

_____ moved to amend as follows:

In line 1 of the title, delete "and"; after "111.99" insert ", 1
149.43, 3503.13, and 3503.24 and to enact section 3513.053" 2

In line 3 of the title, after "Program" insert ", to exempt judges' 3
and prosecutors' addresses from disclosure, and to make related changes to 4
the Election Law" 5

In line 4, delete "and"; after "111.99" insert ", 149.43, 3503.13, 6
and 3503.24 be amended and section 3513.053" 7

In line 5, delete "amended" and insert "enacted" 8

After line 221, insert: 9

"Sec. 149.43. (A) As used in this section: 10

(1) "Public record" means records kept by any public 11
office, including, but not limited to, state, county, city, 12
village, township, and school district units, and records 13
pertaining to the delivery of educational services by an 14
alternative school in this state kept by the nonprofit or for- 15
profit entity operating the alternative school pursuant to 16



section 3313.533 of the Revised Code. "Public record" does not 17
mean any of the following: 18

(a) Medical records; 19

(b) Records pertaining to probation and parole 20
proceedings, to proceedings related to the imposition of 21
community control sanctions and post-release control sanctions, 22
or to proceedings related to determinations under section 23
2967.271 of the Revised Code regarding the release or maintained 24
incarceration of an offender to whom that section applies; 25

(c) Records pertaining to actions under section 2151.85 26
and division (C) of section 2919.121 of the Revised Code and to 27
appeals of actions arising under those sections; 28

(d) Records pertaining to adoption proceedings, including 29
the contents of an adoption file maintained by the department of 30
health under sections 3705.12 to 3705.124 of the Revised Code; 31

(e) Information in a record contained in the putative 32
father registry established by section 3107.062 of the Revised 33
Code, regardless of whether the information is held by the 34
department of children and youth or, pursuant to section 3111.69 35
of the Revised Code, the office of child support in the 36
department of job and family services or a child support 37
enforcement agency; 38

(f) Records specified in division (A) of section 3107.52 39
of the Revised Code; 40

(g) Trial preparation records, prior to the conclusion of 41
all direct appeals or, if no appeal is filed, prior to the 42
expiration of the time during which an appeal may be filed, or, 43
if no trial has occurred, until the civil or criminal action or 44

proceeding has ended without the possibility of direct appeal or	45
each agency, office, or official responsible for the matter has	46
made a decision not to proceed with the matter;	47
(h) Confidential law enforcement investigatory records;	48
(i) Records containing information that is confidential	49
under section 2710.03 or 4112.05 of the Revised Code;	50
(j) DNA records stored in the DNA database pursuant to	51
section 109.573 of the Revised Code;	52
(k) Inmate records under section 5120.21 of the Revised	53
Code, except for permitted disclosure of the information listed	54
in division (E) (1) of that section;	55
(l) Records maintained by the department of youth services	56
pertaining to children in its custody released by the department	57
of youth services to the department of rehabilitation and	58
correction pursuant to section 5139.05 of the Revised Code;	59
(m) Intellectual property records;	60
(n) Donor profile records;	61
(o) Records maintained by the department of job and family	62
services pursuant to section 3121.894 of the Revised Code;	63
(p) Designated public service worker residential and	64
familial information;	65
(q) In the case of a county hospital operated pursuant to	66
Chapter 339. of the Revised Code or a municipal hospital	67
operated pursuant to Chapter 749. of the Revised Code,	68
information that constitutes a trade secret, as defined in	69
section 1333.61 of the Revised Code;	70
(r) Information pertaining to the recreational activities	71

of a person under the age of eighteen;	72
(s) In the case of a child fatality review board acting	73
under sections 307.621 to 307.629 of the Revised Code or a	74
review conducted pursuant to guidelines established by the	75
director of health under section 3701.70 of the Revised Code,	76
records provided to the board or director, statements made by	77
board members during meetings of the board or by persons	78
participating in the director's review, and all work products of	79
the board or director, and in the case of a child fatality	80
review board, child fatality review data submitted by the board	81
to the department of health or a national child death review	82
database, other than the report prepared pursuant to division	83
(A) of section 307.626 of the Revised Code;	84
(t) Records provided to and statements made by the	85
executive director of a public children services agency or a	86
prosecuting attorney acting pursuant to section 5153.171 of the	87
Revised Code other than the information released under that	88
section;	89
(u) Test materials, examinations, or evaluation tools used	90
in an examination for licensure as a nursing home administrator	91
that the board of executives of long-term services and supports	92
administers under section 4751.15 of the Revised Code or	93
contracts under that section with a private or government entity	94
to administer;	95
(v) Records the release of which is prohibited by state or	96
federal law;	97
(w) Proprietary information of or relating to any person	98
that is submitted to or compiled by the Ohio venture capital	99
authority created under section 150.01 of the Revised Code;	100

(x) Financial statements and data any person submits for	101
any purpose to the Ohio housing finance agency or the	102
controlling board in connection with applying for, receiving, or	103
accounting for financial assistance from the agency, and	104
information that identifies any individual who benefits directly	105
or indirectly from financial assistance from the agency;	106
 (y) Records listed in section 5101.29 of the Revised Code;	107
 (z) Discharges recorded with a county recorder under	108
section 317.24 of the Revised Code, as specified in division (B)	109
(2) of that section;	110
 (aa) Usage information including names and addresses of	111
specific residential and commercial customers of a municipally	112
owned or operated public utility;	113
 (bb) Records described in division (C) of section 187.04	114
of the Revised Code that are not designated to be made available	115
to the public as provided in that division;	116
 (cc) Information and records that are made confidential,	117
privileged, and not subject to disclosure under divisions (B)	118
and (C) of section 2949.221 of the Revised Code;	119
 (dd) Personal information, as defined in section 149.45 of	120
the Revised Code;	121
 (ee) The confidential name, address, and other personally	122
identifiable information of a program participant in the address	123
confidentiality program established under sections 111.41 to	124
111.47 of the Revised Code, including the contents of any	125
application for absent voter's ballots, absent voter's ballot	126
identification envelope statement of voter, or provisional	127
ballot affirmation completed by a program participant who has a	128

confidential voter registration record; records or portions of 129
records pertaining to that program that identify the number of 130
program participants that reside within a precinct, ward, 131
township, municipal corporation, county, or any other geographic 132
area smaller than the state; and any real property 133
confidentiality notice filed under section 111.431 of the 134
Revised Code and the information described in division (C) of 135
that section. As used in this division, "confidential address" 136
and "program participant" have the meaning defined in section 137
111.41 of the Revised Code. 138

(ff) Orders for active military service of an individual 139
serving or with previous service in the armed forces of the 140
United States, including a reserve component, or the Ohio 141
organized militia, except that, such order becomes a public 142
record on the day that is fifteen years after the published date 143
or effective date of the call to order; 144

(gg) The name, address, contact information, or other 145
personal information of an individual who is less than eighteen 146
years of age that is included in any record related to a traffic 147
accident involving a school vehicle in which the individual was 148
an occupant at the time of the accident; 149

(hh) Protected health information, as defined in 45 C.F.R. 150
160.103, that is in a claim for payment for a health care 151
product, service, or procedure, as well as any other health 152
claims data in another document that reveals the identity of an 153
individual who is the subject of the data or could be used to 154
reveal that individual's identity; 155

(ii) Any depiction by photograph, film, videotape, or 156
printed or digital image under either of the following 157
circumstances: 158

(i) The depiction is that of a victim of an offense the
release of which would be, to a reasonable person of ordinary
sensibilities, an offensive and objectionable intrusion into the
victim's expectation of bodily privacy and integrity.

