

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 265**

**Representatives Wiggam, Hall**

**Cosponsors: Representatives Plummer, Williams, Willis, Gross, Young, T.**

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**A BILL**

To amend sections 149.43, 149.45, and 319.28 of the  
Revised Code to exempt redaction request forms,  
affidavits, and the records of the work  
schedules of designated public service workers  
from disclosure under public records law.

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

**Section 1.** That sections 149.43, 149.45, and 319.28 of the  
Revised Code be amended to read as follows:

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

(1) "Public record" means records kept by any public  
office, including, but not limited to, state, county, city,  
village, township, and school district units, and records  
pertaining to the delivery of educational services by an  
alternative school in this state kept by the nonprofit or for-  
profit entity operating the alternative school pursuant to  
section 3313.533 of the Revised Code. "Public record" does not  
mean any of the following:

(a) Medical records;

(b) Records pertaining to probation and parole	18
proceedings, to proceedings related to the imposition of	19
community control sanctions and post-release control sanctions,	20
or to proceedings related to determinations under section	21
2967.271 of the Revised Code regarding the release or maintained	22
incarceration of an offender to whom that section applies;	23
(c) Records pertaining to actions under section 2151.85	24
and division (C) of section 2919.121 of the Revised Code and to	25
appeals of actions arising under those sections;	26
(d) Records pertaining to adoption proceedings, including	27
the contents of an adoption file maintained by the department of	28
health under sections 3705.12 to 3705.124 of the Revised Code;	29
(e) Information in a record contained in the putative	30
father registry established by section 3107.062 of the Revised	31
Code, regardless of whether the information is held by the	32
department of job and family services or, pursuant to section	33
3111.69 of the Revised Code, the office of child support in the	34
department or a child support enforcement agency;	35
(f) Records specified in division (A) of section 3107.52	36
of the Revised Code;	37
(g) Trial preparation records;	38
(h) Confidential law enforcement investigatory records;	39
(i) Records containing information that is confidential	40
under section 2710.03 or 4112.05 of the Revised Code;	41
(j) DNA records stored in the DNA database pursuant to	42
section 109.573 of the Revised Code;	43
(k) Inmate records released by the department of	44
rehabilitation and correction to the department of youth	45

services or a court of record pursuant to division (E) of	46
section 5120.21 of the Revised Code;	47
(l) Records maintained by the department of youth services	48
pertaining to children in its custody released by the department	49
of youth services to the department of rehabilitation and	50
correction pursuant to section 5139.05 of the Revised Code;	51
(m) Intellectual property records;	52
(n) Donor profile records;	53
(o) Records maintained by the department of job and family	54
services pursuant to section 3121.894 of the Revised Code;	55
(p) Designated public service worker residential and	56
familial information;	57
(q) In the case of a county hospital operated pursuant to	58
Chapter 339. of the Revised Code or a municipal hospital	59
operated pursuant to Chapter 749. of the Revised Code,	60
information that constitutes a trade secret, as defined in	61
section 1333.61 of the Revised Code;	62
(r) Information pertaining to the recreational activities	63
of a person under the age of eighteen;	64
(s) In the case of a child fatality review board acting	65
under sections 307.621 to 307.629 of the Revised Code or a	66
review conducted pursuant to guidelines established by the	67
director of health under section 3701.70 of the Revised Code,	68
records provided to the board or director, statements made by	69
board members during meetings of the board or by persons	70
participating in the director's review, and all work products of	71
the board or director, and in the case of a child fatality	72
review board, child fatality review data submitted by the board	73

to the department of health or a national child death review	74
database, other than the report prepared pursuant to division	75
(A) of section 307.626 of the Revised Code;	76
(t) Records provided to and statements made by the	77
executive director of a public children services agency or a	78
prosecuting attorney acting pursuant to section 5153.171 of the	79
Revised Code other than the information released under that	80
section;	81
(u) Test materials, examinations, or evaluation tools used	82
in an examination for licensure as a nursing home administrator	83
that the board of executives of long-term services and supports	84
administers under section 4751.15 of the Revised Code or	85
contracts under that section with a private or government entity	86
to administer;	87
(v) Records the release of which is prohibited by state or	88
federal law;	89
(w) Proprietary information of or relating to any person	90
that is submitted to or compiled by the Ohio venture capital	91
authority created under section 150.01 of the Revised Code;	92
(x) Financial statements and data any person submits for	93
any purpose to the Ohio housing finance agency or the	94
controlling board in connection with applying for, receiving, or	95
accounting for financial assistance from the agency, and	96
information that identifies any individual who benefits directly	97
or indirectly from financial assistance from the agency;	98
(y) Records listed in section 5101.29 of the Revised Code;	99
(z) Discharges recorded with a county recorder under	100
section 317.24 of the Revised Code, as specified in division (B)	101
(2) of that section;	102

(aa) Usage information including names and addresses of	103
specific residential and commercial customers of a municipally	104
owned or operated public utility;	105
(bb) Records described in division (C) of section 187.04	106
of the Revised Code that are not designated to be made available	107
to the public as provided in that division;	108
(cc) Information and records that are made confidential,	109
privileged, and not subject to disclosure under divisions (B)	110
and (C) of section 2949.221 of the Revised Code;	111
(dd) Personal information, as defined in section 149.45 of	112
the Revised Code;	113
(ee) The confidential name, address, and other personally	114
identifiable information of a program participant in the address	115
confidentiality program established under sections 111.41 to	116
111.47 of the Revised Code, including the contents of any	117
application for absent voter's ballots, absent voter's ballot	118
identification envelope statement of voter, or provisional	119
ballot affirmation completed by a program participant who has a	120
confidential voter registration record; records or portions of	121
records pertaining to that program that identify the number of	122
program participants that reside within a precinct, ward,	123
township, municipal corporation, county, or any other geographic	124
area smaller than the state; and any real property	125
confidentiality notice filed under section 111.431 of the	126
Revised Code and the information described in division (C) of	127
that section. As used in this division, "confidential address"	128
and "program participant" have the meaning defined in section	129
111.41 of the Revised Code.	130
(ff) Orders for active military service of an individual	131

serving or with previous service in the armed forces of the 132  
United States, including a reserve component, or the Ohio 133  
organized militia, except that, such order becomes a public 134  
record on the day that is fifteen years after the published date 135  
or effective date of the call to order; 136

