

As Reported by the Senate Government Oversight Committee

135th General Assembly

Regular Session

2023-2024

Sub. H. B. No. 257

Representatives Hoops, Claggett

Cosponsors: Representatives Klopfenstein, Robb Blasdel, Abdullahi, Brennan, Callender, Dobos, Forhan, Hillyer, Humphrey, Jones, Lightbody, Liston, Mathews, Miller, A., Miller, J., Mohamed, Seitz, Somani, Thomas, C., Williams, Willis

A BILL

To amend sections 715.693, 924.12, 3307.091, 1
5505.04, and 5543.06 and to enact sections 2
121.221, 145.071, 742.071, and 3309.091 of the 3
Revised Code to authorize certain public bodies 4
to meet virtually. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 715.693, 924.12, 3307.091, 6
5505.04, and 5543.06 be amended and sections 121.221, 145.071, 7
742.071, and 3309.091 of the Revised Code be enacted to read as 8
follows: 9

Sec. 121.221. (A) As used in this section: 10

"Hearing" means an administrative hearing, hearing as 11
defined in section 119.01 of the Revised Code, or other hearing 12
at which a person may present written or oral testimony on a 13
matter before the public body. 14

"Meeting" has the same meaning as in section 121.22 of the 15
Revised Code. 16

"Public body" has the same meaning as in section 121.22 of 17
the Revised Code. 18

"Multi-party meeting" means a meeting in which the members 19
of a public body and the members of at least one other public 20
body are participants. 21

(B) Except as otherwise provided in the Revised Code, 22
members of a public body may hold and attend meetings and may 23
conduct and attend hearings by means of video conference or any 24
other similar electronic technology, and all of the following 25
apply: 26

(1) Any resolution, rule, or formal action of any kind has 27
the same effect as if it occurred during an open meeting or 28
hearing of the public body. 29

(2) Notwithstanding division (C) of section 121.22 of the 30
Revised Code, members of a public body who attend meetings or 31
hearings by means of video conference or any other similar 32
electronic technology shall be considered present as if in 33
person at the meeting or hearing, shall be permitted to vote, 34
and shall be counted for purposes of determining whether a 35
quorum is present at the meeting or hearing. 36

(3) The public body shall not hold hearings or meetings by 37
means of video conference or any other similar electronic 38
technology until the public body has adopted a policy that 39
specifies at least all of the following: 40

(a) The public body shall provide notification of meetings 41
and hearings held under this section to the public, to the media 42
that have requested notification of a meeting, and to the 43
parties required to be notified of a hearing at least seventy- 44
two hours in advance of the meeting or hearing by reasonable 45

methods by which any person may determine the time, location, 46
agenda of the meeting or hearing, and the manner by which the 47
meeting or hearing will be conducted, except in the event of an 48
emergency requiring immediate official action, as defined by the 49
policy. In the event of an emergency, the public body shall 50
immediately notify the news media that have requested 51
notification or the parties required to be notified of a hearing 52
of the time, place, and purpose of the meeting or hearing. 53

(b) The public body shall provide the public access to a 54
meeting held under this section, and to any hearing held under 55
this section that the public would otherwise be entitled to 56
attend, commensurate with the method in which the meeting or 57
hearing is being conducted, including for example, livestreaming 58
by means of the internet, television, cable, or public access 59
channels, or by means of any other similar electronic 60
technology. The public body shall ensure that the public can 61
observe and hear the discussions and deliberations of all the 62
members of the public body, whether the member is participating 63
in person or electronically. Members of the public body shall 64
have a sufficient internet or other electronic connection to 65
allow the member to be seen and heard clearly, and shall be 66
visible at all times. 67

(c) All votes taken in the meeting or hearing shall be 68
taken by roll call vote unless there is a motion for unanimous 69
consent, and the motion is not objected to by a member of the 70
public body. If a vote is taken unanimously, the public body 71
shall provide the public with information on how the members of 72
the public body voted, including any members who abstained from 73
voting. 74

