



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Nicholas A. Keller

S.B. 183

132nd General Assembly
(As Introduced)

Sens. LaRose, Beagle, Coley

BILL SUMMARY

- Creates the Joint Committee to Study Ohio Business Courts.
- Requires the Committee to study the possibility of business courts in Ohio and to provide draft legislation or reasoning why such courts are not necessary.
- Abolishes the Committee after draft legislation or reasoning is submitted.

CONTENT AND OPERATION

Joint Committee to Study Ohio Business Courts

The bill creates the Joint Committee to Study Ohio Business Courts.

Membership

The committee comprises the following 19 members:

Membership of the Joint Committee to Study Ohio Business Courts		
Number of members	Qualifications	Appointed by
2	Members of the House of Representatives	The Speaker of the House of Representatives
1	Member of the House of Representatives	The Minority Leader of the House of Representatives
2	Members of the Senate	The President of the Senate
1	Member of the Senate	The Minority Leader of the Senate
3	Sitting judges who represent the Ohio Supreme Court, a court of appeals, or a court of common pleas	The Chief Justice of the Ohio Supreme Court

Membership of the Joint Committee to Study Ohio Business Courts		
Number of members	Qualifications	Appointed by
3	Senior level executives of businesses incorporated in Ohio	One appointed by the Speaker of the House, one appointed by the President of the Senate, and one appointed by the Secretary of State
3	Business or law professors from a state university in Ohio	One appointed by the Speaker of the House, one appointed by the President of the Senate, and one appointed by the Secretary of State
1	Employee of the Secretary of State who is an expert in Ohio business filings	The Secretary of State
3	Individuals who represent Ohio's business interests	The Secretary of State

Appointments to the committee must be made no later than 60 days after the bill's effective date and vacancies on the Committee must be filled in the same manner as provided in the bill for original appointments.¹

Study of Business Court System

The Committee is charged with studying the potential effect of a business court system on Ohio's business climate. Specifically, the Committee must study all of the following:²

- Whether or not a business court system would effectively encourage a company to want to register in Ohio;
- How many business courts would be necessary in Ohio;
- Whether there are potential judges who are available who would have the necessary business expertise to properly operate a business court system;
- The effects of a business court system on courts of common pleas;
- Whether a business court system could be funded solely on court filing fees.

¹ Section 1(A) and (B)(1).

² Section 1(C).



If the Committee determines that a business court system would be beneficial in Ohio, the Committee must draft language to become legislation that would create the business court system and must submit that draft to the Speaker of the House, the President of the Senate, and the Chief Justice of the Ohio Supreme Court no later than one year after the bill's effective date. If the Committee determines that a business court system would not be beneficial in Ohio, the Committee must submit its reasoning in writing to the Chief Justice of the Ohio Supreme Court not later than one year after the bill's effective date. The Committee is abolished upon submission of either draft language to become legislation or the Committee's reasoning.³

Organization

The Speaker of the House and President of the Senate must each designate a member of the Committee to serve as a co-chairperson. The member designated by the Speaker of the House must be a member of the House of Representatives, and the member designated by the President of the Senate must be a member of the Senate.⁴

The Committee must meet within 30 days after appointments to the Committee are made and must meet at least once every month after that initial meeting. Members of the Committee serve without compensation, but must be reimbursed for actual and necessary expenses incurred in the performance of official duties of the Committee. The staff of the Legislative Service Commission must provide staff support for the Committee.⁵

Meetings of the Committee are public meetings and must be open to the public at all times. A member of the Committee must be present in person at a meeting that is open to the public to be considered present, to vote at the meeting, or to determine whether a quorum is present. The co-chairpersons of the Committee must promptly prepare and maintain meeting minutes, which are public records under the bill. The Committee must give reasonable notice of its meetings so that any person may determine the time and place of all scheduled meetings and must give at least 24 hours advance notice to news media organizations that have requested notification of the Committee's meetings.⁶

³ Section 1(D).

⁴ Section 1(B)(2).

⁵ Section 1(B)(3), (4), and (5) .

⁶ Section 1(E).



HISTORY

ACTION

DATE

Introduced

08-29-17

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