(gg) The name, address, contact information, or other 137  
personal information of an individual who is less than eighteen 138  
years of age that is included in any record related to a traffic 139  
accident involving a school vehicle in which the individual was 140  
an occupant at the time of the accident; 141

(hh) Protected health information, as defined in 45 C.F.R. 142  
160.103, that is in a claim for payment for a health care 143  
product, service, or procedure, as well as any other health 144  
claims data in another document that reveals the identity of an 145  
individual who is the subject of the data or could be used to 146  
reveal that individual's identity; 147

(ii) Any depiction by photograph, film, videotape, or 148  
printed or digital image under either of the following 149  
circumstances: 150

(i) The depiction is that of a victim of an offense the 151  
release of which would be, to a reasonable person of ordinary 152  
sensibilities, an offensive and objectionable intrusion into the 153  
victim's expectation of bodily privacy and integrity. 154

(ii) The depiction captures or depicts the victim of a 155  
sexually oriented offense, as defined in section 2950.01 of the 156  
Revised Code, at the actual occurrence of that offense. 157

(jj) Restricted portions of a body-worn camera or 158  
dashboard camera recording; 159

(kk) In the case of a fetal-infant mortality review board 160

acting under sections 3707.70 to 3707.77 of the Revised Code, 161  
records, documents, reports, or other information presented to 162  
the board or a person abstracting such materials on the board's 163  
behalf, statements made by review board members during board 164  
meetings, all work products of the board, and data submitted by 165  
the board to the department of health or a national infant death 166  
review database, other than the report prepared pursuant to 167  
section 3707.77 of the Revised Code. 168

(ll) Records, documents, reports, or other information 169  
presented to the pregnancy-associated mortality review board 170  
established under section 3738.01 of the Revised Code, 171  
statements made by board members during board meetings, all work 172  
products of the board, and data submitted by the board to the 173  
department of health, other than the biennial reports prepared 174  
under section 3738.08 of the Revised Code; 175

(mm) Except as otherwise provided in division (A) (1) (oo) 176  
of this section, telephone numbers for a victim, as defined in 177  
section 2930.01 of the Revised Code or a witness to a crime that 178  
are listed on any law enforcement record or report. 179

(nn) A preneed funeral contract, as defined in section 180  
4717.01 of the Revised Code, and contract terms and personally 181  
identifying information of a preneed funeral contract, that is 182  
contained in a report submitted by or for a funeral home to the 183  
board of embalmers and funeral directors under division (C) of 184  
section 4717.13, division (J) of section 4717.31, or section 185  
4717.41 of the Revised Code. 186

(oo) Telephone numbers for a party to a motor vehicle 187  
accident subject to the requirements of section 5502.11 of the 188  
Revised Code that are listed on any law enforcement record or 189  
report, except that the telephone numbers described in this 190

division are not excluded from the definition of "public record" 191  
under this division on and after the thirtieth day after the 192  
occurrence of the motor vehicle accident. 193

(pp) Records pertaining to individuals who complete 194  
training under section 5502.703 of the Revised Code to be 195  
permitted by a school district board of education or governing 196  
body of a community school established under Chapter 3314. of 197  
the Revised Code, a STEM school established under Chapter 3326. 198  
of the Revised Code, or a chartered nonpublic school to convey 199  
deadly weapons or dangerous ordnance into a school safety zone; 200

(qq) Records, documents, reports, or other information 201  
presented to a domestic violence fatality review board 202  
established under section 307.651 of the Revised Code, 203  
statements made by board members during board meetings, all work 204  
products of the board, and data submitted by the board to the 205  
department of health, other than a report prepared pursuant to 206  
section 307.656 of the Revised Code; 207

(rr) Records, documents, and information the release of 208  
which is prohibited under sections 2930.04 and 2930.07 of the 209  
Revised Code; 210

(ss) Records of an existing qualified nonprofit 211  
corporation that creates a special improvement district under 212  
Chapter 1710. of the Revised Code that do not pertain to a 213  
purpose for which the district is created; 214

(tt) Records of the past, current, and future work 215  
schedule of a designated public service worker; 216

(uu) A request form submitted to a public office under 217  
section 149.45 of the Revised Code; 218

(vv) An affidavit submitted under section 319.28 of the 219



Revised Code. 220

A record that is not a public record under division (A) (1) 221  
of this section and that, under law, is permanently retained 222  
becomes a public record on the day that is seventy-five years 223  
after the day on which the record was created, except for any 224  
record protected by the attorney-client privilege, a trial 225  
preparation record as defined in this section, a statement 226  
prohibiting the release of identifying information signed under 227  
section 3107.083 of the Revised Code, a denial of release form 228  
filed pursuant to section 3107.46 of the Revised Code, or any 229  
record that is exempt from release or disclosure under section 230  
149.433 of the Revised Code. If the record is a birth 231  
certificate and a biological parent's name redaction request 232  
form has been accepted under section 3107.391 of the Revised 233  
Code, the name of that parent shall be redacted from the birth 234  
certificate before it is released under this paragraph. If any 235  
other section of the Revised Code establishes a time period for 236  
disclosure of a record that conflicts with the time period 237  
specified in this section, the time period in the other section 238  
prevails. 239

(2) "Confidential law enforcement investigatory record" 240  
means any record that pertains to a law enforcement matter of a 241  
criminal, quasi-criminal, civil, or administrative nature, but 242  
only to the extent that the release of the record would create a 243  
high probability of disclosure of any of the following: 244

(a) The identity of a suspect who has not been charged 245  
with the offense to which the record pertains, or of an 246  
information source or witness to whom confidentiality has been 247  
reasonably promised; 248

