

H. B. No. 44  
As Introduced

\_\_\_\_\_ moved to amend as follows:

- In line 1 of the title, after "149.43" insert ", 5120.60, 5149.09," 1
- In line 5 of the title, delete "those"; after "recordings" insert 2  
"of full parole board hearings" 3
- In line 7, after "149.43" insert ", 5120.60, 5149.09," 4
- Delete lines 9 through 956 5
- After line 956, insert: 6
- "Sec. 149.43.** (A) As used in this section: 7
- (1) "Public record" means records kept by any public 8  
office, including, but not limited to, state, county, city, 9  
village, township, and school district units, and records 10  
pertaining to the delivery of educational services by an 11  
alternative school in this state kept by the nonprofit or for- 12  
profit entity operating the alternative school pursuant to 13  
section 3313.533 of the Revised Code. "Public record" does not 14  
mean any of the following: 15
- (a) Medical records; 16



(b) Records pertaining to <del>probation</del> <u>the following:</u>	17
(i) <u>Probation and parole proceedings, <del>to proceedings</del></u>	18
<u>including the electronic recording of institutional parole board</u>	19
<u>release consideration hearings, revocation hearings under</u>	20
<u>section 2967.15 of the Revised Code, and other parole board</u>	21
<u>hearings made as provided in section 5149.10 of the Revised</u>	22
<u>Code, except for the electronic recording of full parole board</u>	23
<u>hearings under section 5149.101 of the Revised Code made as</u>	24
<u>provided in section 5149.10 of the Revised Code;</u>	25
(ii) <u>Proceedings related to the imposition of community</u>	26
control sanctions and post-release control sanctions, <del>or to</del>	27
<del>proceedings</del> <u>including the electronic recording of post-release</u>	28
<u>control revocation hearings under section 2967.28 of the Revised</u>	29
<u>Code made as provided in section 5149.10 of the Revised Code;</u>	30
(iii) <u>Proceedings related to determinations under section</u>	31
2967.271 of the Revised Code regarding the release or maintained	32
incarceration of an offender to whom that section applies, <del>—</del>	33
(c) Records pertaining to actions under section 2151.85	34
and division (C) of section 2919.121 of the Revised Code and to	35
appeals of actions arising under those sections;	36
(d) Records pertaining to adoption proceedings, including	37
the contents of an adoption file maintained by the department of	38
health under sections 3705.12 to 3705.124 of the Revised Code;	39
(e) Information in a record contained in the putative	40
father registry established by section 3107.062 of the Revised	41
Code, regardless of whether the information is held by the	42
department of job and family services or, pursuant to section	43
3111.69 of the Revised Code, the office of child support in the	44
department or a child support enforcement agency;	45

(f) Records specified in division (A) of section 3107.52 of the Revised Code;	46 47
(g) Trial preparation records;	48
(h) Confidential law enforcement investigatory records;	49
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	50 51
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	52 53
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	54 55 56 57
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	58 59 60 61
(m) Intellectual property records;	62
(n) Donor profile records;	63
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	64 65
(p) Designated public service worker residential and familial information;	66 67
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	68 69 70 71 72

(r) Information pertaining to the recreational activities	73
of a person under the age of eighteen;	74
(s) In the case of a child fatality review board acting	75
under sections 307.621 to 307.629 of the Revised Code or a	76
review conducted pursuant to guidelines established by the	77
director of health under section 3701.70 of the Revised Code,	78
records provided to the board or director, statements made by	79
board members during meetings of the board or by persons	80
participating in the director's review, and all work products of	81
the board or director, and in the case of a child fatality	82
review board, child fatality review data submitted by the board	83
to the department of health or a national child death review	84
database, other than the report prepared pursuant to division	85
(A) of section 307.626 of the Revised Code;	86
(t) Records provided to and statements made by the	87
executive director of a public children services agency or a	88
prosecuting attorney acting pursuant to section 5153.171 of the	89
Revised Code other than the information released under that	90
section;	91
(u) Test materials, examinations, or evaluation tools used	92
in an examination for licensure as a nursing home administrator	93
that the board of executives of long-term services and supports	94
administers under section 4751.15 of the Revised Code or	95
contracts under that section with a private or government entity	96
to administer;	97
(v) Records the release of which is prohibited by state or	98
federal law;	99
(w) Proprietary information of or relating to any person	100
that is submitted to or compiled by the Ohio venture capital	101

authority created under section 150.01 of the Revised Code;	102
(x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;	103 104 105 106 107 108
(y) Records listed in section 5101.29 of the Revised Code;	109
(z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B) (2) of that section;	110 111 112
(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;	113 114 115
(bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;	116 117 118
(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;	119 120 121
(dd) Personal information, as defined in section 149.45 of the Revised Code;	122 123
(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional	124 125 126 127 128 129

ballot affirmation completed by a program participant who has a 130  
confidential voter registration record; records or portions of 131  
records pertaining to that program that identify the number of 132  
program participants that reside within a precinct, ward, 133  
township, municipal corporation, county, or any other geographic 134  
area smaller than the state; and any real property 135  
confidentiality notice filed under section 111.431 of the 136  
Revised Code and the information described in division (C) of 137  
that section. As used in this division, "confidential address" 138  
and "program participant" have the meaning defined in section 139  
111.41 of the Revised Code. 140

(ff) Orders for active military service of an individual 141  
serving or with previous service in the armed forces of the 142  
United States, including a reserve component, or the Ohio 143  
organized militia, except that, such order becomes a public 144  
record on the day that is fifteen years after the published date 145  
or effective date of the call to order; 146

(gg) The name, address, contact information, or other 147  
personal information of an individual who is less than eighteen 148  
years of age that is included in any record related to a traffic 149  
accident involving a school vehicle in which the individual was 150  
an occupant at the time of the accident; 151

(hh) Protected health information, as defined in 45 C.F.R. 152  
160.103, that is in a claim for payment for a health care 153  
product, service, or procedure, as well as any other health 154  
claims data in another document that reveals the identity of an 155  
individual who is the subject of the data or could be used to 156  
reveal that individual's identity; 157

