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Substitute Bill Comparative Synopsis

Sub. H.B. 429

133rd General Assembly

House Civil Justice Committee

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. 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.

| Previous Version (As Introduced) | Latest Version (I_133_1920-2) |
|---|--|
| Eligible properties for the Real Property Confidentiality Program (R.C. 111.42, 111.43, and 111.431) | |
| Allows any participant who currently has an ownership interest in real property to apply to participate in the Real Property Confidentiality Program (RPCP). | Specifies that only program participants who acquire real property after becoming a program participant and after the bill's effective date may participate in the RPCP. |
| Child custody proceedings (R.C. 111.46) | |
| Requires, when a party to a child custody proceeding is a program participant, and another party to the proceeding requests the court to disclose the program participant's confidential address or telephone | Same, but additionally requires the court to: <ul style="list-style-type: none"> - Direct the requestor to file a pleading explaining the necessity of |

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|---|--|
| <p>number, the court to:</p> <ul style="list-style-type: none"> - Give the program participant notice; and - Provide an opportunity for a hearing at which the program participant may contest the disclosure. <p>States the participant must show cause as to why the court should not disclose the information.</p> | <p>the disclosure;</p> <ul style="list-style-type: none"> - Schedule a hearing; - Provide a copy of the pleading to the program participant; and - If the court grants the request, the court must document its findings of fact and disclose the information or direct the program participant to disclose the information. <p>Shifts the burden of proof to the requestor, rather than the participant by requiring the requestor to show, by clear and convincing evidence, why the disclosure is necessary, and that the disclosure does not pose a risk of harm to the participant or the child.</p> |
| <p>Secretary of State communication with entities (R.C. 111.43)</p> | |
| <p>Permits a program participant to submit to the Secretary of State a notarized authorization form allowing the Secretary to disclose confidential information concerning the program participant under certain circumstances.</p> <p>No provision.</p> <p>No provision.</p> | <p>Removes the requirement that the disclosure form be notarized.</p> <p>Specifies that the requestor authorized to receive confidential information may request only that information required under normal circumstances, and that the disclosure may not be required as a condition of receiving any services to which the participant is otherwise entitled.</p> <p>Requires when the Secretary discloses information to an authorized requestor to include a following statement: “You are not permitted to redisclose the following information for any reason. Failure to protect the confidentiality of this information is a violation of state law.”</p> |