(b) Information provided by an information source or 249

witness to whom confidentiality has been reasonably promised,	250
which information would reasonably tend to disclose the source's	251
or witness's identity;	252
(c) Specific confidential investigatory techniques or	253
procedures or specific investigatory work product;	254
(d) Information that would endanger the life or physical	255
safety of law enforcement personnel, a crime victim, a witness,	256
or a confidential information source.	257
(3) "Medical record" means any document or combination of	258
documents, except births, deaths, and the fact of admission to	259
or discharge from a hospital, that pertains to the medical	260
history, diagnosis, prognosis, or medical condition of a patient	261
and that is generated and maintained in the process of medical	262
treatment.	263
(4) "Trial preparation record" means any record that	264
contains information that is specifically compiled in reasonable	265
anticipation of, or in defense of, a civil or criminal action or	266
proceeding, including the independent thought processes and	267
personal trial preparation of an attorney.	268
(5) "Intellectual property record" means a record, other	269
than a financial or administrative record, that is produced or	270
collected by or for faculty or staff of a state institution of	271
higher learning in the conduct of or as a result of study or	272
research on an educational, commercial, scientific, artistic,	273
technical, or scholarly issue, regardless of whether the study	274
or research was sponsored by the institution alone or in	275
conjunction with a governmental body or private concern, and	276
that has not been publicly released, published, or patented.	277
(6) "Donor profile record" means all records about donors	278

or potential donors to a public institution of higher education 279  
except the names and reported addresses of the actual donors and 280  
the date, amount, and conditions of the actual donation. 281

(7) "Designated public service worker" means a peace 282  
officer, parole officer, probation officer, bailiff, prosecuting 283  
attorney, assistant prosecuting attorney, correctional employee, 284  
county or multicounty corrections officer, community-based 285  
correctional facility employee, designated Ohio national guard 286  
member, protective services worker, youth services employee, 287  
firefighter, EMT, medical director or member of a cooperating 288  
physician advisory board of an emergency medical service 289  
organization, state board of pharmacy employee, investigator of 290  
the bureau of criminal identification and investigation, 291  
emergency service telecommunicator, forensic mental health 292  
provider, mental health evaluation provider, regional 293  
psychiatric hospital employee, judge, magistrate, or federal law 294  
enforcement officer. 295

(8) "Designated public service worker residential and 296  
familial information" means any information that discloses any 297  
of the following about a designated public service worker: 298

(a) The address of the actual personal residence of a 299  
designated public service worker, except for the following 300  
information: 301

(i) The address of the actual personal residence of a 302  
prosecuting attorney or judge; and 303

(ii) The state or political subdivision in which a 304  
designated public service worker resides. 305

(b) Information compiled from referral to or participation 306  
in an employee assistance program; 307

(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; 308  
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(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; 313  
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(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; 317  
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(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; 322  
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(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority. 328  
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(9) As used in divisions (A) (7) and (15) to (17) of this section: 332  
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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 334  
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sheriff of a county or a supervisory employee who, in the 337  
absence of the sheriff, is authorized to stand in for, exercise 338  
the authority of, and perform the duties of the sheriff. 339

"Correctional employee" means any employee of the 340  
department of rehabilitation and correction who in the course of 341  
performing the employee's job duties has or has had contact with 342  
inmates and persons under supervision. 343

"County or multicounty corrections officer" means any 344  
corrections officer employed by any county or multicounty 345  
correctional facility. 346

"Designated Ohio national guard member" means a member of 347  
the Ohio national guard who is participating in duties related 348  
to remotely piloted aircraft, including, but not limited to, 349  
pilots, sensor operators, and mission intelligence personnel, 350  
duties related to special forces operations, or duties related 351  
to cybersecurity, and is designated by the adjutant general as a 352  
designated public service worker for those purposes. 353

"Protective services worker" means any employee of a 354  
county agency who is responsible for child protective services, 355  
child support services, or adult protective services. 356

"Youth services employee" means any employee of the 357  
department of youth services who in the course of performing the 358  
employee's job duties has or has had contact with children 359  
committed to the custody of the department of youth services. 360

"Firefighter" means any regular, paid or volunteer, member 361  
of a lawfully constituted fire department of a municipal 362  
corporation, township, fire district, or village. 363

"EMT" means EMTs-basic, EMTs-I, and paramedics that 364  
provide emergency medical services for a public emergency 365

medical service organization. "Emergency medical service 366  
organization," "EMT-basic," "EMT-I," and "paramedic" have the 367  
meanings defined in section 4765.01 of the Revised Code. 368

"Investigator of the bureau of criminal identification and 369  
investigation" has the meaning defined in section 2903.11 of the 370  
Revised Code. 371

"Emergency service telecommunicator" has the meaning 372  
defined in section 4742.01 of the Revised Code. 373

"Forensic mental health provider" means any employee of a 374  
community mental health service provider or local alcohol, drug 375  
addiction, and mental health services board who, in the course 376  
of the employee's duties, has contact with persons committed to 377  
a local alcohol, drug addiction, and mental health services 378  
board by a court order pursuant to section 2945.38, 2945.39, 379  
2945.40, or 2945.402 of the Revised Code. 380

"Mental health evaluation provider" means an individual 381  
who, under Chapter 5122. of the Revised Code, examines a 382  
respondent who is alleged to be a mentally ill person subject to 383  
court order, as defined in section 5122.01 of the Revised Code, 384  
and reports to the probate court the respondent's mental 385  
condition. 386

"Regional psychiatric hospital employee" means any 387  
employee of the department of mental health and addiction 388  
services who, in the course of performing the employee's duties, 389  
has contact with patients committed to the department of mental 390  
health and addiction services by a court order pursuant to 391  
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 392  
Code. 393

"Federal law enforcement officer" has the meaning defined 394

in section 9.88 of the Revised Code. 395

(10) "Information pertaining to the recreational 396  
activities of a person under the age of eighteen" means 397  
information that is kept in the ordinary course of business by a 398  
public office, that pertains to the recreational activities of a 399  
person under the age of eighteen years, and that discloses any 400  
of the following: 401

(a) The address or telephone number of a person under the 402  
age of eighteen or the address or telephone number of that 403  
person's parent, guardian, custodian, or emergency contact 404  
person; 405