(ii) The depiction captures or depicts the victim of a
sexually oriented offense, as defined in section 2950.01 of the
Revised Code, at the actual occurrence of that offense.

(jj) Restricted portions of a body-worn camera or
dashboard camera recording;

(kk) In the case of a fetal-infant mortality review board
acting under sections 3707.70 to 3707.77 of the Revised Code,
records, documents, reports, or other information presented to
the board or a person abstracting such materials on the board's
behalf, statements made by review board members during board
meetings, all work products of the board, and data submitted by
the board to the department of health or a national infant death
review database, other than the report prepared pursuant to
section 3707.77 of the Revised Code.

(ll) Records, documents, reports, or other information
presented to the pregnancy-associated mortality review board
established under section 5180.27 of the Revised Code,
statements made by board members during board meetings, all work
products of the board, and data submitted by the board to the
department of health, other than the biennial reports prepared
under section 5180.277 of the Revised Code;

(mm) Except as otherwise provided in division (A) (1) (oo)
of this section, telephone numbers for a victim, as defined in
section 2930.01 of the Revised Code or a witness to a crime that
are listed on any law enforcement record or report.

(nn) A preneed funeral contract, as defined in section 188
4717.01 of the Revised Code, and contract terms and personally 189
identifying information of a preneed funeral contract, that is 190
contained in a report submitted by or for a funeral home to the 191
board of embalmers and funeral directors under division (C) of 192
section 4717.13, division (J) of section 4717.31, or section 193
4717.41 of the Revised Code. 194

(oo) Telephone numbers for a party to a motor vehicle 195
accident subject to the requirements of section 5502.11 of the 196
Revised Code that are listed on any law enforcement record or 197
report, except that the telephone numbers described in this 198
division are not excluded from the definition of "public record" 199
under this division on and after the thirtieth day after the 200
occurrence of the motor vehicle accident. 201

(pp) Records pertaining to individuals who complete 202
training under section 5502.703 of the Revised Code to be 203
permitted by a school district board of education or governing 204
body of a community school established under Chapter 3314. of 205
the Revised Code, a STEM school established under Chapter 3326. 206
of the Revised Code, or a chartered nonpublic school to convey 207
deadly weapons or dangerous ordnance into a school safety zone; 208

(qq) Records, documents, reports, or other information 209
presented to a domestic violence fatality review board 210
established under section 307.651 of the Revised Code, 211
statements made by board members during board meetings, all work 212
products of the board, and data submitted by the board to the 213
department of health, other than a report prepared pursuant to 214
section 307.656 of the Revised Code; 215

(rr) Records, documents, and information the release of 216
which is prohibited under sections 2930.04 and 2930.07 of the 217

Revised Code;	218
(ss) Records of an existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code that do not pertain to a purpose for which the district is created;	219 220 221 222
(tt) Educational support services data, as defined in section 3319.325 of the Revised Code;	223 224
(uu) Records of the past, current, and future work schedule of a designated public service worker. As used in division (A)(1)(uu) of this section, "work schedule" does not include the docket of cases of a court, judge, or magistrate;	225 226 227 228
(vv) A request form or confirmation letter submitted to a public office under section 149.45 of the Revised Code;	229 230
(ww) An affidavit or confirmation letter submitted under section 319.28 of the Revised Code;	231 232
(xx) License or certificate application or renewal responses and supporting documentation submitted to the state medical board regarding an applicant's, or a license or certificate holder's, inability to practice according to acceptable and prevailing standards of care by reason of a medical condition;	233 234 235 236 237 238
(yy) Images and data captured by an automated license plate recognition system that are maintained in a law enforcement database;	239 240 241
(zz) Attorney work product record;	242
(aaa) Any entry on the public calendar of an elected official that is for any date that is after the date the record is requested;	243 244 245

(bbb) Records pertaining to burial sites under section 246
149.3010 of the Revised Code. 247

A record that is not a public record under division (A) (1) 248
of this section and that, under law, is permanently retained 249
becomes a public record on the day that is seventy-five years 250
after the day on which the record was created, or in the case of 251
a record that is not a public record under division (A) (1) (uu) 252
of this section that is retained, three years after the day on 253
which the record was created, except for any record protected by 254
the attorney-client privilege, a trial preparation record as 255
defined in this section, a statement prohibiting the release of 256
identifying information signed under section 3107.083 of the 257
Revised Code, a denial of release form filed pursuant to section 258
3107.46 of the Revised Code, records pertaining to burial sites 259
under section 149.3010 of the Revised Code, or any record that 260
is exempt from release or disclosure under section 149.433 of 261
the Revised Code. If the record is a birth certificate and a 262
biological parent's name redaction request form has been 263
accepted under section 3107.391 of the Revised Code, the name of 264
that parent shall be redacted from the birth certificate before 265
it is released under this paragraph. If any other section of the 266
Revised Code establishes a time period for disclosure of a 267
record that conflicts with the time period specified in this 268
section, the time period in the other section prevails. 269

(2) (a) "Confidential law enforcement investigatory record" 270
means any record that pertains to a law enforcement matter of a 271
criminal, quasi-criminal, civil, or administrative nature, but 272
only to the extent that the release of the record would create a 273
high probability of disclosure of any of the following: 274

(i) The identity of a suspect who has not been charged 275

with the offense to which the record pertains, or of an 276
information source or witness to whom confidentiality has been 277
reasonably promised; 278

(ii) Information provided by an information source or 279
witness to whom confidentiality has been reasonably promised, 280
which information would reasonably tend to disclose the source's 281
or witness's identity; 282

(iii) Specific confidential investigatory techniques or 283
procedures or specific investigatory work product; 284

(iv) Information that would endanger the life or physical 285
safety of law enforcement personnel, a crime victim, a witness, 286
or a confidential information source. 287

(b) As used in divisions (A) (2) and (18) of this section, 288
"specific investigatory work product" means information 289
assembled by law enforcement officials in connection with a 290
probable or pending criminal or civil proceeding, with the 291
exception of routine incident reports. "Specific investigatory 292
work product" is not a public record prior to the conclusion of 293
all direct appeals, or, if no appeal is filed, prior to the 294
expiration of the time during which an appeal may be filed, or, 295
if no trial has occurred, until the criminal or civil proceeding 296
has ended without possibility of direct appeal or each agency, 297
office, or official responsible for the matter has made a 298
decision not to proceed with the matter. 299

(3) "Medical record" means any document or combination of 300
documents, except births, deaths, and the fact of admission to 301
or discharge from a hospital, that pertains to the medical 302
history, diagnosis, prognosis, or medical condition of a patient 303
and that is generated and maintained in the process of medical 304

treatment. 305

(4) "Trial preparation record" means any record created by 306
or for another party or by or for that party's representative, 307
in reasonable anticipation of, or in defense of, a civil or 308
criminal action or proceeding, that is not a confidential law 309
enforcement investigatory record or attorney work product record 310
and that contains factual information that is specifically 311
compiled for that civil or criminal action or proceeding. 312

(5) "Intellectual property record" means a record, other 313
than a financial or administrative record, that is produced or 314
collected by or for faculty or staff of a state institution of 315
higher learning in the conduct of or as a result of study or 316
research on an educational, commercial, scientific, artistic, 317
technical, or scholarly issue, regardless of whether the study 318
or research was sponsored by the institution alone or in 319
conjunction with a governmental body or private concern, and 320
that has not been publicly released, published, or patented. 321

