



Kristin Moore

*Final Analysis*  
*Legislative Service Commission*

**Sub. H.B. 495**  
123rd General Assembly  
(As Passed by the General Assembly)

**Reps. Terwilliger, Evans, Willamowski, Allen, Mead**

**Sens. Schafrath, Blessing**

**Effective date: \***

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**ACT SUMMARY**

- Requires the Legislative Service Commission to direct by rule how the insertion of new matter and omission of old matter is to be indicated in bills.
- Eliminates references to 20th century dates found in various statutory forms to permit their accurate use in the year 2000 and thereafter.
- Declares an emergency.

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**CONTENT AND OPERATION**

**Format for insertion of new matter and omission of old matter in bills**

Former law required that, in bills introduced in the General Assembly, new matter be indicated by capitalization, old matter be omitted by striking through the matter, and prior capitalization in Revised Code sections be indicated by italicized type. Under the act, the Legislative Service Commission (LSC), by rule adopted under section 111.15 of the Revised Code (a statute that does not require public hearings on rules adopted under it), must direct how new matter is indicated and old matter is omitted in bills. The act also removes the requirement that prior capitalization in Revised Code sections be indicated by italicized type. (Sec. 101.53.)

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

The act specifies that bills prepared for the 123rd General Assembly must continue to be prepared as directed by Joint Rule 14 of the 123rd General Assembly (see below), notwithstanding the change described in the immediately preceding paragraph and any rules LSC adopts to implement the change (Section 3). The act also requires LSC first to direct how insertion of new matter and omission of old matter is to be indicated with respect to bills prepared for the 124th General Assembly and provides that Joint Rule 14 does not apply to the preparation of bills for the 124th General Assembly insofar as it is incompatible with the change made by the act or any rule LSC adopts to implement the change (Section 4).

Joint Rule 14 generally establishes standards for the form of bills and requires that (1) new matter be capitalized, (2) existing matter that is to be eliminated be stricken through by a horizontal line, and (3) when a word appears in capital letters in an existing Revised Code section that is being amended, these capital letters must be italicized in the bill to retain the capitalization.

**Elimination of references to 20th century dates in statutory forms**

The act amends a number of Revised Code sections to remove references to 20th century dates (such as "19\_\_") in forms whose substance is described in those sections. The following table lists each of the Revised Code sections amended and briefly describes the statutory form contained in that section:

<b>REVISED CODE SECTION</b>	<b>FORM DESCRIBED IN THE SECTION</b>
§ 153.571	Form of bid guaranty bond
§ 317.113	Certificate of English translation to accompany deed or other written instrument in other language
§ 317.24(B)	Record of U.S. Armed Forces member's discharge: form for expungement of that record or of the member's separation program number from that record
§ 981.02	Notice of trade-mark of timber dealers
§ 1311.56(C)	Affidavit for perfection of agricultural product lien
§ 2715.041(A) <sup>1</sup>	Form for notice to defendant of a proceeding for an order of attachment of property

<sup>1</sup> *The act amends both the current and future versions of this statute.*

REVISED CODE SECTION	FORM DESCRIBED IN THE SECTION
§ 2737.05(A)	Notice to respondent and request for hearing form relating to an order to recover possession of personal property (replevin proceeding)
§ 2935.17(A) and (B)	Affidavit and complaint forms (criminal actions)
§ 2935.18	Contents of warrant or summons (criminal actions)
§ 2935.19	Form of affidavit (criminal actions)
§ 2941.06	Form of indictment (criminal actions)
§ 3113.215(E) and (F) <sup>2</sup>	Worksheet for calculation of amount of child support obligation
§ 3501.31	Precinct election official's statement
§ 3509.04	Statement of absentee voter
§ 3513.07	Form of declaration of candidacy; petition of candidate
§ 3513.261	Form of nominating petition and statement of candidacy
§ 3769.04	Petition accompanying certain applications for horse racing permits
§ 4561.25(A)	Notice of insurance coverage in connection with rental agreements for aircraft
§ 4703.10	Certificate of qualification to practice architecture
§ 5309.15	Application to register title to land
§ 5721.15(B) and (C)	Forms for foreclosure of liens and forfeiture of property proceedings related to delinquent taxes
§ 5721.181(B) and (C)	Forms for in rem foreclosure of liens proceedings related to delinquent taxes
§ 5721.191(A)	Form for advertisement of sale under judgment of foreclosure related to delinquent taxes
§ 5901.29	Funeral director's contract to provide burial for veteran

<sup>2</sup> *The act amends both the current and future versions of this statute.*

REVISED CODE SECTION	FORM DESCRIBED IN THE SECTION
§ 5907.08	Affidavit to be filed when resident of Ohio Veterans' Home becomes insane
§ 5919.10	Enlistment contract and oath of enlistment of Ohio National Guard member
§ 5920.08	Enlistment contract and oath of enlistment of Ohio military reserve member
§ 5921.05	Enlistment contract and oath of enlistment of Ohio naval militia member
§ 6101.84(A), (B), (C), (D), (E), (F), (G), and (H)	Suggested forms for establishment and use of conservancy district
§ 6115.79(A), (B), (C), (D), (E), and (F)	Suggested forms for establishment and use of sanitary district

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	11-04-99	p. 1329
Reported, H. State Gov't	11-16-99	p. 1369
Passed House (88-0)	12-08-99	pp. 1389-1422
Reported, S. State & Local		
Gov't & Veterans Affairs	03-16-00	p. 1465
Passed Senate (33-0)	03-16-00	pp. 1468-1469
Concurrence (92-0)	03-21-00	pp. 1691-1693

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