(ii) Any depiction by photograph, film, videotape, or 158  
printed or digital image under either of the following 159

circumstances:	160
(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.	161 162 163 164
(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.	165 166 167
(jj) Restricted portions of a body-worn camera or dashboard camera recording;	168 169
(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.	170 171 172 173 174 175 176 177 178
(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 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 3738.08 of the Revised Code;	179 180 181 182 183 184 185
(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	186 187 188

are listed on any law enforcement record or report. 189

(nn) A preneed funeral contract, as defined in section 190  
4717.01 of the Revised Code, and contract terms and personally 191  
identifying information of a preneed funeral contract, that is 192  
contained in a report submitted by or for a funeral home to the 193  
board of embalmers and funeral directors under division (C) of 194  
section 4717.13, division (J) of section 4717.31, or section 195  
4717.41 of the Revised Code. 196

(oo) Telephone numbers for a party to a motor vehicle 197  
accident subject to the requirements of section 5502.11 of the 198  
Revised Code that are listed on any law enforcement record or 199  
report, except that the telephone numbers described in this 200  
division are not excluded from the definition of "public record" 201  
under this division on and after the thirtieth day after the 202  
occurrence of the motor vehicle accident. 203

(pp) Records pertaining to individuals who complete 204  
training under section 5502.703 of the Revised Code to be 205  
permitted by a school district board of education or governing 206  
body of a community school established under Chapter 3314. of 207  
the Revised Code, a STEM school established under Chapter 3326. 208  
of the Revised Code, or a chartered nonpublic school to convey 209  
deadly weapons or dangerous ordnance into a school safety zone; 210

(qq) Records, documents, reports, or other information 211  
presented to a domestic violence fatality review board 212  
established under section 307.651 of the Revised Code, 213  
statements made by board members during board meetings, all work 214  
products of the board, and data submitted by the board to the 215  
department of health, other than a report prepared pursuant to 216  
section 307.656 of the Revised Code; 217



(rr) Records, documents, and information the release of which is prohibited under sections 2930.04 and 2930.07 of the Revised Code;

(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.

A record that is not a public record under division (A) (1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the Revised Code, a denial of release form filed pursuant to section 3107.46 of the Revised Code, or any record that is exempt from release or disclosure under section 149.433 of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section 3107.391 of the Revised Code, the name of that parent shall be redacted from the birth certificate before it is released under this paragraph. If any other section of the Revised Code establishes a time period for disclosure of a record that conflicts with the time period specified in this section, the time period in the other section prevails.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a

high probability of disclosure of any of the following:	248
(a) The identity of a suspect who has not been charged	249
with the offense to which the record pertains, or of an	250
information source or witness to whom confidentiality has been	251
reasonably promised;	252
(b) Information provided by an information source or	253
witness to whom confidentiality has been reasonably promised,	254
which information would reasonably tend to disclose the source's	255
or witness's identity;	256
(c) Specific confidential investigatory techniques or	257
procedures or specific investigatory work product;	258
(d) Information that would endanger the life or physical	259
safety of law enforcement personnel, a crime victim, a witness,	260
or a confidential information source.	261
(3) "Medical record" means any document or combination of	262
documents, except births, deaths, and the fact of admission to	263
or discharge from a hospital, that pertains to the medical	264
history, diagnosis, prognosis, or medical condition of a patient	265
and that is generated and maintained in the process of medical	266
treatment.	267
(4) "Trial preparation record" means any record that	268
contains information that is specifically compiled in reasonable	269
anticipation of, or in defense of, a civil or criminal action or	270
proceeding, including the independent thought processes and	271
personal trial preparation of an attorney.	272
(5) "Intellectual property record" means a record, other	273
than a financial or administrative record, that is produced or	274
collected by or for faculty or staff of a state institution of	275

higher learning in the conduct of or as a result of study or 276  
research on an educational, commercial, scientific, artistic, 277  
technical, or scholarly issue, regardless of whether the study 278  
or research was sponsored by the institution alone or in 279  
conjunction with a governmental body or private concern, and 280  
that has not been publicly released, published, or patented. 281

(6) "Donor profile record" means all records about donors 282  
or potential donors to a public institution of higher education 283  
except the names and reported addresses of the actual donors and 284  
the date, amount, and conditions of the actual donation. 285

(7) "Designated public service worker" means a peace 286  
officer, parole officer, probation officer, bailiff, prosecuting 287  
attorney, assistant prosecuting attorney, correctional employee, 288  
county or multicounty corrections officer, community-based 289  
correctional facility employee, designated Ohio national guard 290  
member, protective services worker, youth services employee, 291  
firefighter, EMT, medical director or member of a cooperating 292  
physician advisory board of an emergency medical service 293  
organization, state board of pharmacy employee, investigator of 294  
the bureau of criminal identification and investigation, 295  
emergency service telecommunicator, forensic mental health 296  
provider, mental health evaluation provider, regional 297  
psychiatric hospital employee, judge, magistrate, or federal law 298  
enforcement officer. 299

(8) "Designated public service worker residential and 300  
familial information" means any information that discloses any 301  
of the following about a designated public service worker: 302

(a) The address of the actual personal residence of a 303  
designated public service worker, except for the following 304  
information: 305

(i) The address of the actual personal residence of a prosecuting attorney or judge; and	306 307
(ii) The state or political subdivision in which a designated public service worker resides.	308 309
(b) Information compiled from referral to or participation in an employee assistance program;	310 311
(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;	312 313 314 315 316
(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;	317 318 319 320
(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;	321 322 323 324 325
(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker;	326 327 328 329 330 331
(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain	332 333

clothes positions or assignments as determined by the peace officer's appointing authority. 334  
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(9) As used in divisions (A) (7) and (15) to (17) of this section: 336  
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"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff. 338  
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"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision. 344  
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"County or multicounty corrections officer" means any corrections officer employed by any county or multicounty correctional facility. 348  
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"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. 351  
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"Protective services worker" means any employee of a county agency who is responsible for child protective services, child support services, or adult protective services. 358  
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"Youth services employee" means any employee of the 361

department of youth services who in the course of performing the 362  
employee's job duties has or has had contact with children 363  
committed to the custody of the department of youth services. 364

"Firefighter" means any regular, paid or volunteer, member 365  
of a lawfully constituted fire department of a municipal 366  
corporation, township, fire district, or village. 367