(d) Any member of the public body who intends to attend a 75

meeting by means of video conference or other similar electronic 76
technology shall notify the chairperson of that intent not less 77
than forty-eight hours before the meeting, except in the case of 78
an emergency as defined in the policy. 79

(e) No public body may hold, and no member of a public 80
body may attend meetings or conduct and attend hearings by means 81
of video conference or other similar electronic technology if 82
any of the following apply: 83

(i) The meeting or hearing involves a vote to approve a 84
major nonroutine expenditure as defined in the policy adopted by 85
the public body under this section; 86

(ii) The meeting or hearing involves a vote to approve a 87
significant hiring decision as defined by that policy; 88

(iii) The meeting or hearing involves a purpose to 89
propose, approve, or vote on a tax issue or tax increase; 90

(iv) Excluding expense reimbursements to members for 91
actual expenses incurred while fulfilling their duties, the 92
members of the public body are compensated for their position as 93
members of the public body, except when members are 94
participating in a multi-party meeting if the multi-party 95
meeting does not involve a vote to approve a major nonroutine 96
expenditure or significant hiring decision or involve a purpose 97
to propose, approve, or vote on a tax issue or tax increase; 98

(v) The members of the public body are elected by vote of 99
the general public to their positions as members, except when 100
members are participating in a multi-party meeting if the multi- 101
party meeting does not involve a vote to approve a major 102
nonroutine expenditure or significant hiring decision or involve 103
a purpose to propose, approve, or vote on a tax issue or tax 104

increase. 105

(f) If, upon the notification of an upcoming meeting of a public body, and not later than forty-eight hours before the meeting, the greater of at least ten per cent of the members of the public body or two members of the public body, notifies the chairperson of the public body that an item in the agenda must be acted upon at a meeting conducted fully in person, upon the chairperson's acknowledgment of receipt of the notification, the public body shall take action on the item of the agenda only at a meeting conducted fully in person. 106
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(4) A public body shall not hold a hearing, and members of a public body shall not attend a hearing, by means of video conference or other similar electronic technology without the consent of all parties to the hearing. 115
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(5) (a) No public body may hold, and no member of a public body may attend, meetings or conduct and attend hearings by means of video conference or other similar electronic technology if any of the following apply: 119
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(i) The meeting or hearing involves a vote to approve a major nonroutine expenditure. 123
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(ii) The meeting or hearing involves a vote to approve a significant hiring decision. 125
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(iii) The meeting or hearing involves a purpose to propose, approve, or vote on a tax issue or tax increase. 127
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(iv) Excluding expense reimbursements for actual expenses incurred while fulfilling their duties, the members of the public body are compensated for their position as members of the public body. 129
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(v) The members of the public body are elected by the 133
general public to their positions as members. 134

(b) The prohibition on compensated and elected members 135
holding or attending virtual meetings and hearings established 136
in division (A) (5) (a) of this section does not apply to members 137
participating in a virtual multi-party meeting if the multi- 138
party meeting does not involve a vote to approve a major 139
nonroutine expenditure or significant hiring decision or involve 140
a purpose to propose, approve, or vote on a tax issue or tax 141
increase. 142

(C) When members of a public body conduct a meeting or 143
hearing by means of video conference or any other similar 144
electronic technology, the public body shall establish a means, 145
through the use of electronic equipment that is widely available 146
to the general public, to converse with witnesses, receive 147
documentary testimony and physical evidence, and permit public 148
comment, if applicable. 149

(D) The authority granted in this section applies 150
notwithstanding any conflicting provision of the Revised Code. 151
Nothing in this section shall be construed to negate any 152
provision of section 121.22 of the Revised Code, Chapter 119. of 153
the Revised Code, or other section of the Revised Code that is 154
not in conflict with this section. If a section of the Revised 155
Code permits a particular public body to meet or hold hearings 156
by means of teleconference, video conference, or any other 157
similar electronic technology, that section prevails over the 158
provisions of this section with respect to that particular 159
public body. This section is not intended to eliminate, or 160
otherwise affect, any requirements under federal law. 161