(b) The social security number, birth date, or 406  
photographic image of a person under the age of eighteen; 407

(c) Any medical record, history, or information pertaining 408  
to a person under the age of eighteen; 409

(d) Any additional information sought or required about a 410  
person under the age of eighteen for the purpose of allowing 411  
that person to participate in any recreational activity 412  
conducted or sponsored by a public office or to use or obtain 413  
admission privileges to any recreational facility owned or 414  
operated by a public office. 415

(11) "Community control sanction" has the meaning defined 416  
in section 2929.01 of the Revised Code. 417

(12) "Post-release control sanction" has the meaning 418  
defined in section 2967.01 of the Revised Code. 419

(13) "Redaction" means obscuring or deleting any 420  
information that is exempt from the duty to permit public 421  
inspection or copying from an item that otherwise meets the 422

definition of a "record" in section 149.011 of the Revised Code.	423
(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.	424 425
(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.	426 427 428 429 430
(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.	431 432 433 434
(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:	435 436 437 438
(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 child based on the department's or law enforcement agency's records or the content of the recording;	439 440 441 442 443 444 445
(b) The death of a person or a deceased person's body, unless the death was caused by a correctional employee, youth services employee, or peace officer or, subject to division (H) (1) of this section, the consent of the decedent's executor or administrator has been obtained;	446 447 448 449 450
(c) The death of a correctional employee, youth services	451



employee, peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H) (1) of this section, the consent of the decedent's executor or administrator has been obtained;

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

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

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

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

- (h) A person's nude body, unless, subject to division (H) 481  
(1) of this section, the person's consent has been obtained; 482
- (i) Protected health information, the identity of a person 483  
in a health care facility who is not the subject of a law 484  
enforcement encounter, or any other information in a health care 485  
facility that could identify a person who is not the subject of 486  
a law enforcement encounter; 487
- (j) Information that could identify the alleged victim of 488  
a sex offense, menacing by stalking, or domestic violence; 489
- (k) Information, that does not constitute a confidential 490  
law enforcement investigatory record, that could identify a 491  
person who provides sensitive or confidential information to the 492  
department of rehabilitation and correction, the department of 493  
youth services, or a law enforcement agency when the disclosure 494  
of the person's identity or the information provided could 495  
reasonably be expected to threaten or endanger the safety or 496  
property of the person or another person; 497
- (l) Personal information of a person who is not arrested, 498  
cited, charged, or issued a written warning by a peace officer; 499
- (m) Proprietary police contingency plans or tactics that 500  
are intended to prevent crime and maintain public order and 501  
safety; 502
- (n) A personal conversation unrelated to work between 503  
peace officers or between a peace officer and an employee of a 504  
law enforcement agency; 505
- (o) A conversation between a peace officer and a member of 506  
the public that does not concern law enforcement activities; 507
- (p) The interior of a residence, unless the interior of a 508

residence is the location of an adversarial encounter with, or a use of force by, a peace officer; 509  
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(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location. 511  
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As used in division (A) (17) of this section: 514

"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code. 515  
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"Health care facility" has the same meaning as in section 1337.11 of the Revised Code. 517  
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"Protected health information" has the same meaning as in 45 C.F.R. 160.103. 519  
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"Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties. 521  
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"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases. 523  
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"Sex offense" has the same meaning as in section 2907.10 of the Revised Code. 527  
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"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code. 529  
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(B) (1) Upon request by any person and subject to division (B) (8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to the requester at all reasonable times during regular business hours. Subject to division (B) (8) of this 531  
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section, upon request by any person, a public office or person 536  
responsible for public records shall make copies of the 537  
requested public record available to the requester at cost and 538  
within a reasonable period of time. If a public record contains 539  
information that is exempt from the duty to permit public 540  
inspection or to copy the public record, the public office or 541  
the person responsible for the public record shall make 542  
available all of the information within the public record that 543  
is not exempt. When making that public record available for 544  
public inspection or copying that public record, the public 545  
office or the person responsible for the public record shall 546  
notify the requester of any redaction or make the redaction 547  
plainly visible. A redaction shall be deemed a denial of a 548  
request to inspect or copy the redacted information, except if 549  
federal or state law authorizes or requires a public office to 550  
make the redaction. 551

(2) To facilitate broader access to public records, a 552  
public office or the person responsible for public records shall 553  
organize and maintain public records in a manner that they can 554  
be made available for inspection or copying in accordance with 555  
division (B) of this section. A public office also shall have 556  
available a copy of its current records retention schedule at a 557  
location readily available to the public. If a requester makes 558  
an ambiguous or overly broad request or has difficulty in making 559  
a request for copies or inspection of public records under this 560  
section such that the public office or the person responsible 561  
for the requested public record cannot reasonably identify what 562  
public records are being requested, the public office or the 563  
person responsible for the requested public record may deny the 564  
request but shall provide the requester with an opportunity to 565  
revise the request by informing the requester of the manner in 566

which records are maintained by the public office and accessed 567  
in the ordinary course of the public office's or person's 568  
duties. 569

(3) If a request is ultimately denied, in part or in 570  
whole, the public office or the person responsible for the 571  
requested public record shall provide the requester with an 572  
explanation, including legal authority, setting forth why the 573  
request was denied. If the initial request was provided in 574  
writing, the explanation also shall be provided to the requester 575  
in writing. The explanation shall not preclude the public office 576  
or the person responsible for the requested public record from 577  
relying upon additional reasons or legal authority in defending 578  
an action commenced under division (C) of this section. 579

(4) Unless specifically required or authorized by state or 580  
federal law or in accordance with division (B) of this section, 581  
no public office or person responsible for public records may 582  
limit or condition the availability of public records by 583  
requiring disclosure of the requester's identity or the intended 584  
use of the requested public record. Any requirement that the 585  
requester disclose the requester's identity or the intended use 586  
of the requested public record constitutes a denial of the 587  
request. 588