"EMT" means EMTs-basic, EMTs-I, and paramedics that 368  
provide emergency medical services for a public emergency 369  
medical service organization. "Emergency medical service 370  
organization," "EMT-basic," "EMT-I," and "paramedic" have the 371  
meanings defined in section 4765.01 of the Revised Code. 372

"Investigator of the bureau of criminal identification and 373  
investigation" has the meaning defined in section 2903.11 of the 374  
Revised Code. 375

"Emergency service telecommunicator" has the meaning 376  
defined in section 4742.01 of the Revised Code. 377

"Forensic mental health provider" means any employee of a 378  
community mental health service provider or local alcohol, drug 379  
addiction, and mental health services board who, in the course 380  
of the employee's duties, has contact with persons committed to 381  
a local alcohol, drug addiction, and mental health services 382  
board by a court order pursuant to section 2945.38, 2945.39, 383  
2945.40, or 2945.402 of the Revised Code. 384

"Mental health evaluation provider" means an individual 385  
who, under Chapter 5122. of the Revised Code, examines a 386  
respondent who is alleged to be a mentally ill person subject to 387  
court order, as defined in section 5122.01 of the Revised Code, 388  
and reports to the probate court the respondent's mental 389  
condition. 390

"Regional psychiatric hospital employee" means any 391  
employee of the department of mental health and addiction 392  
services who, in the course of performing the employee's duties, 393  
has contact with patients committed to the department of mental 394  
health and addiction services by a court order pursuant to 395  
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 396  
Code. 397

"Federal law enforcement officer" has the meaning defined 398  
in section 9.88 of the Revised Code. 399

(10) "Information pertaining to the recreational 400  
activities of a person under the age of eighteen" means 401  
information that is kept in the ordinary course of business by a 402  
public office, that pertains to the recreational activities of a 403  
person under the age of eighteen years, and that discloses any 404  
of the following: 405

(a) The address or telephone number of a person under the 406  
age of eighteen or the address or telephone number of that 407  
person's parent, guardian, custodian, or emergency contact 408  
person; 409

(b) The social security number, birth date, or 410  
photographic image of a person under the age of eighteen; 411

(c) Any medical record, history, or information pertaining 412  
to a person under the age of eighteen; 413

(d) Any additional information sought or required about a 414  
person under the age of eighteen for the purpose of allowing 415  
that person to participate in any recreational activity 416  
conducted or sponsored by a public office or to use or obtain 417  
admission privileges to any recreational facility owned or 418  
operated by a public office. 419

- (11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code. 420  
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- (12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code. 422  
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- (13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code. 424  
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- (14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code. 428  
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- (15) "Body-worn camera" means a visual and audio recording device worn on the person of a correctional employee, youth services employee, or peace officer while the correctional employee, youth services employee, or peace officer is engaged in the performance of official duties. 430  
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- (16) "Dashboard camera" means 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 peace officer's duties. 435  
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- (17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following: 439  
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- (a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the department of rehabilitation and correction, department of youth services, or the law enforcement agency knows or has reason to know the person is a 443  
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child based on the department's or law enforcement agency's 448  
records or the content of the recording; 449

(b) The death of a person or a deceased person's body, 450  
unless the death was caused by a correctional employee, youth 451  
services employee, or peace officer or, subject to division (H) 452  
(1) of this section, the consent of the decedent's executor or 453  
administrator has been obtained; 454

(c) The death of a correctional employee, youth services 455  
employee, peace officer, firefighter, paramedic, or other first 456  
responder, occurring while the decedent was engaged in the 457  
performance of official duties, unless, subject to division (H) 458  
(1) of this section, the consent of the decedent's executor or 459  
administrator has been obtained; 460

(d) Grievous bodily harm, unless the injury was effected 461  
by a correctional employee, youth services employee, or peace 462  
officer or, subject to division (H) (1) of this section, the 463  
consent of the injured person or the injured person's guardian 464  
has been obtained; 465

(e) An act of severe violence against a person that 466  
results in serious physical harm to the person, unless the act 467  
and injury was effected by a correctional employee, youth 468  
services employee, or peace officer or, subject to division (H) 469  
(1) of this section, the consent of the injured person or the 470  
injured person's guardian has been obtained; 471

(f) Grievous bodily harm to a correctional employee, youth 472  
services employee, peace officer, firefighter, paramedic, or 473  
other first responder, occurring while the injured person was 474  
engaged in the performance of official duties, unless, subject 475  
to division (H) (1) of this section, the consent of the injured 476

person or the injured person's guardian has been obtained;	477
(g) An act of severe violence resulting in serious	478
physical harm against a correctional employee, youth services	479
employee, peace officer, firefighter, paramedic, or other first	480
responder, occurring while the injured person was engaged in the	481
performance of official duties, unless, subject to division (H)	482
(1) of this section, the consent of the injured person or the	483
injured person's guardian has been obtained;	484
(h) A person's nude body, unless, subject to division (H)	485
(1) of this section, the person's consent has been obtained;	486
(i) Protected health information, the identity of a person	487
in a health care facility who is not the subject of a law	488
enforcement encounter, or any other information in a health care	489
facility that could identify a person who is not the subject of	490
a law enforcement encounter;	491
(j) Information that could identify the alleged victim of	492
a sex offense, menacing by stalking, or domestic violence;	493
(k) Information, that does not constitute a confidential	494
law enforcement investigatory record, that could identify a	495
person who provides sensitive or confidential information to the	496
department of rehabilitation and correction, the department of	497
youth services, or a law enforcement agency when the disclosure	498
of the person's identity or the information provided could	499
reasonably be expected to threaten or endanger the safety or	500
property of the person or another person;	501
(l) Personal information of a person who is not arrested,	502
cited, charged, or issued a written warning by a peace officer;	503
(m) Proprietary police contingency plans or tactics that	504

