this rule, "Clerk's amendment" has the meaning defined in Rule 71.

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.) (a) 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.

(b)(1) 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, in accordance with Section 16 of Article II of the Constitution of Ohio.

(2) 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, in accordance with Section 16 of Article II of the Constitution of Ohio. 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.) (a) After a bill has been considered the third time and is up for consideration, it may be amended in any part.

(b) An amendment offered to any bill or resolution from the floor of the House is not in order unless one paper copy of the amendment was submitted to the Clerk not later than two hours before the scheduled time for the beginning of the session at which the amendment is offered, unless otherwise ordered by a majority of the House.

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

(d) 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, and then proceed under Rule 48, saying "move to amend," or words of similar import.

(e) A "Clerk's amendment" is an amendment that makes a technical or typographical change of a nonsubstantive nature, such as correcting a spelling error, correcting inconsistent paragraph lettering, or incorporating the latest version of a section of law that was amended after the bill was drafted.

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. (Titles of passed bills.) When a bill has passed the House, the Clerk shall read its title and the Speaker or presiding officer 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.

Rule 77. (House resolutions.) (a) 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 a number of copies or electronically as determined by the Clerk. Thereupon, the Clerk shall submit the resolutions to the Committee on Rules and Reference, except that the Clerk shall submit all resolutions having a congratulatory, commendatory, or other similar purpose to the presiding officer.

(b) Upon receipt from the Clerk of resolutions having a congratulatory, commendatory, or other similar purpose, the presiding officer may bring up the resolutions for immediate consideration or may refer the resolutions to the Committee on Rules and Reference.

If the presiding officer refers resolutions having a congratulatory, commendatory, or other similar purpose to the Committee on Rules and Reference, 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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 joint or concurrent resolutions.) (a) 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.

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

1. report for adoption;
2. report for referral; or
3. 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.

(c) 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, and the text of the resolution shall be spread upon 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 or presiding officer is in doubt, or a division be called for, the House shall divide and a roll call be taken. The Speaker or presiding officer shall announce the results.

Rule 81. (Motions.) (a) Every motion shall be reduced to writing, if the Speaker or presiding officer 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.

(b) When a motion is made, it shall be stated by the Speaker or presiding officer; 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.

(c) 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 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 legislative day before being considered.

Rule 87. (Motion to discharge a committee.) (a) 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.

(b) 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. Each member who signs the motion shall do so in the presence of the Clerk or an assistant of the Clerk.

(c) 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.

(d) 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.) (a) Every amendment proposed must be germane to the subject of the proposition or to the section or paragraph to be amended.

(b) 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.

(c) An amendment may be amended, but an amendment to an amendment may not be amended.

(d) 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.

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

(f) 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.

(g) As used in this rule, "Clerk's amendment" has the meaning defined in Rule 71.

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 a number of copies or electronically as determined by the Clerk, 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.) (a) 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 or presiding officer.

(b) 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 or presiding officer. The Clerk shall thereupon remove the Representative's name from the bill or resolution.

(c) 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 or presiding officer. No amendment to the title of a resolution shall change the subject dealt with in the original title.

#### RECONSIDERATION

Rule 95. (Motion to reconsider.) (a) 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 of the motion to reconsider and approval of the House.

(b)(1) 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.

(2) 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.

(3) 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.

(c) 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.

(d) 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 is ready to proceed to the orders of the day, a motion to go into the committee of the whole on the orders of the day has precedence over all other motions, except to adjourn, to take a recess, or for the previous question.

Rule 105A. (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 of the whole.

Rule 106. (Procedure of committee of the whole.) The entire membership of the House constitutes 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 chair who shall preside and vote as other members. In the committee of the whole, bills shall be read by the chair or Clerk, and shall be considered section-by-section, unless it is directed otherwise by the committee, leaving the title to be considered last.

Rule 107. (Amendments to be noted.) The body of the bill may not be

defaced or interlined, but amendments shall be noted by the chair or Clerk as they are agreed to by the committee of the whole and shall be so reported to the House.

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

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.) (a) 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 or presiding officer prior to exercising the privilege. The Speaker or presiding officer, or, when the House is not in session, the Clerk, has authority to grant immediate access to the floor of the House to visiting members of the media.

(b) 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.

(c) The application required by division (b) of this 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.

(d)(1) 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.

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

Rule 112. (Representatives of radio and television stations and broadcasting networks, how admitted.) (a) 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 presiding officer, or, when the House is not in session, the Clerk, has authority to grant immediate access to the floor of the House to visiting members of the media.

(b) 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.

(c) The application required by division (b) of this 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.

(d)(1) 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.

(2) 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 chair of the committee.

(e) 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 chair and during House floor sessions upon prior notification of the Speaker or presiding officer.

(f) Live broadcast coverage of floor sessions may be conducted with prior notification of the Speaker or presiding officer, and under such conditions as the Speaker or presiding officer may establish. Live broadcast coverage of committee hearings may be conducted with prior notification of the Speaker, and under such conditions as the Speaker and committee chair 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 with the Clerk in a number of copies to be determined by the Clerk. The Speaker or presiding officer 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 115A. (When effective.) These rules take effect upon adoption by the House and remain in effect until the rules of the House of Representatives for the ~~432nd~~ 133rd General Assembly are adopted.

Rule 116. (Parliamentary guide.) Hughes' American Parliamentary Guide, 1931-1932, Revised New Edition, as amplified or clarified in Mason's Manual of Legislative Procedure (2010), 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 or committee video in political or commercial activities is prohibited in all circumstances.

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 prepared by the staff of the Legislative Service Commission that has been made available to the members of the House and the fiscal note, if a fiscal note has been prepared by the staff of the Legislative Service Commission and made available to the members of the House, shall be made available to the public by the Speaker or presiding officer when the bill to which the analysis or fiscal note pertains receives third consideration in the House.