Sec. 145.071. (A) Notwithstanding division (C) of section 162

121.22 of the Revised Code, the public employees retirement 163
board may adopt a policy that allows a board member to attend a 164
meeting of the board by means of video conference. The board 165
shall include in the policy, if adopted, both of the following: 166

(1) The number of regular meetings at which each board 167
member shall be present in person, provided that number is not 168
less than three-quarters of the regular meetings of the board 169
annually; 170

(2) All of the following requirements with respect to a 171
meeting in which a member attends by means of video conference: 172

(a) That a majority of the board members attending the 173
meeting shall be present in person at the physical location 174
where the meeting is conducted; 175

(b) That all votes taken at the meeting shall be taken by 176
roll call vote; 177

(c) That a board member who intends to attend a meeting by 178
means of video conference shall notify the chairperson of that 179
intent not less than forty-eight hours before the meeting, 180
except in the case of an emergency as defined in the policy. 181

(B) Notwithstanding division (C) of section 121.22 of the 182
Revised Code, a board member who attends a meeting by means of 183
video conference is considered present in person at the meeting, 184
may vote at the meeting, and is counted for purposes of 185
determining whether a quorum is present at the meeting. 186

(C) At any meeting in which a board member attends by 187
means of video conference, the board shall ensure that the 188
public can hear and observe the discussions and deliberations of 189
all the members of the board, whether the member is 190
participating in person or electronically. 191

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| <u>(D) Except as provided in this section, no person shall do</u> | 192 |
| <u>any of the following:</u> | 193 |
| <u>(1) Limit the number of board members who may attend a</u> | 194 |
| <u>meeting by means of video conference;</u> | 195 |
| <u>(2) Limit the total number of meetings that the board may</u> | 196 |
| <u>allow members to attend by means of video conference;</u> | 197 |
| <u>(3) Limit the number of meetings at which any one board</u> | 198 |
| <u>member may attend by means of video conference;</u> | 199 |
| <u>(4) Impose other limits or obligations on a board member</u> | 200 |
| <u>because the board member attends a meeting by means of video</u> | 201 |
| <u>conference.</u> | 202 |
| Sec. 715.693. (A) The requirement in division (C) of | 203 |
| section 121.22 of the Revised Code that a member of a public | 204 |
| body be present in person at a meeting open to the public in | 205 |
| order to be part of a quorum or to vote does not apply to a | 206 |
| board of directors of a joint economic development zone created | 207 |
| under section 715.691 of the Revised Code, or a joint economic | 208 |
| development review council created under section 715.692 of the | 209 |
| Revised Code, <u>or a board of directors of a joint economic</u> | 210 |
| <u>development district created under section 715.72 of the Revised</u> | 211 |
| <u>Code,</u> if the board or council holds the meeting by interactive | 212 |
| video conference or by teleconference in the following manner: | 213 |
| (1) The board or council establishes a primary meeting | 214 |
| location that is open and accessible to the public. | 215 |
| (2) Meeting-related materials that are available before | 216 |
| the meeting are sent via electronic mail, facsimile, hand- | 217 |
| delivery, or United States postal service to each member. | 218 |
| (3) In the case of an interactive video conference, the | 219 |

board or council causes a clear video and audio connection to be 220
established that enables all meeting participants at the primary 221
meeting location to see and hear each member. 222

(4) In the case of a teleconference, the board or the 223
council causes a clear audio connection to be established that 224
enables all meeting participants at the primary meeting location 225
to hear each member. 226

(5) All board or council members have the capability to 227
receive meeting-related materials that are distributed during a 228
meeting. 229

(6) A roll call voice vote is recorded for each vote 230
taken. 231

(7) The minutes of the board or council meeting identify 232
which members remotely attended the meeting by interactive video 233
conference or teleconference. 234