are intended to prevent crime and maintain public order and	505
safety;	506
(n) A personal conversation unrelated to work between	507
peace officers or between a peace officer and an employee of a	508
law enforcement agency;	509
(o) A conversation between a peace officer and a member of	510
the public that does not concern law enforcement activities;	511
(p) The interior of a residence, unless the interior of a	512
residence is the location of an adversarial encounter with, or a	513
use of force by, a peace officer;	514
(q) Any portion of the interior of a private business that	515
is not open to the public, unless an adversarial encounter with,	516
or a use of force by, a peace officer occurs in that location.	517
As used in division (A) (17) of this section:	518
"Grievous bodily harm" has the same meaning as in section	519
5924.120 of the Revised Code.	520
"Health care facility" has the same meaning as in section	521
1337.11 of the Revised Code.	522
"Protected health information" has the same meaning as in	523
45 C.F.R. 160.103.	524
"Law enforcement agency" means a government entity that	525
employs peace officers to perform law enforcement duties.	526
"Personal information" means any government-issued	527
identification number, date of birth, address, financial	528
information, or criminal justice information from the law	529
enforcement automated data system or similar databases.	530
"Sex offense" has the same meaning as in section 2907.10	531

of the Revised Code. 532

"Firefighter," "paramedic," and "first responder" have the 533  
same meanings as in section 4765.01 of the Revised Code. 534

(B) (1) Upon request by any person and subject to division 535  
(B) (8) of this section, all public records responsive to the 536  
request shall be promptly prepared and made available for 537  
inspection to the requester at all reasonable times during 538  
regular business hours. Subject to division (B) (8) of this 539  
section, upon request by any person, a public office or person 540  
responsible for public records shall make copies of the 541  
requested public record available to the requester at cost and 542  
within a reasonable period of time. If a public record contains 543  
information that is exempt from the duty to permit public 544  
inspection or to copy the public record, the public office or 545  
the person responsible for the public record shall make 546  
available all of the information within the public record that 547  
is not exempt. When making that public record available for 548  
public inspection or copying that public record, the public 549  
office or the person responsible for the public record shall 550  
notify the requester of any redaction or make the redaction 551  
plainly visible. A redaction shall be deemed a denial of a 552  
request to inspect or copy the redacted information, except if 553  
federal or state law authorizes or requires a public office to 554  
make the redaction. 555

(2) To facilitate broader access to public records, a 556  
public office or the person responsible for public records shall 557  
organize and maintain public records in a manner that they can 558  
be made available for inspection or copying in accordance with 559  
division (B) of this section. A public office also shall have 560  
available a copy of its current records retention schedule at a 561

location readily available to the public. If a requester makes 562  
an ambiguous or overly broad request or has difficulty in making 563  
a request for copies or inspection of public records under this 564  
section such that the public office or the person responsible 565  
for the requested public record cannot reasonably identify what 566  
public records are being requested, the public office or the 567  
person responsible for the requested public record may deny the 568  
request but shall provide the requester with an opportunity to 569  
revise the request by informing the requester of the manner in 570  
which records are maintained by the public office and accessed 571  
in the ordinary course of the public office's or person's 572  
duties. 573

(3) If a request is ultimately denied, in part or in 574  
whole, the public office or the person responsible for the 575  
requested public record shall provide the requester with an 576  
explanation, including legal authority, setting forth why the 577  
request was denied. If the initial request was provided in 578  
writing, the explanation also shall be provided to the requester 579  
in writing. The explanation shall not preclude the public office 580  
or the person responsible for the requested public record from 581  
relying upon additional reasons or legal authority in defending 582  
an action commenced under division (C) of this section. 583

(4) Unless specifically required or authorized by state or 584  
federal law or in accordance with division (B) of this section, 585  
no public office or person responsible for public records may 586  
limit or condition the availability of public records by 587  
requiring disclosure of the requester's identity or the intended 588  
use of the requested public record. Any requirement that the 589  
requester disclose the requester's identity or the intended use 590  
of the requested public record constitutes a denial of the 591  
request. 592

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

(6) If any person requests a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require the requester to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the requester under this division. The public office or the person responsible for the public record shall permit the requester to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the requester makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by the requester. Nothing in this section requires a public office or person responsible for the public record to allow the requester of a copy of the public record to make the copies of the public

record. 624

(7) (a) Upon a request made in accordance with division (B) 625  
of this section and subject to division (B) (6) of this section, 626  
a public office or person responsible for public records shall 627  
transmit a copy of a public record to any person by United 628  
States mail or by any other means of delivery or transmission 629  
within a reasonable period of time after receiving the request 630  
for the copy. The public office or person responsible for the 631  
public record may require the person making the request to pay 632  
in advance the cost of postage if the copy is transmitted by 633  
United States mail or the cost of delivery if the copy is 634  
transmitted other than by United States mail, and to pay in 635  
advance the costs incurred for other supplies used in the 636  
mailing, delivery, or transmission. 637

(b) Any public office may adopt a policy and procedures 638  
that it will follow in transmitting, within a reasonable period 639  
of time after receiving a request, copies of public records by 640  
United States mail or by any other means of delivery or 641  
transmission pursuant to division (B) (7) of this section. A 642  
public office that adopts a policy and procedures under division 643  
(B) (7) of this section shall comply with them in performing its 644  
duties under that division. 645

(c) In any policy and procedures adopted under division 646  
(B) (7) of this section: 647

(i) A public office may limit the number of records 648  
requested by a person that the office will physically deliver by 649  
United States mail or by another delivery service to ten per 650  
month, unless the person certifies to the office in writing that 651  
the person does not intend to use or forward the requested 652  
records, or the information contained in them, for commercial 653

purposes; 654

(ii) A public office that chooses to provide some or all 655  
of its public records on a web site that is fully accessible to 656  
and searchable by members of the public at all times, other than 657  
during acts of God outside the public office's control or 658  
maintenance, and that charges no fee to search, access, 659  
download, or otherwise receive records provided on the web site, 660  
may limit to ten per month the number of records requested by a 661  
person that the office will deliver in a digital format, unless 662  
the requested records are not provided on the web site and 663  
unless the person certifies to the office in writing that the 664  
person does not intend to use or forward the requested records, 665  
or the information contained in them, for commercial purposes. 666

(iii) For purposes of division (B)(7) of this section, 667  
"commercial" shall be narrowly construed and does not include 668  
reporting or gathering news, reporting or gathering information 669  
to assist citizen oversight or understanding of the operation or 670  
activities of government, or nonprofit educational research. 671