(6) "Donor profile record" means all records about donors 322
or potential donors to a public institution of higher education 323
except the names and reported addresses of the actual donors and 324
the date, amount, and conditions of the actual donation. 325

(7) "Designated public service worker" means a peace 326
officer, parole officer, probation officer, bailiff, prosecuting 327
attorney, assistant prosecuting attorney, correctional employee, 328
county or multicounty corrections officer, community-based 329
correctional facility employee, designated Ohio national guard 330
member, protective services worker, youth services employee, 331
firefighter, EMT, medical director or member of a cooperating 332
physician advisory board of an emergency medical service 333
organization, state board of pharmacy employee, investigator of 334

the bureau of criminal identification and investigation, 335
emergency service telecommunicator, forensic mental health 336
provider, mental health evaluation provider, regional 337
psychiatric hospital employee, judge, magistrate, or federal law 338
enforcement officer. 339

(8) "Designated public service worker residential and 340
familial information" means any information that discloses any 341
of the following about a designated public service worker: 342

(a) The address of the actual personal residence of a 343
designated public service worker, except for the ~~following~~ 344
~~information:~~ 345

~~(i) The address of the actual personal residence of a~~ 346
~~prosecuting attorney or judge; and~~ 347

~~(ii) The state or political subdivision in which a~~ 348
~~designated public service worker resides;~~ 349

(b) Information compiled from referral to or participation 350
in an employee assistance program; 351

(c) The social security number, the residential telephone 352
number, any bank account, debit card, charge card, or credit 353
card number, or the emergency telephone number of, or any 354
medical information pertaining to, a designated public service 355
worker; 356

(d) The name of any beneficiary of employment benefits, 357
including, but not limited to, life insurance benefits, provided 358
to a designated public service worker by the designated public 359
service worker's employer; 360

(e) The identity and amount of any charitable or 361
employment benefit deduction made by the designated public 362

service worker's employer from the designated public service 363
worker's compensation, unless the amount of the deduction is 364
required by state or federal law; 365

(f) The name, the residential address, the name of the 366
employer, the address of the employer, the social security 367
number, the residential telephone number, any bank account, 368
debit card, charge card, or credit card number, or the emergency 369
telephone number of the spouse, a former spouse, or any child of 370
a designated public service worker; 371

(g) A photograph of a peace officer who holds a position 372
or has an assignment that may include undercover or plain 373
clothes positions or assignments as determined by the peace 374
officer's appointing authority. 375

(9) As used in divisions (A) (7) and (15) to (17) of this 376
section: 377

"Peace officer" has the meaning defined in section 109.71 378
of the Revised Code and also includes the superintendent and 379
troopers of the state highway patrol; it does not include the 380
sheriff of a county or a supervisory employee who, in the 381
absence of the sheriff, is authorized to stand in for, exercise 382
the authority of, and perform the duties of the sheriff. 383

"Correctional employee" means any employee of the 384
department of rehabilitation and correction who in the course of 385
performing the employee's job duties has or has had contact with 386
inmates and persons under supervision. 387

"County or multicounty corrections officer" means any 388
corrections officer employed by any county or multicounty 389
correctional facility. 390

"Designated Ohio national guard member" means a member of
the Ohio national guard who is participating in duties related
to remotely piloted aircraft, including, but not limited to,
pilots, sensor operators, and mission intelligence personnel,
duties related to special forces operations, or duties related
to cybersecurity, and is designated by the adjutant general as a
designated public service worker for those purposes.

"Protective services worker" means any employee of a
county agency who is responsible for child protective services,
child support services, or adult protective services.

"Youth services employee" means any employee of the
department of youth services who in the course of performing the
employee's job duties has or has had contact with children
committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member
of a lawfully constituted fire department of a municipal
corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that
provide emergency medical services for a public emergency
medical service organization. "Emergency medical service
organization," "EMT-basic," "EMT-I," and "paramedic" have the
meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and
investigation" has the meaning defined in section 2903.11 of the
Revised Code.

"Emergency service telecommunicator" means an individual
employed by an emergency service provider as defined under
section 128.01 of the Revised Code, whose primary responsibility
is to be an operator for the receipt or processing of calls for

emergency services made by telephone, radio, or other electronic means. 420
421

"Forensic mental health provider" means any employee of a 422
community mental health service provider or local alcohol, drug 423
addiction, and mental health services board who, in the course 424
of the employee's duties, has contact with persons committed to 425
a local alcohol, drug addiction, and mental health services 426
board by a court order pursuant to section 2945.38, 2945.39, 427
2945.40, or 2945.402 of the Revised Code. 428

"Mental health evaluation provider" means an individual 429
who, under Chapter 5122. of the Revised Code, examines a 430
respondent who is alleged to be a mentally ill person subject to 431
court order, as defined in section 5122.01 of the Revised Code, 432
and reports to the probate court the respondent's mental 433
condition. 434

"Regional psychiatric hospital employee" means any 435
employee of the department of ~~mental health and addiction~~ 436
~~services~~ behavioral health who, in the course of performing the 437
employee's duties, has contact with patients committed to the 438
department of ~~mental health and addiction services~~ behavioral 439
health by a court order pursuant to section 2945.38, 2945.39, 440
2945.40, or 2945.402 of the Revised Code. 441

"Federal law enforcement officer" has the meaning defined 442
in section 9.88 of the Revised Code. 443

(10) "Information pertaining to the recreational 444
activities of a person under the age of eighteen" means 445
information that is kept in the ordinary course of business by a 446
public office, that pertains to the recreational activities of a 447
person under the age of eighteen years, and that discloses any 448

of the following: 449

(a) The address or telephone number of a person under the 450
age of eighteen or the address or telephone number of that 451
person's parent, guardian, custodian, or emergency contact 452
person; 453

(b) The social security number, birth date, or 454
photographic image of a person under the age of eighteen; 455

(c) Any medical record, history, or information pertaining 456
to a person under the age of eighteen; 457

(d) Any additional information sought or required about a 458
person under the age of eighteen for the purpose of allowing 459
that person to participate in any recreational activity 460
conducted or sponsored by a public office or to use or obtain 461
admission privileges to any recreational facility owned or 462
operated by a public office. 463

(11) "Community control sanction" has the meaning defined 464
in section 2929.01 of the Revised Code. 465

(12) "Post-release control sanction" has the meaning 466
defined in section 2967.01 of the Revised Code. 467

(13) "Redaction" means obscuring or deleting any 468
information that is exempt from the duty to permit public 469
inspection or copying from an item that otherwise meets the 470
definition of a "record" in section 149.011 of the Revised Code. 471

(14) "Designee," "elected official," and "future official" 472
have the meanings defined in section 109.43 of the Revised Code. 473

(15) "Body-worn camera" means a visual and audio recording 474
device worn on the person of a correctional employee, youth 475
services employee, or peace officer while the correctional 476

employee, youth services employee, or peace officer is engaged 477
in the performance of official duties. 478

(16) "Dashboard camera" means a visual and audio recording 479
device mounted on a peace officer's vehicle or vessel that is 480
used while the peace officer is engaged in the performance of 481
the peace officer's duties. 482

(17) "Restricted portions of a body-worn camera or 483
dashboard camera recording" means any visual or audio portion of 484
a body-worn camera or dashboard camera recording that shows, 485
communicates, or discloses any of the following: 486

(a) The image or identity of a child or information that 487
could lead to the identification of a child who is a primary 488
subject of the recording when the department of rehabilitation 489
and correction, department of youth services, or the law 490
enforcement agency knows or has reason to know the person is a 491
child based on the department's or law enforcement agency's 492
records or the content of the recording; 493