(5) A public office or person responsible for public 589  
records may ask a requester to make the request in writing, may 590  
ask for the requester's identity, and may inquire about the 591  
intended use of the information requested, but may do so only 592  
after disclosing to the requester that a written request is not 593  
mandatory, that the requester may decline to reveal the 594  
requester's identity or the intended use, and when a written 595  
request or disclosure of the identity or intended use would 596

benefit the requester by enhancing the ability of the public 597  
office or person responsible for public records to identify, 598  
locate, or deliver the public records sought by the requester. 599

(6) If any person requests a copy of a public record in 600  
accordance with division (B) of this section, the public office 601  
or person responsible for the public record may require the 602  
requester to pay in advance the cost involved in providing the 603  
copy of the public record in accordance with the choice made by 604  
the requester under this division. The public office or the 605  
person responsible for the public record shall permit the 606  
requester to choose to have the public record duplicated upon 607  
paper, upon the same medium upon which the public office or 608  
person responsible for the public record keeps it, or upon any 609  
other medium upon which the public office or person responsible 610  
for the public record determines that it reasonably can be 611  
duplicated as an integral part of the normal operations of the 612  
public office or person responsible for the public record. When 613  
the requester makes a choice under this division, the public 614  
office or person responsible for the public record shall provide 615  
a copy of it in accordance with the choice made by the 616  
requester. Nothing in this section requires a public office or 617  
person responsible for the public record to allow the requester 618  
of a copy of the public record to make the copies of the public 619  
record. 620

(7) (a) Upon a request made in accordance with division (B) 621  
of this section and subject to division (B) (6) of this section, 622  
a public office or person responsible for public records shall 623  
transmit a copy of a public record to any person by United 624  
States mail or by any other means of delivery or transmission 625  
within a reasonable period of time after receiving the request 626  
for the copy. The public office or person responsible for the 627

public record may require the person making the request to pay 628  
in advance the cost of postage if the copy is transmitted by 629  
United States mail or the cost of delivery if the copy is 630  
transmitted other than by United States mail, and to pay in 631  
advance the costs incurred for other supplies used in the 632  
mailing, delivery, or transmission. 633

(b) Any public office may adopt a policy and procedures 634  
that it will follow in transmitting, within a reasonable period 635  
of time after receiving a request, copies of public records by 636  
United States mail or by any other means of delivery or 637  
transmission pursuant to division (B) (7) of this section. A 638  
public office that adopts a policy and procedures under division 639  
(B) (7) of this section shall comply with them in performing its 640  
duties under that division. 641

(c) In any policy and procedures adopted under division 642  
(B) (7) of this section: 643

(i) A public office may limit the number of records 644  
requested by a person that the office will physically deliver by 645  
United States mail or by another delivery service to ten per 646  
month, unless the person certifies to the office in writing that 647  
the person does not intend to use or forward the requested 648  
records, or the information contained in them, for commercial 649  
purposes; 650

(ii) A public office that chooses to provide some or all 651  
of its public records on a web site that is fully accessible to 652  
and searchable by members of the public at all times, other than 653  
during acts of God outside the public office's control or 654  
maintenance, and that charges no fee to search, access, 655  
download, or otherwise receive records provided on the web site, 656  
may limit to ten per month the number of records requested by a 657

person that the office will deliver in a digital format, unless 658  
the requested records are not provided on the web site and 659  
unless the person certifies to the office in writing that the 660  
person does not intend to use or forward the requested records, 661  
or the information contained in them, for commercial purposes. 662

(iii) For purposes of division (B)(7) of this section, 663  
"commercial" shall be narrowly construed and does not include 664  
reporting or gathering news, reporting or gathering information 665  
to assist citizen oversight or understanding of the operation or 666  
activities of government, or nonprofit educational research. 667

(8) A public office or person responsible for public 668  
records is not required to permit a person who is incarcerated 669  
pursuant to a criminal conviction or a juvenile adjudication to 670  
inspect or to obtain a copy of any public record concerning a 671  
criminal investigation or prosecution or concerning what would 672  
be a criminal investigation or prosecution if the subject of the 673  
investigation or prosecution were an adult, unless the request 674  
to inspect or to obtain a copy of the record is for the purpose 675  
of acquiring information that is subject to release as a public 676  
record under this section and the judge who imposed the sentence 677  
or made the adjudication with respect to the person, or the 678  
judge's successor in office, finds that the information sought 679  
in the public record is necessary to support what appears to be 680  
a justiciable claim of the person. 681

(9) (a) Upon written request made and signed by a 682  
journalist, a public office, or person responsible for public 683  
records, having custody of the records of the agency employing a 684  
specified designated public service worker shall disclose to the 685  
journalist the address of the actual personal residence of the 686  
designated public service worker and, if the designated public 687



service worker's spouse, former spouse, or child is employed by 688  
a public office, the name and address of the employer of the 689  
designated public service worker's spouse, former spouse, or 690  
child. The request shall include the journalist's name and title 691  
and the name and address of the journalist's employer and shall 692  
state that disclosure of the information sought would be in the 693  
public interest. 694

(b) Division (B) (9) (a) of this section also applies to 695  
journalist requests for: 696

(i) Customer information maintained by a municipally owned 697  
or operated public utility, other than social security numbers 698  
and any private financial information such as credit reports, 699  
payment methods, credit card numbers, and bank account 700  
information; 701

(ii) Information about minors involved in a school vehicle 702  
accident as provided in division (A) (1) (gg) of this section, 703  
other than personal information as defined in section 149.45 of 704  
the Revised Code. 705

(c) As used in division (B) (9) of this section, 706  
"journalist" means a person engaged in, connected with, or 707  
employed by any news medium, including a newspaper, magazine, 708  
press association, news agency, or wire service, a radio or 709  
television station, or a similar medium, for the purpose of 710  
gathering, processing, transmitting, compiling, editing, or 711  
disseminating information for the general public. 712

(10) Upon a request made by a victim, victim's attorney, 713  
or victim's representative, as that term is used in section 714  
2930.02 of the Revised Code, a public office or person 715  
responsible for public records shall transmit a copy of a 716

depiction of the victim as described in division (A) (1) (ii) of 717  
this section to the victim, victim's attorney, or victim's 718  
representative. 719