(8) A public office or person responsible for public 672  
records is not required to permit a person who is incarcerated 673  
pursuant to a criminal conviction or a juvenile adjudication to 674  
inspect or to obtain a copy of any public record concerning a 675  
criminal investigation or prosecution or concerning what would 676  
be a criminal investigation or prosecution if the subject of the 677  
investigation or prosecution were an adult, unless the request 678  
to inspect or to obtain a copy of the record is for the purpose 679  
of acquiring information that is subject to release as a public 680  
record under this section and the judge who imposed the sentence 681  
or made the adjudication with respect to the person, or the 682  
judge's successor in office, finds that the information sought 683



in the public record is necessary to support what appears to be 684  
a justiciable claim of the person. 685

(9) (a) Upon written request made and signed by a 686  
journalist, a public office, or person responsible for public 687  
records, having custody of the records of the agency employing a 688  
specified designated public service worker shall disclose to the 689  
journalist the address of the actual personal residence of the 690  
designated public service worker and, if the designated public 691  
service worker's spouse, former spouse, or child is employed by 692  
a public office, the name and address of the employer of the 693  
designated public service worker's spouse, former spouse, or 694  
child. The request shall include the journalist's name and title 695  
and the name and address of the journalist's employer and shall 696  
state that disclosure of the information sought would be in the 697  
public interest. 698

(b) Division (B) (9) (a) of this section also applies to 699  
journalist requests for: 700

(i) Customer information maintained by a municipally owned 701  
or operated public utility, other than social security numbers 702  
and any private financial information such as credit reports, 703  
payment methods, credit card numbers, and bank account 704  
information; 705

(ii) Information about minors involved in a school vehicle 706  
accident as provided in division (A) (1) (gg) of this section, 707  
other than personal information as defined in section 149.45 of 708  
the Revised Code. 709

(c) As used in division (B) (9) of this section, 710  
"journalist" means a person engaged in, connected with, or 711  
employed by any news medium, including a newspaper, magazine, 712

press association, news agency, or wire service, a radio or 713  
television station, or a similar medium, for the purpose of 714  
gathering, processing, transmitting, compiling, editing, or 715  
disseminating information for the general public. 716

(10) Upon a request made by a victim, victim's attorney, 717  
or victim's representative, as that term is used in section 718  
2930.02 of the Revised Code, a public office or person 719  
responsible for public records shall transmit a copy of a 720  
depiction of the victim as described in division (A)(1)(ii) of 721  
this section to the victim, victim's attorney, or victim's 722  
representative. 723

(C)(1) If a person allegedly is aggrieved by the failure 724  
of a public office or the person responsible for public records 725  
to promptly prepare a public record and to make it available to 726  
the person for inspection in accordance with division (B) of 727  
this section or by any other failure of a public office or the 728  
person responsible for public records to comply with an 729  
obligation in accordance with division (B) of this section, the 730  
person allegedly aggrieved may do only one of the following, and 731  
not both: 732

(a) File a complaint with the clerk of the court of claims 733  
or the clerk of the court of common pleas under section 2743.75 734  
of the Revised Code; 735

(b) Commence a mandamus action to obtain a judgment that 736  
orders the public office or the person responsible for the 737  
public record to comply with division (B) of this section, that 738  
awards court costs and reasonable attorney's fees to the person 739  
that instituted the mandamus action, and, if applicable, that 740  
includes an order fixing statutory damages under division (C)(2) 741  
of this section. The mandamus action may be commenced in the 742

court of common pleas of the county in which division (B) of 743  
this section allegedly was not complied with, in the supreme 744  
court pursuant to its original jurisdiction under Section 2 of 745  
Article IV, Ohio Constitution, or in the court of appeals for 746  
the appellate district in which division (B) of this section 747  
allegedly was not complied with pursuant to its original 748  
jurisdiction under Section 3 of Article IV, Ohio Constitution. 749

(2) If a requester transmits a written request by hand 750  
delivery, electronic submission, or certified mail to inspect or 751  
receive copies of any public record in a manner that fairly 752  
describes the public record or class of public records to the 753  
public office or person responsible for the requested public 754  
records, except as otherwise provided in this section, the 755  
requester shall be entitled to recover the amount of statutory 756  
damages set forth in this division if a court determines that 757  
the public office or the person responsible for public records 758  
failed to comply with an obligation in accordance with division 759  
(B) of this section. 760

The amount of statutory damages shall be fixed at one 761  
hundred dollars for each business day during which the public 762  
office or person responsible for the requested public records 763  
failed to comply with an obligation in accordance with division 764  
(B) of this section, beginning with the day on which the 765  
requester files a mandamus action to recover statutory damages, 766  
up to a maximum of one thousand dollars. The award of statutory 767  
damages shall not be construed as a penalty, but as compensation 768  
for injury arising from lost use of the requested information. 769  
The existence of this injury shall be conclusively presumed. The 770  
award of statutory damages shall be in addition to all other 771  
remedies authorized by this section. 772

The court may reduce an award of statutory damages or not 773  
award statutory damages if the court determines both of the 774  
following: 775

(a) That, based on the ordinary application of statutory 776  
law and case law as it existed at the time of the conduct or 777  
threatened conduct of the public office or person responsible 778  
for the requested public records that allegedly constitutes a 779  
failure to comply with an obligation in accordance with division 780  
(B) of this section and that was the basis of the mandamus 781  
action, a well-informed public office or person responsible for 782  
the requested public records reasonably would believe that the 783  
conduct or threatened conduct of the public office or person 784  
responsible for the requested public records did not constitute 785  
a failure to comply with an obligation in accordance with 786  
division (B) of this section; 787

(b) That a well-informed public office or person 788  
responsible for the requested public records reasonably would 789  
believe that the conduct or threatened conduct of the public 790  
office or person responsible for the requested public records 791  
would serve the public policy that underlies the authority that 792  
is asserted as permitting that conduct or threatened conduct. 793

(3) In a mandamus action filed under division (C) (1) of 794  
this section, the following apply: 795

(a) (i) If the court orders the public office or the person 796  
responsible for the public record to comply with division (B) of 797  
this section, the court shall determine and award to the relator 798  
all court costs, which shall be construed as remedial and not 799  
punitive. 800