(b) The death of a person or a deceased person's body, 494
unless the death was caused by a correctional employee, youth 495
services employee, or peace officer or, subject to division (H) 496
(1) of this section, the consent of the decedent's executor or 497
administrator has been obtained; 498

(c) The death of a correctional employee, youth services 499
employee, peace officer, firefighter, paramedic, or other first 500
responder, occurring while the decedent was engaged in the 501
performance of official duties, unless, subject to division (H) 502
(1) of this section, the consent of the decedent's executor or 503
administrator has been obtained; 504

(d) Grievous bodily harm, unless the injury was effected 505

by a correctional employee, youth services employee, or peace officer or, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a correctional employee, youth services employee, or peace officer or, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(f) Grievous bodily harm to a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(g) An act of severe violence resulting in serious physical harm against a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(h) A person's nude body, unless, subject to division (H) (1) of this section, the person's consent has been obtained;

(i) Protected health information, the identity of a person in a health care facility who is not the subject of a correctional, youth services, or law enforcement encounter, or any other information in a health care facility that could

identify a person who is not the subject of a correctional, 535
youth services, or law enforcement encounter; 536

(j) Information that could identify the alleged victim of 537
a sex offense, menacing by stalking, or domestic violence; 538

(k) Information, that does not constitute a confidential 539
law enforcement investigatory record, that could identify a 540
person who provides sensitive or confidential information to the 541
department of rehabilitation and correction, the department of 542
youth services, or a law enforcement agency when the disclosure 543
of the person's identity or the information provided could 544
reasonably be expected to threaten or endanger the safety or 545
property of the person or another person; 546

(l) Personal information of a person who is not arrested, 547
cited, charged, or issued a written warning by a peace officer; 548

(m) Proprietary correctional, youth services, or police 549
contingency plans or tactics that are intended to prevent crime 550
and maintain public order and safety; 551

(n) A personal conversation unrelated to work between 552
correctional employees, youth services employees, or peace 553
officers or between a correctional employee, youth services 554
employee, or peace officer and an employee of a law enforcement 555
agency; 556

(o) A conversation between a correctional employee, youth 557
services employee, or peace officer and a member of the public 558
that does not concern correctional, youth services, or law 559
enforcement activities; 560

(p) The interior of a residence, unless the interior of a 561
residence is the location of an adversarial encounter with, or a 562

use of force by, a correctional employee, youth services 563
employee, or peace officer; 564

(q) Any portion of the interior of a private business that 565
is not open to the public, unless an adversarial encounter with, 566
or a use of force by, a correctional employee, youth services 567
employee, or peace officer occurs in that location. 568

As used in division (A) (17) of this section: 569

"Grievous bodily harm" has the same meaning as in section 570
5924.120 of the Revised Code. 571

"Health care facility" has the same meaning as in section 572
1337.11 of the Revised Code. 573

"Protected health information" has the same meaning as in 574
45 C.F.R. 160.103. 575

"Law enforcement agency" means a government entity that 576
employs peace officers to perform law enforcement duties. 577

"Personal information" means any government-issued 578
identification number, date of birth, address, financial 579
information, or criminal justice information from the law 580
enforcement automated data system or similar databases. 581

"Sex offense" has the same meaning as in section 2907.10 582
of the Revised Code. 583

"Firefighter," "paramedic," and "first responder" have the 584
same meanings as in section 4765.01 of the Revised Code. 585

(18) "Attorney work product record" means a record that is 586
not specific investigatory work product or a trial preparation 587
record and that is created by an attorney, or by the agent of an 588
attorney, in reasonable anticipation of or for litigation, 589

trial, or administrative proceedings, when acting in an official 590
capacity on behalf of the state, a political subdivision of the 591
state, a state agency, a public official, or a public employee, 592
that documents the independent thought processes, mental 593
impressions, legal theories, strategies, analysis, or reasoning 594
of an attorney or the agent of an attorney. 595

(19) "Elected official" means a person who is elected or 596
appointed to an elective office of the state or a political 597
subdivision. 598

(20) "Public calendar" means a calendar or appointment 599
book maintained by an elected official to schedule the elected 600
official's activities in relation to the elected official's 601
position as an elected official. "Public calendar" does not 602
include a personal calendar or appointment book maintained 603
solely for an elected official's personal convenience that does 604
not serve to document the elected official's official activities 605
or functions or the official activities or functions of the 606
elected official's public office. 607

(B) (1) Upon request by any person and subject to division 608
(B) (8) of this section, all public records responsive to the 609
request shall be promptly prepared and made available for 610
inspection to the requester at all reasonable times during 611
regular business hours. Subject to division (B) (8) of this 612
section, upon request by any person, a public office or person 613
responsible for public records shall make copies of the 614
requested public record available to the requester at cost and 615
within a reasonable period of time. 616

When considering whether a state or local law enforcement 617
agency or a prosecuting attorney's office promptly prepared a 618
video record for inspection or produced a copy of a video record 619

within a reasonable period of time, in addition to any other
factors, a court shall consider the time required for a state or
local law enforcement agency or a prosecuting attorney's office
to retrieve, download, review, redact, seek legal advice
regarding, and produce the video record. Except as specified in
division (B)(11) of this section, notwithstanding any other
requirement set forth in Chapter 149. of the Revised Code, a
state or local law enforcement agency or a prosecuting
attorney's office may charge a requester the actual cost
associated with preparing a video record for inspection or
production, not to exceed seventy-five dollars per hour of video
produced, nor seven hundred fifty dollars total. As used in this
division, "actual cost," with respect to video records only,
means all costs incurred by the state or local law enforcement
agency or a prosecuting attorney's office in reviewing, blurring
or otherwise obscuring, redacting, uploading, or producing the
video records, including but not limited to the storage medium
on which the record is produced, staff time, and any other
relevant overhead necessary to comply with the request. A state
or local law enforcement agency or a prosecuting attorney's
office may include in its public records policy the requirement
that a requester pay the estimated actual cost before beginning
the process of preparing a video record for inspection or
production. Where a state or local law enforcement agency or a
prosecuting attorney's office imposes such a requirement, its
obligation to produce a video or make it available for
inspection begins once the estimated actual cost is paid in full
by the requester. A state or local law enforcement agency or a
prosecuting attorney's office shall provide the requester with
the estimated actual cost within five business days of receipt
of the public records request. If the actual cost exceeds the

estimated actual cost, a state or local law enforcement agency 651
or a prosecuting attorney's office may charge a requester for 652
the difference upon fulfilling a request for video records if 653
the requester is notified in advance that the actual cost may be 654
up to twenty per cent higher than the estimated actual cost. A 655
state or local law enforcement agency or a prosecuting 656
attorney's office shall not charge a requester a difference that 657
exceeds twenty per cent of the estimated actual cost. 658

If a public record contains information that is exempt 659
from the duty to permit public inspection or to copy the public 660
record, the public office or the person responsible for the 661
public record shall make available all of the information within 662
the public record that is not exempt. When making that public 663
record available for public inspection or copying that public 664
record, the public office or the person responsible for the 665
public record shall notify the requester of any redaction or 666
make the redaction plainly visible. A redaction shall be deemed 667
a denial of a request to inspect or copy the redacted 668
information, except if federal or state law authorizes or 669
requires a public office to make the redaction. When the auditor 670
of state receives a request to inspect or to make a copy of a 671
record that was provided to the auditor of state for purposes of 672
an audit, but the original public office has asserted to the 673
auditor of state that the record is not a public record, the 674
auditor of state may handle the requests by directing the 675
requestor to the original public office that provided the record 676
to the auditor of state. 677

(2) To facilitate broader access to public records, a 678
public office or the person responsible for public records shall 679
organize and maintain public records in a manner that they can 680
be made available for inspection or copying in accordance with 681

division (B) of this section. A public office also shall have
available a copy of its current records retention schedule at a
location readily available to the public. If a requester makes
an ambiguous or overly broad request or has difficulty in making
a request for copies or inspection of public records under this
section such that the public office or the person responsible
for the requested public record cannot reasonably identify what
public records are being requested, the public office or the
person responsible for the requested public record may deny the
request but shall provide the requester with an opportunity to
revise the request by informing the requester of the manner in
which records are maintained by the public office and accessed
in the ordinary course of the public office's or person's
duties.