(C) (1) If a person allegedly is aggrieved by the failure 720  
of a public office or the person responsible for public records 721  
to promptly prepare a public record and to make it available to 722  
the person for inspection in accordance with division (B) of 723  
this section or by any other failure of a public office or the 724  
person responsible for public records to comply with an 725  
obligation in accordance with division (B) of this section, the 726  
person allegedly aggrieved may do only one of the following, and 727  
not both: 728

(a) File a complaint with the clerk of the court of claims 729  
or the clerk of the court of common pleas under section 2743.75 730  
of the Revised Code; 731

(b) Commence a mandamus action to obtain a judgment that 732  
orders the public office or the person responsible for the 733  
public record to comply with division (B) of this section, that 734  
awards court costs and reasonable attorney's fees to the person 735  
that instituted the mandamus action, and, if applicable, that 736  
includes an order fixing statutory damages under division (C) (2) 737  
of this section. The mandamus action may be commenced in the 738  
court of common pleas of the county in which division (B) of 739  
this section allegedly was not complied with, in the supreme 740  
court pursuant to its original jurisdiction under Section 2 of 741  
Article IV, Ohio Constitution, or in the court of appeals for 742  
the appellate district in which division (B) of this section 743  
allegedly was not complied with pursuant to its original 744  
jurisdiction under Section 3 of Article IV, Ohio Constitution. 745

(2) If a requester transmits a written request by hand 746

delivery, electronic submission, or certified mail to inspect or 747  
receive copies of any public record in a manner that fairly 748  
describes the public record or class of public records to the 749  
public office or person responsible for the requested public 750  
records, except as otherwise provided in this section, the 751  
requester shall be entitled to recover the amount of statutory 752  
damages set forth in this division if a court determines that 753  
the public office or the person responsible for public records 754  
failed to comply with an obligation in accordance with division 755  
(B) of this section. 756

The amount of statutory damages shall be fixed at one 757  
hundred dollars for each business day during which the public 758  
office or person responsible for the requested public records 759  
failed to comply with an obligation in accordance with division 760  
(B) of this section, beginning with the day on which the 761  
requester files a mandamus action to recover statutory damages, 762  
up to a maximum of one thousand dollars. The award of statutory 763  
damages shall not be construed as a penalty, but as compensation 764  
for injury arising from lost use of the requested information. 765  
The existence of this injury shall be conclusively presumed. The 766  
award of statutory damages shall be in addition to all other 767  
remedies authorized by this section. 768

The court may reduce an award of statutory damages or not 769  
award statutory damages if the court determines both of the 770  
following: 771

(a) That, based on the ordinary application of statutory 772  
law and case law as it existed at the time of the conduct or 773  
threatened conduct of the public office or person responsible 774  
for the requested public records that allegedly constitutes a 775  
failure to comply with an obligation in accordance with division 776

(B) of this section and that was the basis of the mandamus 777  
action, a well-informed public office or person responsible for 778  
the requested public records reasonably would believe that the 779  
conduct or threatened conduct of the public office or person 780  
responsible for the requested public records did not constitute 781  
a failure to comply with an obligation in accordance with 782  
division (B) of this section; 783

(b) That a well-informed public office or person 784  
responsible for the requested public records reasonably would 785  
believe that the conduct or threatened conduct of the public 786  
office or person responsible for the requested public records 787  
would serve the public policy that underlies the authority that 788  
is asserted as permitting that conduct or threatened conduct. 789

(3) In a mandamus action filed under division (C) (1) of 790  
this section, the following apply: 791

(a) (i) If the court orders the public office or the person 792  
responsible for the public record to comply with division (B) of 793  
this section, the court shall determine and award to the relator 794  
all court costs, which shall be construed as remedial and not 795  
punitive. 796

(ii) If the court makes a determination described in 797  
division (C) (3) (b) (iii) of this section, the court shall 798  
determine and award to the relator all court costs, which shall 799  
be construed as remedial and not punitive. 800

(b) If the court renders a judgment that orders the public 801  
office or the person responsible for the public record to comply 802  
with division (B) of this section or if the court determines any 803  
of the following, the court may award reasonable attorney's fees 804  
to the relator, subject to division (C) (4) of this section: 805

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

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

(iii) The public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order concluding whether or not the public office or person was required to comply with division (B) of this section. No discovery may be conducted on the issue of the alleged bad faith of the public office or person responsible for the public records. This division shall not be construed as creating a presumption that the public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator 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 836  
(B) of this section and that was the basis of the mandamus 837  
action, a well-informed public office or person responsible for 838  
the requested public records reasonably would believe that the 839  
conduct or threatened conduct of the public office or person 840  
responsible for the requested public records did not constitute 841  
a failure to comply with an obligation in accordance with 842  
division (B) of this section; 843

(ii) That a well-informed public office or person 844  
responsible for the requested public records reasonably would 845  
believe that the conduct or threatened conduct of the public 846  
office or person responsible for the requested public records 847  
would serve the public policy that underlies the authority that 848  
is asserted as permitting that conduct or threatened conduct. 849

(4) All of the following apply to any award of reasonable 850  
attorney's fees awarded under division (C) (3) (b) of this 851  
section: 852

(a) The fees shall be construed as remedial and not 853  
punitive. 854

(b) The fees awarded shall not exceed the total of the 855  
reasonable attorney's fees incurred before the public record was 856  
made available to the relator and the fees described in division 857  
(C) (4) (c) of this section. 858

(c) Reasonable attorney's fees shall include reasonable 859  
fees incurred to produce proof of the reasonableness and amount 860  
of the fees and to otherwise litigate entitlement to the fees. 861

(d) The court may reduce the amount of fees awarded if the 862  
court determines that, given the factual circumstances involved 863  
with the specific public records request, an alternative means 864

should have been pursued to more effectively and efficiently 865  
resolve the dispute that was subject to the mandamus action 866  
filed under division (C) (1) of this section. 867