If the board or council proceeds under this section, use 235
of an interactive video conference is preferred, but nothing in 236
this section prohibits the council from conducting its meetings 237
by teleconference or by a combination of interactive video 238
conference and teleconference at the same meeting. 239

(B) A board of directors ~~or of~~ a joint economic 240
development review council or a joint economic development 241
district shall adopt rules necessary to implement this section. 242
At a minimum, the rules shall do all of the following: 243

(1) Authorize members to remotely attend a meeting by 244
interactive video conference or teleconference, or by a 245
combination thereof, in lieu of attending the meeting in person; 246

(2) Establish a minimum number of members that must be 247

physically present in person at the primary meeting location if 248
the board or council conducts a meeting by interactive video 249
conference or teleconference; 250

(3) Require that not more than one member remotely 251
attending a meeting by teleconference is permitted to be 252
physically present at the same remote location; 253

(4) Establish geographic restrictions for participation in 254
meetings by interactive video conference and by teleconference; 255

(5) Establish a policy for distributing and circulating 256
meeting-related materials to members, the public, and the media 257
in advance of or during a meeting at which members are permitted 258
to attend by interactive video conference or teleconference; 259

(6) Establish a method for verifying the identity of a 260
member who remotely attends a meeting by teleconference. 261

Sec. 742.071. (A) Notwithstanding division (C) of section 262
121.22 of the Revised Code, the board of trustees of the Ohio 263
police and fire pension fund may adopt a policy that allows a 264
board member to attend a meeting of the board by means of video 265
conference. The board shall include in the policy, if adopted, 266
both of the following: 267

(1) The number of regular meetings at which each board 268
member shall be present in person, provided that number is not 269
less than three-quarters of the regular meetings of the board 270
annually; 271

(2) All of the following requirements with respect to a 272
meeting in which a member attends by means of video conference: 273

(a) That a majority of the board members attending the 274
meeting shall be present in person at the physical location 275

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| <u>where the meeting is conducted;</u> | 276 |
| <u>(b) That all votes taken at the meeting shall be taken by</u> | 277 |
| <u>roll call vote;</u> | 278 |
| <u>(c) That a board member who intends to attend a meeting by</u> | 279 |
| <u>means of video conference shall notify the chairperson of that</u> | 280 |
| <u>intent not less than forty-eight hours before the meeting,</u> | 281 |
| <u>except in the case of an emergency as defined in the policy.</u> | 282 |
| <u>(B) Notwithstanding division (C) of section 121.22 of the</u> | 283 |
| <u>Revised Code, a board member who attends a meeting by means of</u> | 284 |
| <u>video conference is considered present in person at the meeting,</u> | 285 |
| <u>may vote at the meeting, and is counted for purposes of</u> | 286 |
| <u>determining whether a quorum is present at the meeting.</u> | 287 |
| <u>(C) At any meeting in which a board member attends by</u> | 288 |
| <u>means of video conference, the board shall ensure that the</u> | 289 |
| <u>public can hear and observe the discussions and deliberations of</u> | 290 |
| <u>all the members of the board, whether the member is</u> | 291 |
| <u>participating in person or electronically.</u> | 292 |
| <u>(D) Except as provided in this section, no person shall do</u> | 293 |
| <u>any of the following:</u> | 294 |
| <u>(1) Limit the number of board members who may attend a</u> | 295 |
| <u>meeting by means of video conference;</u> | 296 |
| <u>(2) Limit the total number of meetings that the board may</u> | 297 |
| <u>allow members to attend by means of video conference;</u> | 298 |
| <u>(3) Limit the number of meetings at which any one board</u> | 299 |
| <u>member may attend by means of video conference;</u> | 300 |
| <u>(4) Impose other limits or obligations on a board member</u> | 301 |
| <u>because the board member attends a meeting by means of video</u> | 302 |
| <u>conference.</u> | 303 |

Sec. 924.12. (A) The director of agriculture may 304
temporarily suspend the operation of a marketing program, or any 305
part thereof, for any reason, upon recommendation by the 306
operating committee for the program, for a period of not more 307
than twelve consecutive months. 308