(ii) If the court makes a determination described in 801

division (C) (3) (b) (iii) of this section, the court shall 802  
determine and award to the relator all court costs, which shall 803  
be construed as remedial and not punitive. 804

(b) If the court renders a judgment that orders the public 805  
office or the person responsible for the public record to comply 806  
with division (B) of this section or if the court determines any 807  
of the following, the court may award reasonable attorney's fees 808  
to the relator, subject to division (C) (4) of this section: 809

(i) The public office or the person responsible for the 810  
public records failed to respond affirmatively or negatively to 811  
the public records request in accordance with the time allowed 812  
under division (B) of this section. 813

(ii) The public office or the person responsible for the 814  
public records promised to permit the relator to inspect or 815  
receive copies of the public records requested within a 816  
specified period of time but failed to fulfill that promise 817  
within that specified period of time. 818

(iii) The public office or the person responsible for the 819  
public records acted in bad faith when the office or person 820  
voluntarily made the public records available to the relator for 821  
the first time after the relator commenced the mandamus action, 822  
but before the court issued any order concluding whether or not 823  
the public office or person was required to comply with division 824  
(B) of this section. No discovery may be conducted on the issue 825  
of the alleged bad faith of the public office or person 826  
responsible for the public records. This division shall not be 827  
construed as creating a presumption that the public office or 828  
the person responsible for the public records acted in bad faith 829  
when the office or person voluntarily made the public records 830  
available to the relator for the first time after the relator 831

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

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

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

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

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (3) (b) of this section:

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

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

made available to the relator and the fees described in division 861  
(C) (4) (c) of this section. 862

(c) Reasonable attorney's fees shall include reasonable 863  
fees incurred to produce proof of the reasonableness and amount 864  
of the fees and to otherwise litigate entitlement to the fees. 865

(d) The court may reduce the amount of fees awarded if the 866  
court determines that, given the factual circumstances involved 867  
with the specific public records request, an alternative means 868  
should have been pursued to more effectively and efficiently 869  
resolve the dispute that was subject to the mandamus action 870  
filed under division (C) (1) of this section. 871

(5) If the court does not issue a writ of mandamus under 872  
division (C) of this section and the court determines at that 873  
time that the bringing of the mandamus action was frivolous 874  
conduct as defined in division (A) of section 2323.51 of the 875  
Revised Code, the court may award to the public office all court 876  
costs, expenses, and reasonable attorney's fees, as determined 877  
by the court. 878

(D) Chapter 1347. of the Revised Code does not limit the 879  
provisions of this section. 880

(E) (1) To ensure that all employees of public offices are 881  
appropriately educated about a public office's obligations under 882  
division (B) of this section, all elected officials or their 883  
appropriate designees shall attend training approved by the 884  
attorney general as provided in section 109.43 of the Revised 885  
Code. A future official may satisfy the requirements of this 886  
division by attending the training before taking office, 887  
provided that the future official may not send a designee in the 888  
future official's place. 889

(2) All public offices shall adopt a public records policy 890  
in compliance with this section for responding to public records 891  
requests. In adopting a public records policy under this 892  
division, a public office may obtain guidance from the model 893  
public records policy developed and provided to the public 894  
office by the attorney general under section 109.43 of the 895  
Revised Code. Except as otherwise provided in this section, the 896  
policy may not limit the number of public records that the 897  
public office will make available to a single person, may not 898  
limit the number of public records that it will make available 899  
during a fixed period of time, and may not establish a fixed 900  
period of time before it will respond to a request for 901  
inspection or copying of public records, unless that period is 902  
less than eight hours. 903

The public office shall distribute the public records 904  
policy adopted by the public office under this division to the 905  
employee of the public office who is the records custodian or 906  
records manager or otherwise has custody of the records of that 907  
office. The public office shall require that employee to 908  
acknowledge receipt of the copy of the public records policy. 909  
The public office shall create a poster that describes its 910  
public records policy and shall post the poster in a conspicuous 911  
place in the public office and in all locations where the public 912  
office has branch offices. The public office may post its public 913  
records policy on the internet web site of the public office if 914  
the public office maintains an internet web site. A public 915  
office that has established a manual or handbook of its general 916  
policies and procedures for all employees of the public office 917  
shall include the public records policy of the public office in 918  
the manual or handbook. 919

(F) (1) The bureau of motor vehicles may adopt rules 920



pursuant to Chapter 119. of the Revised Code to reasonably limit 921  
the number of bulk commercial special extraction requests made 922  
by a person for the same records or for updated records during a 923  
calendar year. The rules may include provisions for charges to 924  
be made for bulk commercial special extraction requests for the 925  
actual cost of the bureau, plus special extraction costs, plus 926  
ten per cent. The bureau may charge for expenses for redacting 927  
information, the release of which is prohibited by law. 928

(2) As used in division (F)(1) of this section: 929

(a) "Actual cost" means the cost of depleted supplies, 930  
records storage media costs, actual mailing and alternative 931  
delivery costs, or other transmitting costs, and any direct 932  
equipment operating and maintenance costs, including actual 933  
costs paid to private contractors for copying services. 934

(b) "Bulk commercial special extraction request" means a 935  
request for copies of a record for information in a format other 936  
than the format already available, or information that cannot be 937  
extracted without examination of all items in a records series, 938  
class of records, or database by a person who intends to use or 939  
forward the copies for surveys, marketing, solicitation, or 940  
resale for commercial purposes. "Bulk commercial special 941  
extraction request" does not include a request by a person who 942  
gives assurance to the bureau that the person making the request 943  
does not intend to use or forward the requested copies for 944  
surveys, marketing, solicitation, or resale for commercial 945  
purposes. 946

(c) "Commercial" means profit-seeking production, buying, 947  
or selling of any good, service, or other product. 948

(d) "Special extraction costs" means the cost of the time 949

spent by the lowest paid employee competent to perform the task, 950  
the actual amount paid to outside private contractors employed 951  
by the bureau, or the actual cost incurred to create computer 952  
programs to make the special extraction. "Special extraction 953  
costs" include any charges paid to a public agency for computer 954  
or records services. 955

