

A CONCURRENT RESOLUTION

To disapprove the proposed amendments to specified rules, and to Staff Notes to specified rules, under the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio Rules of Juvenile Procedure, filed by the Ohio Supreme Court with the General Assembly on April 26, 2022, and the previously proposed amendments to those specified Rules and Staff Notes to those specified rules filed on January 12, 2022.

Be it resolved by the Senate of the State of Ohio (The House of Representatives concurring):

WHEREAS, The Ohio Supreme Court, under the authority granted by Section 5(B) of Article IV of the Ohio Constitution, promulgated and filed on January 12, 2022, with the Clerk of the Senate and the Clerk of the House of Representatives, proposed amendments to the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio Rules of Juvenile Procedure, and also filed with the chairperson of the Senate Judiciary Committee, the chairperson of the House Criminal Justice Committee, and the chairperson of the House Civil Justice Committee on that date the same proposed amendments to those Rules that also included proposed amendments to Staff Notes for certain of those Rules; and

WHEREAS, The Ohio Supreme Court, under the authority granted by Section 5(B) of Article IV of the Ohio Constitution, promulgated and filed on April 26, 2022, with the Clerk of the Senate and the Clerk of the House of Representatives, proposed amendments to the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio Rules of Juvenile Procedure, and also filed with the chairperson of the Senate Judiciary Committee, the chairperson of the House Criminal Justice Committee, and the chairperson of the House Civil Justice Committee on that date the same proposed amendments to those Rules that also included proposed amendments to Staff Notes for certain of those Rules, to supplant the proposed Rules and Staff Notes filed on January 12, 2022; and

WHEREAS, The proposed amendments to the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio Rules of Juvenile Procedure and any other amendments to those Rules, and the proposed amendments to Staff Notes under those Rules, that are filed not later than May 1, 2022, would take effect July 1, 2022, and all statutes of this state in conflict with those amendments to the Rules would have no further force or effect thereafter, unless this 134th General Assembly of the State of Ohio adopts a concurrent resolution of disapproval of the Rules prior to July 1, 2022; now therefore be it

RESOLVED, That the 134th General Assembly of the State of Ohio hereby disapproves of the proposed amendments to the following Ohio Rules of Civil Procedure, Ohio Rules of Criminal

Procedure, Ohio Rules of Evidence, and Ohio Rules of Juvenile Procedure filed on April 26, 2022, with the Clerk of the Senate and the Clerk of the House of Representatives, and the previously proposed amendments to those Rules filed on January 12, 2022, and also disapproves of the proposed amendments to the following Staff Notes for certain of those Rules filed with the chairperson of the Senate Judiciary Committee, the chairperson of the House Criminal Justice Committee, and the chairperson of the House Civil Justice Committee on those dates:

1. Ohio Rules of Civil Procedure -- disapprove proposed amendments to Rule 1, Rule 1.1, Rule 30, Rule 39, and Rule 43, and to Staff Notes to Rule 16, Rule 30, Rule 39, and Rule 43;
2. Ohio Rules of Criminal Procedure -- disapprove proposed amendments to Rule 1, Rule 2, Rule 10, Rule 40, and Rule 43, and to Staff Notes to Rule 40 and Rule 43;
3. Ohio Rules of Evidence -- disapprove proposed amendments to Rule 101;
4. Ohio Rules of Juvenile Procedure -- disapprove proposed amendments to Rule 1, Rule 2, Rule 20, Rule 25, Rule 27, Rule 29, Rule 34, and Rule 41; and be it further

RESOLVED, That it is the intention of the General Assembly in adopting this concurrent resolution of disapproval to comply with Section 5(B) of Article IV of the Ohio Constitution, and thus to prevent the specified proposed amendments to the Ohio Rules of Civil Procedure, Ohio Rules of Criminal Procedure, Ohio Rules of Evidence, and Ohio Rules of Juvenile Procedure filed on April 26, 2022, and the previously proposed amendments to those Rules filed on January 12, 2022, from taking effect, and to also prevent the specified proposed amendments to the Staff Notes for certain of those Rules filed with the chairperson of the Senate Judiciary Committee, the chairperson of the House Criminal Justice Committee, and the chairperson of the House Civil Justice Committee on those dates from taking effect; and be it further

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

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Adopted _____, 20____