(B) At least once in each five years of operation, or at 309
any time upon written petition by the lesser of twenty per cent 310
or one thousand of the producers affected by a marketing 311
program, the director shall give public notice by analogy to 312
division (A) of and conduct a hearing under division (C) of 313
section 119.03 of the Revised Code to consider the continuation 314
of the program. The director may conduct the hearing by means of 315
video conference or any other similar electronic technology in 316
accordance with section 121.221 of the Revised Code. The 317
director shall file a copy of the public notice with the 318
director of the legislative service commission for purposes of 319
publishing the public notice in the register of Ohio. 320

(C) Within thirty days after the close of any hearing to 321
consider the continuation of a marketing program, the director 322
of agriculture shall recommend continuation or termination of 323
the program, and shall give public notice of the recommendation 324
by publication in the register of Ohio. The director also shall 325
provide notice of the recommendation to any person who, in 326
writing, has requested notification and may give whatever other 327
notice the director reasonably considers necessary to ensure 328
that notice is constructively given to all persons who are 329
affected by the program. 330

(D) When the director recommends termination of a 331
marketing program, the director shall, within forty-five days, 332
conduct a referendum to determine whether the affected producers 333

favor the proposed termination. The affected producers favor the 334
termination of the program if a majority of the producers who 335
vote in the referendum vote in favor of termination of the 336
program. 337

Sec. 3307.091. (A) Notwithstanding division (C) of section 338
121.22 of the Revised Code, the state teachers retirement board 339
may adopt a policy that allows a board member to attend a 340
meeting of the board by means of teleconference or video 341
conference. The board shall include in the policy, if adopted, 342
both of the following: 343

(1) The number of regular meetings at which each board 344
member shall be present in person, provided that number is not 345
less than ~~one-half~~ three-quarters of the regular meetings of the 346
board annually; 347

(2) All of the following requirements with respect to a 348
meeting in which a member attends by means of teleconference or 349
video conference: 350

(a) That ~~at least one-third~~ a majority of the board 351
members attending the meeting shall be present in person at the 352
physical location where the meeting is conducted; 353

(b) That all votes taken at the meeting shall be taken by 354
roll call vote; 355

(c) That a board member who intends to attend a meeting by 356
means of teleconference or video conference shall notify the 357
chairperson of that intent not less than forty-eight hours 358
before the meeting, except in the case of an emergency as 359
defined in the policy. 360

(B) Notwithstanding division (C) of section 121.22 of the 361
Revised Code, a board member who attends a meeting by means of 362

teleconference or video conference is considered present in 363
person at the meeting, may vote at the meeting, and is counted 364
for purposes of determining whether a quorum is present at the 365
meeting. 366

(C) At any meeting in which a board member attends by 367
means of teleconference or video conference, the board shall 368
ensure that the public can hear and, if the means of attendance 369
technologically permits it, to observe, the discussions and 370
deliberations of all the members of the board, whether the 371
member is participating in person or electronically. 372

(D) Except as provided in this section, no person shall do 373
any of the following: 374

(1) Limit the number of board members who may attend a 375
meeting by means of teleconference or video conference; 376

(2) Limit the total number of meetings that the board may 377
allow members to attend by means of teleconference or video 378
conference; 379

(3) Limit the number of meetings at which any one board 380
member may attend by means of teleconference or video 381
conference; 382

(4) Impose other limits or obligations on a board member 383
because the board member attends a meeting by means of 384
teleconference or video conference. 385

Sec. 3309.091. (A) Notwithstanding division (C) of section 386
121.22 of the Revised Code, the school employees retirement 387
board may adopt a policy that allows a board member to attend a 388
meeting of the board by means of video conference. The board 389
shall include in the policy, if adopted, both of the following: 390

