(124th General Assembly)
(Amended Substitute Senate Bill Number 218)

AN ACT

To amend section 2939.06 of the Revised Code to modify the oath administered to members of a grand jury.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 2939.06 of the Revised Code be amended to read as follows:

Sec. 2939.06. (A) When a grand jury is impaneled, the court of common pleas shall appoint one of the members ~~thereof~~ of the grand jury as ~~foreman~~ foreperson, and shall administer, or cause to be administered, to ~~said~~ the jurors an oath in the following words to which the jurors shall respond "I do solemnly swear " or " I do solemnly affirm":

"~~You and each of~~ Do you ~~do~~ solemnly swear or affirm that you will diligently inquire~~,~~ into and ~~true presentment make of~~ carefully deliberate all ~~such~~ matters ~~and things as~~ that shall ~~be given you in charge or otherwise~~ come to your ~~knowledge, touching the present~~ attention concerning this service; ~~the counsel of the state, your own,~~ and ~~your fellows,~~ do you solemnly swear or affirm that you ~~shall~~ will keep secret all proceedings of the grand jury unless ~~called on~~ you are required in a court of justice to make ~~disclosures~~ disclosure; and do you ~~shall present~~ solemnly swear or affirm that you will indict no person through malice, hatred, or ill will~~, nor shall~~; and do you solemnly swear or affirm that you will not leave unindicted any person ~~unpresented~~ through fear, favor, or affection, or for any reward or hope thereof~~, but in all your presentments~~; and do you solemnly swear or affirm that in all your deliberations you ~~shall~~ will present the truth, the whole truth, and nothing but the truth, according to the best of your skill and understanding~~.~~, as you shall answer unto God or under the penalties of perjury?"

(B) If, on or after the effective date of this amendment, a court impaneling a grand jury uses the grand juror's oath that was in effect prior to the effective date of this amendment instead of the oath set forth in division (A) of this section, the court's use of the former oath does not invalidate or affect the validity of the impanelment of the grand jury, any proceeding, inquiry, or presentation of the grand jury, any indictment or other document found, returned, or issued by the grand jury, or any other action taken by the

grand jury.

SECTION 2. That existing section 2939.06 of the Revised Code is hereby repealed.

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Speaker _____ *of the House of Representatives.*

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President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

_____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

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Secretary of State.

File No. _____ Effective Date _____