(3) If a request is ultimately denied, in part or in
whole, the public office or the person responsible for the
requested public record shall provide the requester with an
explanation, including legal authority, setting forth why the
request was denied. If the initial request was provided in
writing, the explanation also shall be provided to the requester
in writing. The explanation shall not preclude the public office
or the person responsible for the requested public record from
relying upon additional reasons or legal authority in defending
an action commenced under division (C) of this section.

(4) Unless specifically required or authorized by state or
federal law or in accordance with division (B) of this section,
no public office or person responsible for public records may
limit or condition the availability of public records by
requiring disclosure of the requester's identity or the intended
use of the requested public record. Any requirement that the
requester disclose the requester's identity or the intended use

of the requested public record constitutes a denial of the 713
request. 714

(5) A public office or person responsible for public 715
records may ask a requester to make the request in writing, may 716
ask for the requester's identity, and may inquire about the 717
intended use of the information requested, but may do so only 718
after disclosing to the requester that a written request is not 719
mandatory, that the requester may decline to reveal the 720
requester's identity or the intended use, and when a written 721
request or disclosure of the identity or intended use would 722
benefit the requester by enhancing the ability of the public 723
office or person responsible for public records to identify, 724
locate, or deliver the public records sought by the requester. 725

(6) If any person requests a copy of a public record in 726
accordance with division (B) of this section, the public office 727
or person responsible for the public record may require the 728
requester to pay in advance the cost involved in providing the 729
copy of the public record in accordance with the choice made by 730
the requester under this division. The public office or the 731
person responsible for the public record shall permit the 732
requester to choose to have the public record duplicated upon 733
paper, upon the same medium upon which the public office or 734
person responsible for the public record keeps it, or upon any 735
other medium upon which the public office or person responsible 736
for the public record determines that it reasonably can be 737
duplicated as an integral part of the normal operations of the 738
public office or person responsible for the public record. When 739
the requester makes a choice under this division, the public 740
office or person responsible for the public record shall provide 741
a copy of it in accordance with the choice made by the 742
requester. Nothing in this section requires a public office or 743

person responsible for the public record to allow the requester 744
of a copy of the public record to make the copies of the public 745
record. 746

(7) (a) Upon a request made in accordance with division (B) 747
of this section and subject to division (B) (6) of this section, 748
a public office or person responsible for public records shall 749
transmit a copy of a public record to any person by United 750
States mail or by any other means of delivery or transmission 751
within a reasonable period of time after receiving the request 752
for the copy. The public office or person responsible for the 753
public record may require the person making the request to pay 754
in advance the cost of postage if the copy is transmitted by 755
United States mail or the cost of delivery if the copy is 756
transmitted other than by United States mail, and to pay in 757
advance the costs incurred for other supplies used in the 758
mailing, delivery, or transmission. 759

(b) Any public office may adopt a policy and procedures 760
that it will follow in transmitting, within a reasonable period 761
of time after receiving a request, copies of public records by 762
United States mail or by any other means of delivery or 763
transmission pursuant to division (B) (7) of this section. A 764
public office that adopts a policy and procedures under division 765
(B) (7) of this section shall comply with them in performing its 766
duties under that division. 767

(c) In any policy and procedures adopted under division 768
(B) (7) of this section: 769

(i) A public office may limit the number of records 770
requested by a person that the office will physically deliver by 771
United States mail or by another delivery service to ten per 772
month, unless the person certifies to the office in writing that 773

the person does not intend to use or forward the requested 774
records, or the information contained in them, for commercial 775
purposes; 776

(ii) A public office that chooses to provide some or all 777
of its public records on a web site that is fully accessible to 778
and searchable by members of the public at all times, other than 779
during acts of God outside the public office's control or 780
maintenance, and that charges no fee to search, access, 781
download, or otherwise receive records provided on the web site, 782
may limit to ten per month the number of records requested by a 783
person that the office will deliver in a digital format, unless 784
the requested records are not provided on the web site and 785
unless the person certifies to the office in writing that the 786
person does not intend to use or forward the requested records, 787
or the information contained in them, for commercial purposes. 788

(iii) For purposes of division (B)(7) of this section, 789
"commercial" shall be narrowly construed and does not include 790
reporting or gathering news, reporting or gathering information 791
to assist citizen oversight or understanding of the operation or 792
activities of government, or nonprofit educational research. 793

(8) A public office or person responsible for public 794
records is not required to permit a person who is incarcerated 795
pursuant to a criminal conviction or a juvenile adjudication to 796
inspect or to obtain a copy of any public record concerning a 797
criminal investigation or prosecution or concerning what would 798
be a criminal investigation or prosecution if the subject of the 799
investigation or prosecution were an adult, unless the request 800
to inspect or to obtain a copy of the record is for the purpose 801
of acquiring information that is subject to release as a public 802
record under this section and the judge who imposed the sentence 803

or made the adjudication with respect to the person, or the
judge's successor in office, finds that the information sought
in the public record is necessary to support what appears to be
a justiciable claim of the person. As used in this division,
"public record concerning a criminal investigation or
prosecution or concerning what would be a criminal investigation
or prosecution if the subject of the investigation were an
adult" includes, but is not limited to, personnel files and
payroll and attendance records of designated public service
workers.

(9) (a) Upon written request made and signed by a
journalist, a public office, or person responsible for public
records, having custody of the records of the agency employing a
specified designated public service worker shall disclose to the
journalist the address of the actual personal residence of the
designated public service worker and, if the designated public
service worker's spouse, former spouse, or child is employed by
a public office, the name and address of the employer of the
designated public service worker's spouse, former spouse, or
child, and any past, current, and future work schedules of the
designated public service worker. The request shall include the
journalist's name and title and the name and address of the
journalist's employer and shall state that disclosure of the
information sought would be in the public interest.