(1) The number of regular meetings at which each board member shall be present in person, provided that number is not less than three-quarters of the regular meetings of the board annually; 391
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(2) All of the following requirements with respect to a meeting in which a member attends by means of video conference: 395
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(a) That a majority of the board members attending the meeting shall be present in person at the physical location where the meeting is conducted; 397
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(b) That all votes taken at the meeting shall be taken by roll call vote; 400
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(c) That a board member who intends to attend a meeting by means of video conference shall notify the chairperson of that intent not less than forty-eight hours before the meeting, except in the case of an emergency as defined in the policy. 402
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(B) Notwithstanding division (C) of section 121.22 of the Revised Code, a board member who attends a meeting by means of video conference is considered present in person at the meeting, may vote at the meeting, and is counted for purposes of determining whether a quorum is present at the meeting. 406
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(C) At any meeting in which a board member attends by means of video conference, the board shall ensure that the public can hear and observe the discussions and deliberations of all the members of the board, whether the member is participating in person or electronically. 411
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(D) Except as provided in this section, no person shall do any of the following: 416
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(1) Limit the number of board members who may attend a 418

meeting by means of video conference; 419

(2) Limit the total number of meetings that the board may
allow members to attend by means of video conference; 420
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(3) Limit the number of meetings at which any one board
member may attend by means of video conference; 422
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(4) Impose other limits or obligations on a board member
because the board member attends a meeting by means of video
conference. 424
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Sec. 5505.04. (A) (1) The general administration and 427
management of the state highway patrol retirement system and the 428
making effective of this chapter are hereby vested in the state 429
highway patrol retirement board. The board may sue and be sued, 430
plead and be impleaded, contract and be contracted with, and do 431
all things necessary to carry out this chapter. 432

The board shall consist of the following members: 433

(a) The superintendent of the state highway patrol; 434

(b) Two retirant members who reside in this state; 435

(c) Five employee-members; 436

(d) One member, known as the treasurer of state's 437
investment designee, who shall be appointed by the treasurer of 438
state for a term of four years and who shall have the following 439
qualifications: 440

(i) The member is a resident of this state. 441

(ii) Within the three years immediately preceding the 442
appointment, the member has not been employed by the public 443
employees retirement system, police and fire pension fund, state 444
teachers retirement system, school employees retirement system, 445

or state highway patrol retirement system or by any person, 446
partnership, or corporation that has provided to one of those 447
retirement systems services of a financial or investment nature, 448
including the management, analysis, supervision, or investment 449
of assets. 450

(iii) The member has direct experience in the management, 451
analysis, supervision, or investment of assets. 452

(iv) The member is not currently employed by the state or 453
a political subdivision of the state. 454

(e) Two investment expert members, who shall be appointed 455
to four-year terms. One investment expert member shall be 456
appointed by the governor, and one investment expert member 457
shall be jointly appointed by the speaker of the house of 458
representatives and the president of the senate. Each investment 459
expert member shall have the following qualifications: 460

(i) Each investment expert member shall be a resident of 461
this state. 462

(ii) Within the three years immediately preceding the 463
appointment, each investment expert member shall not have been 464
employed by the public employees retirement system, police and 465
fire pension fund, state teachers retirement system, school 466
employees retirement system, or state highway patrol retirement 467
system or by any person, partnership, or corporation that has 468
provided to one of those retirement systems services of a 469
financial or investment nature, including the management, 470
analysis, supervision, or investment of assets. 471

(iii) Each investment expert member shall have direct 472
experience in the management, analysis, supervision, or 473
investment of assets. 474

~~(2)~~(2)(a) The board shall annually elect a chairperson and 475
vice-chairperson from among its members. The vice-chairperson 476
shall act as chairperson in the absence of the chairperson. A 477
majority of the members of the board shall constitute a quorum. 478
The board shall meet not less than once each year, upon 479
sufficient notice to the members. All meetings of the board 480
shall be open to the public except executive sessions as set 481
forth in division (G) of section 121.22 of the Revised Code, and 482
any portions of any sessions discussing medical records or the 483
degree of disability of a member excluded from public inspection 484
by this section. 485