(3) For purposes of divisions (F) (1) and (2) of this 956  
section, "surveys, marketing, solicitation, or resale for 957  
commercial purposes" shall be narrowly construed and does not 958  
include reporting or gathering news, reporting or gathering 959  
information to assist citizen oversight or understanding of the 960  
operation or activities of government, or nonprofit educational 961  
research. 962

(G) A request by a defendant, counsel of a defendant, or 963  
any agent of a defendant in a criminal action that public 964  
records related to that action be made available under this 965  
section shall be considered a demand for discovery pursuant to 966  
the Criminal Rules, except to the extent that the Criminal Rules 967  
plainly indicate a contrary intent. The defendant, counsel of 968  
the defendant, or agent of the defendant making a request under 969  
this division shall serve a copy of the request on the 970  
prosecuting attorney, director of law, or other chief legal 971  
officer responsible for prosecuting the action. 972

(H) (1) Any portion of a body-worn camera or dashboard 973  
camera recording described in divisions (A) (17) (b) to (h) of 974  
this section may be released by consent of the subject of the 975  
recording or a representative of that person, as specified in 976  
those divisions, only if either of the following applies: 977

(a) The recording will not be used in connection with any 978  
probable or pending criminal proceedings; 979

(b) The recording has been used in connection with a 980  
criminal proceeding that was dismissed or for which a judgment 981  
has been entered pursuant to Rule 32 of the Rules of Criminal 982  
Procedure, and will not be used again in connection with any 983  
probable or pending criminal proceedings. 984

(2) If a public office denies a request to release a 985  
restricted portion of a body-worn camera or dashboard camera 986  
recording, as defined in division (A) (17) of this section, any 987  
person may file a mandamus action pursuant to this section or a 988  
complaint with the clerk of the court of claims pursuant to 989  
section 2743.75 of the Revised Code, requesting the court to 990  
order the release of all or portions of the recording. If the 991  
court considering the request determines that the filing 992  
articulates by clear and convincing evidence that the public 993  
interest in the recording substantially outweighs privacy 994  
interests and other interests asserted to deny release, the 995  
court shall order the public office to release the recording. 996

**Sec. 5120.60.** (A) There is hereby created in the division 997  
of parole and community services the office of victim services. 998

(B) The office shall provide assistance to victims of 999  
crime, victims' representatives designated under section 2930.02 1000  
of the Revised Code, and members of the victim's family. The 1001  
assistance shall include, but not be limited to, providing 1002  
information about the policies and procedures of the department 1003  
of rehabilitation and correction and the status of offenders 1004  
under the department's jurisdiction. 1005

(C) The office shall also make available publications that 1006  
will assist victims in contacting staff of the department about 1007  
problems with offenders under the supervision of the adult 1008  
parole authority or confined in state correctional institutions 1009

under the department's jurisdiction. 1010

(D) The office shall employ a victim coordinator who shall 1011  
administer the office's functions. The victim coordinator shall 1012  
be in the unclassified civil service and report directly to the 1013  
chief of the division. 1014

(E) The office shall also employ at least three persons in 1015  
the unclassified civil service whose primary duties shall be to 1016  
help parole board hearing officers identify victims' issues and 1017  
to make recommendations to the parole board in accordance with 1018  
rules adopted by the department. The member of the parole board 1019  
appointed pursuant to division ~~(B)~~(C) of section 5149.10 of the 1020  
Revised Code shall approve the hiring of the employees of the 1021  
office. 1022

(F) The office shall coordinate its activities with the 1023  
member of the parole board appointed pursuant to division ~~(B)~~  
(C) of section 5149.10 of the Revised Code. The victim 1024  
coordinator and other employees of the office shall have full 1025  
access to records of prisoners under the department's 1026  
jurisdiction. 1027  
jurisdiction. 1028

(G) Information provided to the office of victim services 1029  
by victims of crime or a victim representative designated under 1030  
section 2930.02 of the Revised Code for the purpose of program 1031  
participation, of receiving services, or to communicate acts of 1032  
an inmate or person under the supervision of the adult parole 1033  
authority that threaten the safety and security of the victim 1034  
shall be confidential and is not a public record under section 1035  
149.43 of the Revised Code. 1036

(H) (1) If a person who was convicted of or pleaded guilty 1037  
to an offense of violence that is a felony escapes from a 1038

correctional institution under the control of the department of 1039  
rehabilitation and correction or otherwise escapes from the 1040  
custody of the department, the office of victim services shall 1041  
notify each victim of the offense or offenses committed by that 1042  
person of that person's escape and, if applicable, of that 1043  
person's subsequent apprehension. The office shall give this 1044  
notice as soon as practicable after the escape and the office 1045  
identifies and locates the victim. The office shall give this 1046  
notice to each victim of the escaped person, regardless of 1047  
whether the victim is registered for notification with the 1048  
office, unless the victim has specifically notified the office 1049  
that the victim does not wish to be notified regarding the 1050  
person. 1051

The office may give the notice required by this division 1052  
by telephone, in person, or by e-mail or other electronic means. 1053  
If the office cannot locate a victim to whom notice is to be 1054  
provided under this division, the office shall send the notice 1055  
in writing to the last known address of that victim. 1056

(2) If a person escapes as described in division (H)(1) of 1057  
this section, the office of victim services may request 1058  
assistance from the prosecuting attorney of the county in which 1059  
the person was convicted of or pleaded guilty to the offense in 1060  
identifying and locating the victim of the offense. 1061

(I) Any reference in any Revised Code section other than 1062  
this section to the "office of victims' services" of the 1063  
division of parole and community services or of the department 1064  
of rehabilitation and correction shall be construed as being a 1065  
reference to, and meaning, the office of victim services created 1066  
by division (A) of this section. 1067

(J) As used in this section, "crime," "member of the 1068

victim's family," and "victim" have the meanings given in 1069  
section 2930.01 of the Revised Code. 1070

**Sec. 5149.09.** The chief of the division of parole and 1071  
community services is the principal appointing authority of the 1072  
adult parole authority, and the chief shall appoint all officers 1073  
and employees of the authority except for those officers 1074  
appointed by the director of rehabilitation and correction 1075  
pursuant to section 5149.02 or division ~~(B)~~ (C) of section 1076  
5149.10 of the Revised Code." 1077