(b) Division (B) (9) (a) of this section also applies to
journalist requests for:

(i) Customer information maintained by a municipally owned
or operated public utility, other than social security numbers
and any private financial information such as credit reports,
payment methods, credit card numbers, and bank account

information; 834

(ii) Information about minors involved in a school vehicle 835
accident as provided in division (A)(1)(gg) of this section, 836
other than personal information as defined in section 149.45 of 837
the Revised Code; 838

(iii) A request form submitted to a public office under 839
section 149.45 of the Revised Code; 840

(iv) An affidavit submitted under section 319.28 of the 841
Revised Code. 842

(c) As used in division (B)(9) of this section, 843
"journalist" means a person engaged in, connected with, or 844
employed by any news medium, including a newspaper, magazine, 845
press association, news agency, or wire service, a radio or 846
television station, or a similar medium, for the purpose of 847
gathering, processing, transmitting, compiling, editing, or 848
disseminating information for the general public. 849

(10) Upon a request made by a victim, victim's attorney, 850
or victim's representative, as that term is used in section 851
2930.02 of the Revised Code, a public office or person 852
responsible for public records shall transmit a copy of a 853
depiction of the victim as described in division (A)(1)(ii) of 854
this section to the victim, victim's attorney, or victim's 855
representative. 856

(11) A state or local law enforcement agency or a 857
prosecuting attorney's office shall not charge a fee for 858
preparing a video record for inspection, or producing a copy of 859
a video record, when the requester of the video record is a 860
victim, as defined in Ohio Constitution, Article I, Section 10a, 861
or who is a victim who suffered loss and could seek remedy 862

through a tort action as defined by section 2307.011 of the Revised Code, who reasonably asserts that the video recording relates to the act or omission that caused the victim's harm or loss, or who is the legal counsel or insurer of the victim. A fee under this section may only be waived upon the receipt of an affidavit by the victim or the victim's legal counsel identifying that the use of the video is to investigate harm or damages that may have been captured on the video.

As used in this division, "legal counsel of the victim" means an attorney who, at the time of making the request, produces to the state or local law enforcement agency or a prosecuting attorney's office a signed retention agreement or letter of representation that establishes that the attorney is representing the victim.

(C) (1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may serve pursuant to Rule 4 of the Ohio Rules of Civil Procedure a complaint, on a form prescribed by the clerk of the court of claims, to the public office or person responsible for public records allegedly responsible for the alleged failure. Upon receipt of the complaint of the person allegedly aggrieved, the public office or person responsible for public records has three business days to cure or otherwise address the failure alleged in the complaint. The person allegedly aggrieved shall not file a complaint with a court or commence a mandamus action under this section within the three-

day period. Upon the expiration of the three-day period, the 894
person allegedly aggrieved may, subject to the requirements of 895
division (C) (2) of this section, do only one of the following, 896
and not both: 897

(a) File a complaint with the clerk of the court of claims 898
or the clerk of the court of common pleas under section 2743.75 899
of the Revised Code; 900

(b) Commence a mandamus action to obtain a judgment that 901
orders the public office or the person responsible for the 902
public record to comply with division (B) of this section, that 903
awards court costs and reasonable attorney's fees to the person 904
that instituted the mandamus action, and, if applicable, that 905
includes an order fixing statutory damages under division (C) (3) 906
of this section. The mandamus action may be commenced in the 907
court of common pleas of the county in which division (B) of 908
this section allegedly was not complied with, in the supreme 909
court pursuant to its original jurisdiction under Section 2 of 910
Article IV, Ohio Constitution, or in the court of appeals for 911
the appellate district in which division (B) of this section 912
allegedly was not complied with pursuant to its original 913
jurisdiction under Section 3 of Article IV, Ohio Constitution. 914

(2) Upon filing a complaint or mandamus action with a 915
court under divisions (C) (1) (a) or (b) of this section, a person 916
allegedly aggrieved shall file with the court, in conjunction 917
with the person's complaint or petition, a written affirmation 918
stating that the person properly transmitted a complaint to the 919
public office or person responsible for public records, the 920
failure alleged in the complaint has not been cured or otherwise 921
resolved to the person's satisfaction, and that the complaint 922
was transmitted to the public office or person responsible for 923

public records at least three business days before the filing of 924
the suit. If the person fails to file an affirmation pursuant to 925
this division, the suit shall be dismissed. 926

(3) If a requester transmits a written request by hand 927
delivery, electronic submission, or certified mail to inspect or 928
receive copies of any public record in a manner that fairly 929
describes the public record or class of public records to the 930
public office or person responsible for the requested public 931
records, except as otherwise provided in this section, the 932
requester shall be entitled to recover the amount of statutory 933
damages set forth in this division if a court determines that 934
the public office or the person responsible for public records 935
failed to comply with an obligation in accordance with division 936
(B) of this section. Statutory damages are not available 937
pursuant to this section to a person committed to the custody of 938
the department of rehabilitation and correction or the United 939
States bureau of prisons, or a child committed to the department 940
of youth services as permitted in Chapter 2152. of the Revised 941
Code. 942

The amount of statutory damages shall be fixed at one 943
hundred dollars for each business day during which the public 944
office or person responsible for the requested public records 945
failed to comply with an obligation in accordance with division 946
(B) of this section, beginning with the day on which the 947
requester files a mandamus action to recover statutory damages, 948
up to a maximum of one thousand dollars. The award of statutory 949
damages shall not be construed as a penalty, but as compensation 950
for injury arising from lost use of the requested information. 951
The existence of this injury shall be conclusively presumed. The 952
award of statutory damages shall be in addition to all other 953
remedies authorized by this section. 954

The court may reduce an award of statutory damages or not 955
award statutory damages if the court determines both of the 956
following: 957

(a) That, based on the ordinary application of statutory 958
law and case law as it existed at the time of the conduct or 959
threatened conduct of the public office or person responsible 960
for the requested public records that allegedly constitutes a 961
failure to comply with an obligation in accordance with division 962
(B) of this section and that was the basis of the mandamus 963
action, a well-informed public office or person responsible for 964
the requested public records reasonably would believe that the 965
conduct or threatened conduct of the public office or person 966
responsible for the requested public records did not constitute 967
a failure to comply with an obligation in accordance with 968
division (B) of this section; 969

(b) That a well-informed public office or person 970
responsible for the requested public records reasonably would 971
believe that the conduct or threatened conduct of the public 972
office or person responsible for the requested public records 973
would serve the public policy that underlies the authority that 974
is asserted as permitting that conduct or threatened conduct. 975

(4) In a mandamus action filed under division (C) (1) of 976
this section, the following apply: 977

(a) (i) If the court orders the public office or the person 978
responsible for the public record to comply with division (B) of 979
this section, the court shall determine and award to the relator 980
all court costs, which shall be construed as remedial and not 981
punitive. 982

(ii) If the court makes a determination described in 983

division (C) (4) (b) (iii) of this section, the court shall 984
determine and award to the relator all court costs, which shall 985
be construed as remedial and not punitive. 986

(b) If the court renders a judgment that orders the public 987
office or the person responsible for the public record to comply 988
with division (B) of this section or if the court determines any 989
of the following, the court may award reasonable attorney's fees 990
to the relator, subject to division (C) (5) of this section: 991

(i) The public office or the person responsible for the 992
public records failed to respond affirmatively or negatively to 993
the public records request in accordance with the time allowed 994
under division (B) of this section. 995

(ii) The public office or the person responsible for the 996
public records promised to permit the relator to inspect or 997
receive copies of the public records requested within a 998
specified period of time but failed to fulfill that promise 999
within that specified period of time. 1000

(iii) The public office or the person responsible for the 1001
public records acted in bad faith when the office or person 1002
voluntarily made the public records available to the relator for 1003
the first time after the relator commenced the mandamus action, 1004
but before the court issued any order concluding whether or not 1005
the public office or person was required to comply with division 1006
(B) of this section. No discovery may be conducted on the issue 1007
of the alleged bad faith of the public office or person 1008
responsible for the public records. This division shall not be 1009
construed as creating a presumption that the public office or 1010
the person responsible for the public records acted in bad faith 1011
when the office or person voluntarily made the public records 1012
available to the relator for the first time after the relator 1013

commenced the mandamus action, but before the court issued any 1014
order described in this division. 1015