(b) Notwithstanding division (C) of section 121.22 of the 486
Revised Code, the board may adopt a policy that allows a board 487
member to attend a meeting of the board by means of video 488
conference. The board shall include in the policy, if adopted, 489
the following: 490

(i) The number of regular meetings at which each board 491
member shall be present in person, provided that number is not 492
less than three-quarters of the regular meetings of the board 493
annually; 494

(ii) That a majority of the board members attending the 495
meeting shall be present in person at the physical location 496
where the meeting is conducted; 497

(iii) That all votes taken at the meeting shall be taken 498
by roll call vote; 499

(iv) That a board member who intends to attend a meeting 500
by means of video conference shall notify the chairperson of 501
that intent not less than forty-eight hours before the meeting, 502
except in the case of an emergency as defined in the policy. 503

(c) Notwithstanding division (C) of section 121.22 of the Revised Code, a board member who attends a meeting by means of video conference is considered present in person at the meeting, may vote at the meeting, and is counted for purposes of determining whether a quorum is present at the meeting. 504
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(d) At any meeting in which a board member attends by means of video conference, the board shall ensure that the public can hear and observe the discussions and deliberations of all the members of the board, whether the member is participating in person or electronically. 509
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(e) Except as provided in this section, no person shall do any of the following: 514
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(i) Limit the number of board members who may attend a meeting by means of video conference; 516
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(ii) Limit the total number of meetings that the board may allow members to attend by means of video conference; 518
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(iii) Limit the number of meetings at which any one board member may attend by means of video conference; 520
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(iv) Impose other limits or obligations on a board member because the board member attends a meeting by means of video conference. 522
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(3) Any member appointed under this section shall hold office until the end of the member's term or, if later, the date the member's successor takes office. 525
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(B) The attorney general shall prescribe procedures for the adoption of rules authorized under this chapter, consistent with the provision of section 111.15 of the Revised Code under which all rules shall be filed in order to be effective. Such 528
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procedures shall establish methods by which notice of proposed 532
rules are given to interested parties and rules adopted by the 533
board published and otherwise made available. When it files a 534
rule with the joint committee on agency rule review pursuant to 535
section 111.15 of the Revised Code, the board shall submit to 536
the Ohio retirement study council a copy of the full text of the 537
rule, and if applicable, a copy of the rule summary and fiscal 538
analysis required by division (B) of section 106.024 of the 539
Revised Code. 540

(C) (1) As used in this division, "personal history record" 541
means information maintained by the board on an individual who 542
is a member, former member, retirant, or beneficiary that 543
includes the address, electronic mail address, telephone number, 544
social security number, record of contributions, correspondence 545
with the system, and other information the board determines to 546
be confidential. 547

(2) The records of the board shall be open to public 548
inspection and may be made available in printed or electronic 549
format, except for the following which shall be excluded: the 550
member's, former member's, retirant's, or beneficiary's personal 551
history record and the amount of a monthly allowance or benefit 552
paid to a retirant, beneficiary, or survivor, except with the 553
written authorization of the individual concerned. 554

(D) All medical reports and recommendations are privileged 555
except as follows: 556

(1) Copies of such medical reports or recommendations 557
shall be made available to the individual's personal physician, 558
attorney, or authorized agent upon written release received from 559
such individual or such individual's agent, or when necessary 560
for the proper administration of the fund to the board-assigned 561

physician. 562

(2) Documentation required by section 2929.193 of the 563
Revised Code shall be provided to a court holding a hearing 564
under that section. 565

(E) Notwithstanding the exceptions to public inspection in 566
division (C)(2) of this section, the board may furnish the 567
following information: 568

(1) If a member, former member, or retirant is subject to 569
an order issued under section 2907.15 of the Revised Code or an 570
order issued under division (A) or (B) of section 2929.192 of 571
the Revised Code or is convicted of or pleads guilty to a 572
violation of section 2921.41 of the Revised Code, on written 573
request of a prosecutor as defined in section 2935.01 of the 574
Revised Code, the board shall furnish to the prosecutor the 575
information requested from the individual's personal history 576
record. 577

