



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

Jeff Hobday

Sub. H.B. 425

132nd General Assembly
(H. Government Accountability & Oversight)

This table summarizes how the substitute version of H.B. 425 differs from the As Introduced version of the bill. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (L_132_0501-7)
Public records exemption for certain dashboard camera recordings	No provision.	Expands the bill's public record exemptions that apply to body-worn camera recordings to apply also to dashboard camera recordings (<i>R.C. 149.43(A)(15) and (H)</i>). Defines a "dashboard camera" as a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the officer's duties (<i>R.C. 149.43(A)(14)</i>).

Topic	Previous Version (As Introduced)	Sub. Version (L_132_0501-7)
<p>Restricted portions of a body-worn camera or dashboard camera recording</p>	<p>Exempts from disclosure under the Public Records Law portions of body-worn camera recordings that show the death of a person, grievous bodily harm, an act of severe violence, or a nude body, unless the person shown in the recording or a representative of that person consents to the record's release (<i>R.C. 149.43(A)(14)(a) to (g)</i>).</p> <p>No provision.</p> <p>Exempts from disclosure any portion of a body-worn camera recording that shows obscene material (<i>R.C. 149.43(A)(14)(p)</i>).</p> <p>No provision.</p>	<p>If a body-worn camera or dashboard camera recording shows the death of a person, grievous bodily harm, an act of severe violence, or a nude body, allows the person shown in the recording or a representative of that person to consent to its release only if the recording is not a confidential law enforcement investigatory record (<i>R.C. 149.43(A)(15)(b) to (h)</i>).</p> <p>Exempts from disclosure any portion of a body-worn camera or dashboard camera recording that shows the image or identity of a child or information that could lead to the identification of a child who is the primary subject of the recording when the law enforcement agency knows or has reason to know the person is a child (<i>R.C. 149.43(A)(15)(a)</i>).</p> <p>No provision.</p> <p>Exempts from disclosure any portion of a recording that shows a portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location (<i>R.C. 149.43(A)(15)(q)</i>).</p>
<p>Court action to compel disclosure</p>	<p>Allows any person to file a mandamus action in the Ohio Supreme Court requesting the Court to order the release of all or portions of a body-worn camera recording if a public office has denied a request to release restricted portions of the recording (<i>R.C. 149.43(H)</i>).</p>	<p>Allows any person to file a mandamus action in the appropriate court or file a complaint with the Clerk of the Court of Claims, according to procedures in existing law, to request the release of restricted portions of a body-worn camera or dashboard camera recording (<i>R.C. 149.43(H)</i>).</p>



Topic	Previous Version (As Introduced)	Sub. Version (L_132_0501-7)
Applicable definitions	<p>Defines "health care" as having the same meaning as in the Power of Attorney Law, but does not use the term in any of the bill's other provisions (<i>R.C. 149.43(A)(14)</i>).</p> <p>Defines "peace officer," as used in the bill's provisions, according to its meaning in the law governing the Ohio Peace Officer Training Commission (<i>R.C. 149.43(A)(14) and 109.71, not in the bill</i>).</p>	<p>Corrects the error by changing the term to "health care facility," a term used in one of the public records exemptions (<i>R.C. 149.43(A)(15)</i>).</p> <p>Removes the definition of "peace officer" previously applicable to the bill's provisions and reverts to the definition currently in the Public Records Law, which includes the Superintendent and Troopers of the State Highway Patrol (<i>R.C. 149.43(A)(7)</i>).</p>

H0425-132.docx/ks