(c) The court shall not award attorney's fees to the 1016
relator if the court determines both of the following: 1017

(i) That, based on the ordinary application of statutory 1018
law and case law as it existed at the time of the conduct or 1019
threatened conduct of the public office or person responsible 1020
for the requested public records that allegedly constitutes a 1021
failure to comply with an obligation in accordance with division 1022
(B) of this section and that was the basis of the mandamus 1023
action, a well-informed public office or person responsible for 1024
the requested public records reasonably would believe that the 1025
conduct or threatened conduct of the public office or person 1026
responsible for the requested public records did not constitute 1027
a failure to comply with an obligation in accordance with 1028
division (B) of this section; 1029

(ii) That a well-informed public office or person 1030
responsible for the requested public records reasonably would 1031
believe that the conduct or threatened conduct of the public 1032
office or person responsible for the requested public records 1033
would serve the public policy that underlies the authority that 1034
is asserted as permitting that conduct or threatened conduct. 1035

(5) All of the following apply to any award of reasonable 1036
attorney's fees awarded under division (C) (4) (b) of this 1037
section: 1038

(a) The fees shall be construed as remedial and not 1039
punitive. 1040

(b) The fees awarded shall not exceed the total of the 1041
reasonable attorney's fees incurred before the public record was 1042

made available to the relator and the fees described in division	1043
(C) (5) (c) of this section.	1044
(c) Reasonable attorney's fees shall include reasonable	1045
fees incurred to produce proof of the reasonableness and amount	1046
of the fees and to otherwise litigate entitlement to the fees.	1047
(d) The court may reduce the amount of fees awarded if the	1048
court determines that, given the factual circumstances involved	1049
with the specific public records request, an alternative means	1050
should have been pursued to more effectively and efficiently	1051
resolve the dispute that was subject to the mandamus action	1052
filed under division (C) (1) of this section.	1053
(6) If the court does not issue a writ of mandamus under	1054
division (C) of this section and the court determines at that	1055
time that the bringing of the mandamus action was frivolous	1056
conduct as defined in division (A) of section 2323.51 of the	1057
Revised Code, the court may award to the public office all court	1058
costs, expenses, and reasonable attorney's fees, as determined	1059
by the court.	1060
(D) Chapter 1347. of the Revised Code does not limit the	1061
provisions of this section.	1062
(E) (1) To ensure that all employees of public offices are	1063
appropriately educated about a public office's obligations under	1064
division (B) of this section, all elected officials or their	1065
appropriate designees shall attend training approved by the	1066
attorney general as provided in section 109.43 of the Revised	1067
Code. A future official may satisfy the requirements of this	1068
division by attending the training before taking office,	1069
provided that the future official may not send a designee in the	1070
future official's place.	1071

(2) All public offices shall adopt a public records policy 1072
in compliance with this section for responding to public records 1073
requests. In adopting a public records policy under this 1074
division, a public office may obtain guidance from the model 1075
public records policy developed and provided to the public 1076
office by the attorney general under section 109.43 of the 1077
Revised Code. Except as otherwise provided in this section, the 1078
policy may not limit the number of public records that the 1079
public office will make available to a single person, may not 1080
limit the number of public records that it will make available 1081
during a fixed period of time, and may not establish a fixed 1082
period of time before it will respond to a request for 1083
inspection or copying of public records, unless that period is 1084
less than eight hours. 1085

The public office shall distribute the public records 1086
policy adopted by the public office under this division to the 1087
employee of the public office who is the records custodian or 1088
records manager or otherwise has custody of the records of that 1089
office. The public office shall require that employee to 1090
acknowledge receipt of the copy of the public records policy. 1091
The public office shall create a poster that describes its 1092
public records policy and shall post the poster in a conspicuous 1093
place in the public office and in all locations where the public 1094
office has branch offices. The public office may post its public 1095
records policy on the internet web site of the public office if 1096
the public office maintains an internet web site. A public 1097
office that has established a manual or handbook of its general 1098
policies and procedures for all employees of the public office 1099
shall include the public records policy of the public office in 1100
the manual or handbook. 1101

(F) (1) The bureau of motor vehicles may adopt rules 1102

pursuant to Chapter 119. of the Revised Code to reasonably limit 1103
the number of bulk commercial special extraction requests made 1104
by a person for the same records or for updated records during a 1105
calendar year. The rules may include provisions for charges to 1106
be made for bulk commercial special extraction requests for the 1107
actual cost of the bureau, plus special extraction costs, plus 1108
ten per cent. The bureau may charge for expenses for redacting 1109
information, the release of which is prohibited by law. 1110

(2) As used in division (F)(1) of this section: 1111

(a) "Actual cost" means the cost of depleted supplies, 1112
records storage media costs, actual mailing and alternative 1113
delivery costs, or other transmitting costs, and any direct 1114
equipment operating and maintenance costs, including actual 1115
costs paid to private contractors for copying services. 1116

(b) "Bulk commercial special extraction request" means a 1117
request for copies of a record for information in a format other 1118
than the format already available, or information that cannot be 1119
extracted without examination of all items in a records series, 1120
class of records, or database by a person who intends to use or 1121
forward the copies for surveys, marketing, solicitation, or 1122
resale for commercial purposes. "Bulk commercial special 1123
extraction request" does not include a request by a person who 1124
gives assurance to the bureau that the person making the request 1125
does not intend to use or forward the requested copies for 1126
surveys, marketing, solicitation, or resale for commercial 1127
purposes. 1128

(c) "Commercial" means profit-seeking production, buying, 1129
or selling of any good, service, or other product. 1130

(d) "Special extraction costs" means the cost of the time 1131

spent by the lowest paid employee competent to perform the task, 1132
the actual amount paid to outside private contractors employed 1133
by the bureau, or the actual cost incurred to create computer 1134
programs to make the special extraction. "Special extraction 1135
costs" include any charges paid to a public agency for computer 1136
or records services. 1137

(3) For purposes of divisions (F) (1) and (2) of this 1138
section, "surveys, marketing, solicitation, or resale for 1139
commercial purposes" shall be narrowly construed and does not 1140
include reporting or gathering news, reporting or gathering 1141
information to assist citizen oversight or understanding of the 1142
operation or activities of government, or nonprofit educational 1143
research. 1144

(G) A request by a defendant, counsel of a defendant, or 1145
any agent of a defendant in a criminal action that public 1146
records related to that action be made available under this 1147
section shall be considered a demand for discovery pursuant to 1148
the Criminal Rules, except to the extent that the Criminal Rules 1149
plainly indicate a contrary intent. The defendant, counsel of 1150
the defendant, or agent of the defendant making a request under 1151
this division shall serve a copy of the request on the 1152
prosecuting attorney, director of law, or other chief legal 1153
officer responsible for prosecuting the action. 1154

(H) (1) Any portion of a body-worn camera or dashboard 1155
camera recording described in divisions (A) (17) (b) to (h) of 1156
this section may be released by consent of the subject of the 1157
recording or a representative of that person, as specified in 1158
those divisions, only if either of the following applies: 1159

(a) The recording will not be used in connection with any 1160
probable or pending criminal proceedings; 1161

(b) The recording has been used in connection with a criminal proceeding that was dismissed or for which a judgment has been entered pursuant to Rule 32 of the Rules of Criminal Procedure, and will not be used again in connection with any probable or pending criminal proceedings.