(2) Pursuant to a court order issued under Chapters 3119., 578
3121., and 3123. of the Revised Code, the board shall furnish to 579
a court or child support enforcement agency the information 580
required under those chapters. 581

(3) At the written request of any nonprofit organization 582
or association providing services to retirement system members, 583
retirants, or beneficiaries, the board shall provide to the 584
organization or association a list of the names and addresses of 585
members, former members, retirants, or beneficiaries if the 586
organization or association agrees to use such information 587
solely in accordance with its stated purpose of providing 588
services to such individuals and not for the benefit of other 589
persons, organizations, or associations. The costs of compiling, 590

copying, and mailing the list shall be paid by such entity. 591

(4) Within fourteen days after receiving from the director 592
of job and family services a list of the names and social 593
security numbers of recipients of public assistance pursuant to 594
section 5101.181 of the Revised Code, the board shall inform the 595
auditor of state of the name, current or most recent employer 596
address, and social security number of each member whose name 597
and social security number are the same as those of a person 598
whose name or social security number was submitted by the 599
director. The board and its employees, except for purposes of 600
furnishing the auditor of state with information required by 601
this section, shall preserve the confidentiality of recipients 602
of public assistance in compliance with section 5101.181 of the 603
Revised Code. 604

(5) The system shall comply with orders issued under 605
section 3105.87 of the Revised Code. 606

On the written request of an alternate payee, as defined 607
in section 3105.80 of the Revised Code, the system shall furnish 608
to the alternate payee information on the amount and status of 609
any amounts payable to the alternate payee under an order issued 610
under section 3105.171 or 3105.65 of the Revised Code. 611

(6) At the request of any person, the board shall make 612
available to the person copies of all documents, including 613
resumes, in the board's possession regarding filling a vacancy 614
of an employee member or retirant member of the board. The 615
person who made the request shall pay the cost of compiling, 616
copying, and mailing the documents. The information described in 617
this division is a public record. 618

(7) The system shall provide the notice required by 619

section 5505.263 of the Revised Code to the prosecutor assigned 620
to the case. 621

(8) The system may provide information requested by the 622
United States social security administration, United States 623
centers for medicare and medicaid, public employees retirement 624
system, Ohio public employees deferred compensation program, 625
Ohio police and fire pension fund, school employees retirement 626
system, state teachers retirement system, or Cincinnati 627
retirement system. 628

(F) A statement that contains information obtained from 629
the system's records that is certified and signed by an officer 630
of the retirement system and to which the system's official seal 631
is affixed, or copies of the system's records to which the 632
signature and seal are attached, shall be received as true 633
copies of the system's records in any court or before any 634
officer of this state. 635

(G) The board may maintain records in printed or 636
electronic format. 637

Sec. 5543.06. The county engineer shall annually call a 638
meeting, within the county, at a time and place approved by the 639
board of county commissioners, of all the township and county 640
authorities having directly to do with the construction and 641
repair of roads and bridges within the county. At such meeting, 642
which shall be open to the general public, the engineer, or ~~his~~ 643
the engineer's designee, shall instruct the proper authorities 644
as to the best and most economical methods for repairing and 645
maintaining the roads and bridges of the county, so as to 646
provide a uniform system of highway work for such county. Each 647
official attending such meeting shall receive ~~his~~ the official's 648
actual and necessary expenses, in addition to ~~his~~ the official's 649

regular per diem or salary, which shall be paid by the county 650
treasurer from the road fund of the county on itemized vouchers 651
approved by the engineer. 652

The county engineer may conduct a meeting under this 653
section through means of video conference or any other similar 654
electronic technology in accordance with section 121.221 of the 655
Revised Code. 656

Section 2. That existing sections 715.693, 924.12, 657
3307.091, 5505.04, and 5543.06 of the Revised Code are hereby 658
repealed. 659