

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. C. R. No. 48

Representative Stewart

**Cosponsors: Representatives Bird, Brown, Cutrona, Ferguson, Fraizer, Grendell,
Gross, Hicks-Hudson, Hillyer, Humphrey, John, Kick, Lanese, Lipps, Merrin, Schmidt,
Seitz, Skindell, Swearingen, Wiggam, Young, T.**

A CONCURRENT RESOLUTION

To disapprove proposed Rule 39(C) of the Ohio Rules of Civil Procedure, filed by the Ohio Supreme Court with the General Assembly on April 26, 2022, and the previously proposed Rule 39(C) of the Ohio Rules of Civil Procedure filed on January 12, 2022.

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

WHEREAS, The Ohio Supreme Court, under the authority granted by Ohio Constitution, Article IV, Section 5(B), promulgated and filed on January 12, 2022, with the Clerk of the Senate and the Clerk of the House of Representatives, proposed Rule 39(C) of the Ohio Rules of Civil Procedure, regarding the conduct of a trial remotely, at the request of a party, using live two-way video and audio conference technology; and

WHEREAS, The Ohio Supreme Court, under the authority granted by Ohio Constitution, Article IV, Section 5(B), promulgated and filed on April 26, 2022, with the Clerk of the Senate and the Clerk of the House of Representatives, proposed Rule 39(C) of the Ohio Rules of Civil Procedure, regarding the

conduct of a trial remotely, at the request of a party, using 18
live two-way video and audio conference technology, to supplant 19
the proposed Rule 39(C) filed on January 12, 2022; and 20

WHEREAS, Proposed Rule 39(C) of the Ohio Rules of Civil 21
Procedure would take effect July 1, 2022, and all statutes of 22
this state in conflict with that Rule would have no further 23
force or effect thereafter, unless the 134th General Assembly of 24
the State of Ohio adopts a concurrent resolution of disapproval 25
prior to July 1, 2022; now therefore be it 26

RESOLVED, That the 134th General Assembly of the State of 27
Ohio hereby disapproves of proposed Rule 39(C) of the Ohio Rules 28
of Civil Procedure filed on April 26, 2022, with the Clerk of 29
the Senate and the Clerk of the House of Representatives, and 30
the previously proposed Rule 39(C) filed on January 12, 2022; 31
and be it further 32

RESOLVED, That it is the intention of the General Assembly 33
in adopting this concurrent resolution of disapproval to comply 34
with Ohio Constitution, Article IV, Section 5(B), and thus to 35
prevent proposed Rule 39(C) of the Ohio Rules of Civil Procedure 36
filed on April 26, 2022, and the previously proposed amendments 37
to that Rule filed on January 12, 2022, from taking effect; and 38
be it further 39

RESOLVED, That within five days after the adoption of this 40
concurrent resolution, the Clerk of the House of Representatives 41
shall send a certified copy to the Supreme Court, together with 42
a certification stating the date on which this resolution was 43
adopted. 44