(5) If the court does not issue a writ of mandamus under 868  
division (C) of this section and the court determines at that 869  
time that the bringing of the mandamus action was frivolous 870  
conduct as defined in division (A) of section 2323.51 of the 871  
Revised Code, the court may award to the public office all court 872  
costs, expenses, and reasonable attorney's fees, as determined 873  
by the court. 874

(D) Chapter 1347. of the Revised Code does not limit the 875  
provisions of this section. 876

(E) (1) To ensure that all employees of public offices are 877  
appropriately educated about a public office's obligations under 878  
division (B) of this section, all elected officials or their 879  
appropriate designees shall attend training approved by the 880  
attorney general as provided in section 109.43 of the Revised 881  
Code. A future official may satisfy the requirements of this 882  
division by attending the training before taking office, 883  
provided that the future official may not send a designee in the 884  
future official's place. 885

(2) All public offices shall adopt a public records policy 886  
in compliance with this section for responding to public records 887  
requests. In adopting a public records policy under this 888  
division, a public office may obtain guidance from the model 889  
public records policy developed and provided to the public 890  
office by the attorney general under section 109.43 of the 891  
Revised Code. Except as otherwise provided in this section, the 892  
policy may not limit the number of public records that the 893  
public office will make available to a single person, may not 894

limit the number of public records that it will make available 895  
during a fixed period of time, and may not establish a fixed 896  
period of time before it will respond to a request for 897  
inspection or copying of public records, unless that period is 898  
less than eight hours. 899

The public office shall distribute the public records 900  
policy adopted by the public office under this division to the 901  
employee of the public office who is the records custodian or 902  
records manager or otherwise has custody of the records of that 903  
office. The public office shall require that employee to 904  
acknowledge receipt of the copy of the public records policy. 905  
The public office shall create a poster that describes its 906  
public records policy and shall post the poster in a conspicuous 907  
place in the public office and in all locations where the public 908  
office has branch offices. The public office may post its public 909  
records policy on the internet web site of the public office if 910  
the public office maintains an internet web site. A public 911  
office that has established a manual or handbook of its general 912  
policies and procedures for all employees of the public office 913  
shall include the public records policy of the public office in 914  
the manual or handbook. 915

(F) (1) The bureau of motor vehicles may adopt rules 916  
pursuant to Chapter 119. of the Revised Code to reasonably limit 917  
the number of bulk commercial special extraction requests made 918  
by a person for the same records or for updated records during a 919  
calendar year. The rules may include provisions for charges to 920  
be made for bulk commercial special extraction requests for the 921  
actual cost of the bureau, plus special extraction costs, plus 922  
ten per cent. The bureau may charge for expenses for redacting 923  
information, the release of which is prohibited by law. 924



(2) As used in division (F) (1) of this section:	925
(a) "Actual cost" means the cost of depleted supplies,	926
records storage media costs, actual mailing and alternative	927
delivery costs, or other transmitting costs, and any direct	928
equipment operating and maintenance costs, including actual	929
costs paid to private contractors for copying services.	930
(b) "Bulk commercial special extraction request" means a	931
request for copies of a record for information in a format other	932
than the format already available, or information that cannot be	933
extracted without examination of all items in a records series,	934
class of records, or database by a person who intends to use or	935
forward the copies for surveys, marketing, solicitation, or	936
resale for commercial purposes. "Bulk commercial special	937
extraction request" does not include a request by a person who	938
gives assurance to the bureau that the person making the request	939
does not intend to use or forward the requested copies for	940
surveys, marketing, solicitation, or resale for commercial	941
purposes.	942
(c) "Commercial" means profit-seeking production, buying,	943
or selling of any good, service, or other product.	944
(d) "Special extraction costs" means the cost of the time	945
spent by the lowest paid employee competent to perform the task,	946
the actual amount paid to outside private contractors employed	947
by the bureau, or the actual cost incurred to create computer	948
programs to make the special extraction. "Special extraction	949
costs" include any charges paid to a public agency for computer	950
or records services.	951
(3) For purposes of divisions (F) (1) and (2) of this	952
section, "surveys, marketing, solicitation, or resale for	953

commercial purposes" shall be narrowly construed and does not 954  
include reporting or gathering news, reporting or gathering 955  
information to assist citizen oversight or understanding of the 956  
operation or activities of government, or nonprofit educational 957  
research. 958

(G) A request by a defendant, counsel of a defendant, or 959  
any agent of a defendant in a criminal action that public 960  
records related to that action be made available under this 961  
section shall be considered a demand for discovery pursuant to 962  
the Criminal Rules, except to the extent that the Criminal Rules 963  
plainly indicate a contrary intent. The defendant, counsel of 964  
the defendant, or agent of the defendant making a request under 965  
this division shall serve a copy of the request on the 966  
prosecuting attorney, director of law, or other chief legal 967  
officer responsible for prosecuting the action. 968

(H) (1) Any portion of a body-worn camera or dashboard 969  
camera recording described in divisions (A) (17) (b) to (h) of 970  
this section may be released by consent of the subject of the 971  
recording or a representative of that person, as specified in 972  
those divisions, only if either of the following applies: 973

(a) The recording will not be used in connection with any 974  
probable or pending criminal proceedings; 975

(b) The recording has been used in connection with a 976  
criminal proceeding that was dismissed or for which a judgment 977  
has been entered pursuant to Rule 32 of the Rules of Criminal 978  
Procedure, and will not be used again in connection with any 979  
probable or pending criminal proceedings. 980

(2) If a public office denies a request to release a 981  
restricted portion of a body-worn camera or dashboard camera 982

recording, as defined in division (A)(17) of this section, any 983  
person may file a mandamus action pursuant to this section or a 984  
complaint with the clerk of the court of claims pursuant to 985  
section 2743.75 of the Revised Code, requesting the court to 986  
order the release of all or portions of the recording. If the 987  
court considering the request determines that the filing 988  
articulates by clear and convincing evidence that the public 989  
interest in the recording substantially outweighs privacy 990  
interests and other interests asserted to deny release, the 991  
court shall order the public office to release the recording. 992

**Sec. 149.45.** (A) As used in this section: 993

(1) "Personal information" means any of the following: 994

(a) An individual's social security number; 995

(b) An individual's state or federal tax identification 996  
number; 997

(c) An individual's driver's license number or state 998  
identification number; 999

(d) An individual's checking account number, savings 1000  
account number, credit card number, or debit card number; 1001

(e) An individual's demand deposit account number, money 1002  
market account number, mutual fund account number, or any other 1003  
financial or medical account number. 1004

(2) "Public record," "designated public service worker," 1005  
and "designated public service worker residential and familial 1006  
information" have the meanings defined in section 149.43 of the 1007  
Revised Code. 1008

(3) "Truncate" means to redact all but the last four 1009  
digits of an individual's social security number. 1010

(B) (1) No public office or person responsible for a public office's public records shall make available to the general public on the internet any document that contains an individual's social security number without otherwise redacting, encrypting, or truncating the social security number.