(2) If a public office denies a request to release a restricted portion of a body-worn camera or dashboard camera recording, as defined in division (A)(17) of this section, any person may file a mandamus action pursuant to this section or a complaint with the clerk of the court of claims pursuant to section 2743.75 of the Revised Code, requesting the court to order the release of all or portions of the recording. If the court considering the request determines that the filing articulates by clear and convincing evidence that the public interest in the recording substantially outweighs privacy interests and other interests asserted to deny release, the court shall order the public office to release the recording.

Sec. 3503.13. (A)(1) Except as otherwise provided in division (A)(2) of this section, voter registration forms submitted by applicants and the statewide voter registration database established under section 3503.15 of the Revised Code are public records subject to disclosure under section 149.43 of the Revised Code.

(2) None of the following are subject to disclosure under division (A)(1) of this section:

(a) An elector's full or partial social security number, driver's license or state identification card number, telephone number, or electronic mail address;

(b) A confidential voter registration record, as described

in section 111.44 of the Revised Code; 1191

(c) The address of a designated public service worker or a 1192
qualifying former designated public service worker, if the 1193
~~designated public service worker person~~ has submitted a 1194
redaction request to the board of elections under section 149.45 1195
of the Revised Code~~—~~. As used in this division, "designated 1196
public service worker" and "qualifying former designated public 1197
service worker" have the same meanings as in section 149.45 of 1198
the Revised Code. 1199

(d) An elector's proof of citizenship; 1200

(e) Any other information that is prohibited from being 1201
disclosed by state or federal law. 1202

(B) A board of elections may use a legible digitized 1203
signature list of voter signatures, copied from the signatures 1204
on the registration forms in a form and manner prescribed by the 1205
secretary of state, provided that the board includes the 1206
required voter registration information in the statewide voter 1207
registration database established under section 3503.15 of the 1208
Revised Code, and provided that the precinct election officials 1209
have computer printouts at the polls prepared in the manner 1210
required under section 3503.23 of the Revised Code. 1211

Sec. 3503.24. (A) Application for the correction of any 1212
precinct registration list or a challenge of the right to vote 1213
of any registered elector may be made by any qualified elector 1214
at the office of the board of elections not later than the 1215
thirtieth day before the day of the election. The applications 1216
or challenges, with the reasons for the application or 1217
challenge, shall be filed with the board in person or by mail on 1218
a form prescribed by the secretary of state and shall be signed 1219

under penalty of election falsification. 1220

(B) On receiving an application or challenge filed under 1221
this section, the board of elections promptly shall review the 1222
board's records. If the board is able to determine that an 1223
application or challenge should be granted or denied solely on 1224
the basis of the records maintained by the board, the board 1225
immediately shall vote to grant or deny that application or 1226
challenge. 1227

If the board is not able to determine whether an 1228
application or challenge should be granted or denied solely on 1229
the basis of the records maintained by the board, the director 1230
shall promptly set a time and date for a hearing before the 1231
board. The hearing shall be held, and the application or 1232
challenge shall be decided, no later than ten days after the 1233
board receives the application or challenge. The director shall 1234
send written notice to any elector whose right to vote is 1235
challenged and to any person whose name is alleged to have been 1236
omitted from a registration list. The notice shall inform the 1237
person of the time and date of the hearing, and of the person's 1238
right to appear and testify, call witnesses, and be represented 1239
by counsel. The notice shall be sent by first class mail no 1240
later than three days before the day of any scheduled hearing. 1241
Except as otherwise provided in division (D) of this section, 1242
the director shall also provide the person who filed the 1243
application or challenge with such written notice of the date 1244
and time of the hearing. 1245

At the request of either party or any member of the board, 1246
the board shall issue subpoenas to witnesses to appear and 1247
testify before the board at a hearing held under this section. 1248
All witnesses shall testify under oath. The board shall reach a 1249

decision on all applications and challenges immediately after 1250
hearing. 1251

(C) If the board decides that any such person is not 1252
entitled to have the person's name on the registration list, the 1253
person's name shall be removed from the list and the person's 1254
registration forms canceled. If the board decides that the name 1255
of any such person should appear on the registration list, it 1256
shall be added to the list, and the person's registration forms 1257
placed in the proper registration files. All such corrections 1258
and additions shall be made on a copy of the precinct lists, 1259
which shall constitute the poll lists, to be furnished to the 1260
respective precincts with other election supplies on the day 1261
preceding the election, to be used by the election officials in 1262
receiving the signatures of voters and in checking against the 1263
registration forms. 1264

(D) If an elector who is the subject of an application or 1265
challenge hearing has a confidential voter registration record, 1266
as described in section 111.44 of the Revised Code, all of the 1267
following apply: 1268

(1) If the elector's right to vote has been challenged, 1269
the person who filed the challenge shall not receive notice of 1270
the date and time of any hearing held concerning the challenge, 1271
shall not be permitted to attend the hearing, and shall not 1272
receive notice of the disposition of the challenge. 1273

(2) If the elector is the subject of an application for 1274
the correction of the precinct registration list and the elector 1275
is not the person who filed the application, the person who 1276
filed the application shall not receive notice of the date and 1277
time of any hearing held concerning the application, shall not 1278
be permitted to attend the hearing, and shall not receive notice 1279

of the disposition of the application. 1280

(3) Notwithstanding section 121.22 of the Revised Code, 1281
any hearing held concerning the application or challenge shall 1282
not be open to the public. 1283

(4) Any records created as a result of the application or 1284
challenge that include the elector's residence address or 1285
precinct shall not be open to public inspection. 1286

(E) (1) As used in division (E) of this section, 1287
"designated public service worker" and "qualifying former 1288
designated public service worker" have the same meanings as in 1289
section 149.45 of the Revised Code. 1290

(2) If an elector who is the subject of an application or 1291
challenge hearing is a designated public service worker or a 1292
qualifying former designated public service worker and the 1293
elector has submitted a redaction request to the board of 1294
elections under section 149.45 of the Revised Code, both of the 1295
following apply: 1296

(a) Notwithstanding section 121.22 of the Revised Code, 1297
any hearing held concerning the application or challenge shall 1298
not be open to the public. 1299

(b) The person's residence address shall be redacted from 1300
the publicly available version of any records created as a 1301
result of the application or challenge. 1302

Sec. 3513.053. (A) As used in this section, "designated 1303
public service worker" and "qualifying former designated public 1304
service worker" have the same meanings as in section 149.45 of 1305
the Revised Code. 1306

(B) If a person whose candidacy is the subject of a 1307

protest under this chapter is a designated public service worker 1308
or a qualifying former designated public service worker who has 1309
submitted a redaction request to the board of elections under 1310
section 149.45 of the Revised Code, or the person has a 1311
confidential voter registration record, as described in section 1312
111.44 of the Revised Code, both of the following apply: 1313

(1) Notwithstanding section 121.22 of the Revised Code, 1314
any hearing held concerning the protest shall not be open to the 1315
public. 1316

(2) The person's residence address shall be redacted from 1317
the publicly available version of any records created as a 1318
result of the protest." 1319

In line 222, delete "and" 1320

In line 223, after "111.99" insert ", 149.43, 3503.13, and 3503.24" 1321

The motion was _____ agreed to.

SYNOPSIS 1322

Confidential residence addresses 1323

R.C. 149.43, 3503.13, 3503.24, and 3513.053 1324

Exempts a judge's or prosecutor's residence address from 1325
disclosure under the Public Records Law. 1326

Requires that, if a person who is the subject of a voter 1327
registration challenge or candidacy protest has a confidential 1328
address, the hearing be closed to the public and the person's 1329
address be redacted from any publicly available version of 1330

records of the challenge or protest.

1331