Rule 123. (Use of personal electronic devices on House floor.)

(a) Personal electronic devices may be used on the floor of the House of Representatives during session to advance legislative business, so long as that use complies with the Joint Legislative Code of Ethics, avoids the appearance of impropriety, is respectful of the solemnity of the institution of the House, and does not disrupt the proceedings.

(b) The Speaker, the Clerk, the Sergeant-at-arms, or their designees may take action to ensure that the use of personal electronic devices on the House floor complies with this rule.

Rule 124. (Legal counsel.) If the House requires the services of legal counsel, the Speaker shall determine whether the House shall be represented by the Attorney General or by special counsel.

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

The yeas and nays were taken and resulted – yeas 96, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Bocchieri	Boggs	Boyd
Brenner	Brinkman	Butler	Carfagna
Celebrezze	Clyde	Conditt	Craig
Cupp	DeVitis	Dean	Dever
Duffey	Edwards	Faber	Fedor
Gavarone	Ginter	Gonzales	Goodman
Green	Greenspan	Hagan	Hambley
Henne	Hill	Holmes	Hood
Householder	Huffman	Hughes	Ingram
Johnson, G.	Johnson, T.	Keller	Kelly
Kent	Kick	Koehler	LaTourette
Landis	Lanese	Leland	Lepore-Hagan
Lipps	Manning	McColley	Merrin
Miller	O'Brien	Patmon	Patterson
Patton	Pelanda	Perales	Reece
Reineke	Retherford	Rezabek	Riedel
Roegner	Rogers	Romanchuk	Ryan
Schaffer	Scherer	Schuring	Seitz
Sheehy	Slaby	Smith, K.	Smith, R.
Sprague	Stein	Strahorn	Sweeney
Sykes	Thompson	Vitale	West
Wiggam	Young	Zeltwanger	Rosenberger-96

Representatives Howse and Ramos voted in the negative-2.

The resolution was adopted.

Representative Schuring 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 concurrent resolution, reading as follows:

**H. C. R. No. 3-Representative Schuring**

To adopt the Legislative Code of Ethics for the members and employees of both chambers of the 132nd General Assembly, employees of any legislative agency, and candidates for the 133rd 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 Capitol Square Review and Advisory Board, Correctional Institution Inspection Committee, Joint Committee on Agency Rule Review, Joint Medicaid Oversight Committee, Joint Education Oversight Committee, Legislative Information Systems, Legislative Inspector General, Legislative Service Commission, and Ohio Constitutional Modernization 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 ~~41st~~ 132nd General Assembly adopt the following Legislative Code of Ethics:

LEGISLATIVE CODE OF ETHICS  
FOR MEMBERS AND EMPLOYEES OF THE  
~~41st~~ 132nd OHIO GENERAL ASSEMBLY,  
EMPLOYEES OF ANY LEGISLATIVE AGENCY,  
AND CANDIDATES FOR THE ~~42nd~~ 133rd 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, 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 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 of 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 of 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, or this Code of Ethics. 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 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 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 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 (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, or this Code of Ethics, 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, or this Code of Ethics, 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 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 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 or this Code of Ethics, 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 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 or this Code of Ethics 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 ~~132nd~~ 133rd GENERAL ASSEMBLY

The Code of Ethics for the ~~131st~~ 132nd General Assembly shall be effective until the ~~132nd~~ 133rd General Assembly adopts the Code of Ethics for the ~~132nd~~ 133rd General Assembly.

Representative Schuring moved to amend the title as follows:

Add the names: “Anielski, Antani, Butler, Celebrezze, Conditt, Craig, Cupp, Dean, Faber, Ginter, Goodman, Green, Greenspan, Hambley, Householder, Huffman, Johnson, T., Kent, Koehler, Landis, LaTourette, Lipps, McColley, O'Brien, Patton, Retherford, Rezabek, Rogers, Schaffer, Sheehy, Slaby, Smith, R., Strahorn, Sweeney, Sykes, Young, Speaker



Rosenberger.”

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Boccieri	Boggs	Boyd
Brenner	Brinkman	Butler	Carfagna
Celebrezze	Clyde	Conditt	Craig
Cupp	DeVitis	Dean	Dever
Duffey	Edwards	Faber	Fedor
Gavarone	Ginter	Gonzales	Goodman
Green	Greenspan	Hagan	Hambley
Henne	Hill	Holmes	Hood
Householder	Howse	Huffman	Hughes
Ingram	Johnson, G.	Johnson, T.	Keller
Kelly	Kent	Kick	Koehler
LaTourette	Landis	Lanese	Leland
Lepore-Hagan	Lipps	Manning	McColley
Merrin	Miller	O'Brien	Patmon
Patterson	Patton	Pelanda	Perales
Ramos	Reineke	Retherford	Rezabek
Riedel	Roegner	Rogers	Romanchuk
Ryan	Schaffer	Scherer	Schuring
Seitz	Sheehy	Slaby	Smith, K.
Smith, R.	Sprague	Stein	Strahorn
Sweeney	Sykes	Thompson	Vitale
West	Wiggam	Young	Zeltwanger
			Rosenberger-97

The concurrent resolution was adopted.

Pursuant to the motion of Representative Schuring, the following oath of office was entered upon the journal:

State of Ohio

County of Franklin

I, Janine R. Boyd, 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/ JANINE R. BOYD

Janine R. Boyd

Sworn to and subscribed before me this 25th day of January, 2017.

/s/ EMILIA STRONG SYKES  
Emilia Strong Sykes  
State Representative  
House District 34

On motion of Representative Schuring, the House adjourned until Monday, January 30, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.