In line 957, strike through "(A) (1)" and insert "(A) As used in this 1078  
section:" 1079

(1) "Member of the victim's immediate family" means a 1080  
spouse, child, stepchild, parent, stepparent, grandparent, or 1081  
brother or sister of a victim. 1082

(2) "Person entitled to receive the electronic recording 1083  
of full board hearings" means any party, person, or entity, 1084  
including the inmate who is the subject of the full board 1085  
hearing, who is entitled to receive the electronic recording of 1086  
full board hearings under section 5149.101 of the Revised Code. 1087

(3) "Person entitled to receive the electronic recording 1088  
of other parole board hearings" means any of the following 1089  
persons who are entitled to receive the electronic recording of 1090  
institutional parole board release consideration hearings, 1091  
revocation hearings under section 2967.15 of the Revised Code, 1092  
post-release control revocation hearings under section 2967.28 1093  
of the Revised Code, and other parole board hearings: 1094

(a) The person who is the subject of the hearing; 1095

(b) The attorney of the person who is the subject of the 1096

<u>hearing;</u>	1097
<u>(c) The prosecuting attorney;</u>	1098
<u>(d) The victim.</u>	1099
<u>(B)(1)"</u>	1100
In line 981, after " <u>other</u> " insert " <u>parole</u> "; delete the second " <u>and</u> "	1101
In line 982, delete " <u>that</u> " and insert " <u>.</u> "	1102
<u>(i) Subject to division (G) of this section,</u> "; delete " <u>any</u>	1103
<u>party,</u> " and insert " <u>a</u> "; delete " <u>, or entity, including the</u> "	1104
In line 983, delete " <u>inmate who is</u> " and insert " <u>entitled to</u>	1105
<u>receive</u> "; delete " <u>subject</u> " and insert " <u>electronic recording</u> "; delete " <u>the</u>	1106
<u>hearing</u> " and insert " <u>full board hearings</u> "	1107
In line 985, after " <u>recording</u> " insert " <u>of full board hearings under</u>	1108
<u>section 5149.101 of the Revised Code</u> "; delete " <u>party,</u> "; delete " <u>, or</u>	1109
<u>entity making the request</u> " and insert " <u>entitled to receive the electronic</u>	1110
<u>recording of full board hearings</u> "	1111
In line 986, delete " <u>party,</u> "; delete " <u>, or entity, including the</u>	1112
<u>inmate who is the</u> "	1113
In line 987, delete " <u>subject of the hearing,</u> " and insert " <u>entitled</u>	1114
<u>to receive the electronic recording of full board hearings</u> "	1115
In line 988, delete " <u>party,</u> "; delete " <u>, or entity</u> " and insert	1116
" <u>entitled to receive the electronic recording of full board hearings</u> ";	1117
delete " <u>party's,</u> "	1118
In line 989, delete " <u>person's, or entity's</u> " and insert " <u>expense of</u>	1119
<u>the person entitled to receive the electronic recording of full board</u>	1120
<u>hearings</u> "; delete " <u>own expense</u> "; after "." insert:	1121

"(ii) Subject to division (G) of this section, only upon request of a person entitled to receive the electronic recording of other parole board hearings, the department of rehabilitation and correction shall provide the electronic recording of institutional parole board release consideration hearings, revocation hearings under section 2967.15 of the Revised Code, post-release control revocation hearings under section 2967.28 of the Revised Code, and other parole hearings to the person entitled to receive the electronic recording of other parole board hearings. If the person entitled to receive the electronic recording of other parole board hearings wishes to have a recording transcribed, the person entitled to receive the electronic recording of other parole board hearings shall do so at the expense of the person entitled to receive the electronic recording of other parole board hearings."

In line 998, strike through "(B)" and insert "(C)" 1137

In line 1019, strike through "(B)" and insert "(C)" 1138

In line 1026, strike through "(B)" and insert "(C)" 1139

In line 1061, strike through "(C)" and insert "(D)" 1140

In line 1063, strike through "(D)" and insert "(E)" 1141

In line 1067, strike through "(E)" and insert "(F)" 1142

In line 1078, delete "(F) (1)" and insert "(G)" 1143

In line 1079, delete "(A) (1) (f)" and insert "(B) (1) (f)" 1144

In line 1083, delete "(a)" and insert "(1)" 1145

In line 1084, delete "(b)" and insert "(2)" 1146

In line 1085, delete "(c)" and insert "(3)" 1147

In line 1086, delete "(d)" and insert "(4)" 1148



In line 1087, delete "(e)" and insert "(5)" 1149

In line 1088, delete "(f)" and insert "(6)" 1150

In line 1089, delete "(g)" and insert "(7)" 1151

In line 1090, delete "(h)" and insert "(8)" 1152

Delete lines 1092 through 1095 1153

In line 1096, after "149.43" insert ", 5120.60, 5149.09," 1154

After line 1097, insert: 1155

**"Section 3.** Section 149.43 of the Revised Code is 1156  
presented in this act as a composite of the section as amended 1157  
by H.B. 45, H.B. 99, H.B. 254, H.B. 343, H.B. 558, and S.B. 288, 1158  
all of the 134th General Assembly. The General Assembly, 1159  
applying the principle stated in division (B) of section 1.52 of 1160  
the Revised Code that amendments are to be harmonized and 1161  
reconciled if reasonably capable of simultaneous operation, 1162  
finds that the composite is the resulting version of the section 1163  
in effect prior to the effective date of the section as 1164  
presented in this act." 1165

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 1166

**Other parole board hearings** 1167

**R.C. 149.43, 5120.60, 5149.09, and 5149.10** 1168

Provides that electronic recordings of full parole board 1169  
hearings are public records, instead of all electronic 1170

recordings of parole board hearings under the bill. 1171

Clarifies that electronic recordings of institutional 1172  
parole board release consideration hearings, revocation 1173  
hearings, post-release control revocation hearings, and other 1174  
parole board hearings are not public records and may only be 1175  
provided to the person who is subject to the hearing, the 1176  
attorney of the person who is subject to the hearing, the 1177  
prosecuting attorney, and the victim. 1178