(2) A public office or person responsible for a public office's public records that, prior to October 17, 2011, made available to the general public on the internet any document that contains an individual's social security number shall redact, encrypt, or truncate the social security number from that document.

(3) Divisions (B) (1) and (2) of this section do not apply to documents that are only accessible through the internet with a password.

(C) (1) An individual may request that a public office or a person responsible for a public office's public records redact personal information of that individual from any record made available to the general public on the internet. An individual who makes a request for redaction pursuant to this division shall make the request in writing on a form developed by the attorney general and shall specify the personal information to be redacted and provide any information that identifies the location of that personal information within a document that contains that personal information.

(2) Upon receiving a request for a redaction pursuant to division (C) (1) of this section, a public office or a person responsible for a public office's public records shall act within five business days in accordance with the request to redact the personal information of the individual from any record made available to the general public on the internet, if

practicable. If a redaction is not practicable, the public 1041  
office or person responsible for the public office's public 1042  
records shall verbally or in writing within five business days 1043  
after receiving the written request explain to the individual 1044  
why the redaction is impracticable. 1045

(3) The attorney general shall develop a form to be used 1046  
by an individual to request a redaction pursuant to division (C) 1047  
(1) of this section. The form shall include a place to provide 1048  
any information that identifies the location of the personal 1049  
information to be redacted. 1050

(D) (1) A designated public service worker and a former 1051  
designated public service worker may request that a public 1052  
office, other than a county auditor, or a person responsible for 1053  
the public records of a public office, other than a county 1054  
auditor, redact the designated public service worker's or former 1055  
designated public service worker's address from any record made 1056  
available to the general public on the internet that includes 1057  
designated public service worker residential and familial 1058  
information of the designated public service worker or former 1059  
designated public service worker making the request. A 1060  
designated public service worker or former designated public 1061  
service worker who makes a request for a redaction pursuant to 1062  
this division shall make the request in writing and on a form 1063  
developed by the attorney general. 1064

(2) Upon receiving a written request for a redaction 1065  
pursuant to division (D) (1) of this section, a public office, 1066  
other than a county auditor, or a person responsible for the 1067  
public records of a public office, other than a county auditor, 1068  
shall act within five business days in accordance with the 1069  
request to redact the address of the designated public service 1070

worker or former designated public service worker making the 1071  
request from any record made available to the general public on 1072  
the internet that includes designated public service worker 1073  
residential and familial information of the designated public 1074  
service worker or former designated public service worker making 1075  
the request, if practicable. If a redaction is not practicable, 1076  
the public office or person responsible for the public office's 1077  
public records shall verbally or in writing within five business 1078  
days after receiving the written request explain to the 1079  
designated public service worker or former designated public 1080  
service worker why the redaction is impracticable. 1081

(3) Except as provided in this section and section 319.28 1082  
of the Revised Code, a public office, other than an employer of 1083  
a designated public service worker or former designated public 1084  
service worker, or a person responsible for the public records 1085  
of the employer, is not required to redact designated public 1086  
service worker residential and familial information of the 1087  
designated public service worker or former designated public 1088  
service worker from other records maintained by the public 1089  
office. 1090

(4) The attorney general shall develop a form to be used 1091  
by a designated public service worker or former designated 1092  
public service worker to request a redaction pursuant to 1093  
division (D)(1) of this section. The form shall include a place 1094  
to provide any information that identifies the location of the 1095  
address of the designated public service worker or former 1096  
designated public service worker to be redacted. 1097

(E) (1) If a public office or a person responsible for a 1098  
public office's public records becomes aware that an electronic 1099  
record of that public office that is made available to the 1100

general public on the internet contains an individual's social 1101  
security number that was mistakenly not redacted, encrypted, or 1102  
truncated as required by division (B) (1) or (2) of this section, 1103  
the public office or person responsible for the public office's 1104  
public records shall redact, encrypt, or truncate the 1105  
individual's social security number within a reasonable period 1106  
of time. 1107

(2) A public office or a person responsible for a public 1108  
office's public records is not liable in damages in a civil 1109  
action for any harm an individual allegedly sustains as a result 1110  
of the inclusion of that individual's personal information on 1111  
any record made available to the general public on the internet 1112  
or any harm a designated public service worker sustains as a 1113  
result of the inclusion of the designated public service 1114  
worker's address on any record made available to the general 1115  
public on the internet in violation of this section, unless the 1116  
public office or person responsible for the public office's 1117  
public records acted with malicious purpose, in bad faith, or in 1118  
a wanton or reckless manner or unless division (A) (6) (a) or (c) 1119  
of section 2744.03 of the Revised Code applies. 1120

(F) An form submitted under division (C) or (D) of this 1121  
section is not a public record under division (A) (1) (uu) of 1122  
section 149.43 of the Revised Code. 1123

**Sec. 319.28.** (A) Except as otherwise provided in division 1124  
(B) of this section, on or before the first Monday of August, 1125  
annually, the county auditor shall compile and make up a general 1126  
tax list of real and public utility property in the county, 1127  
either in tabular form and alphabetical order, or, with the 1128  
consent of the county treasurer, by listing all parcels in a 1129  
permanent parcel number sequence to which a separate 1130

alphabetical index is keyed, containing the names of the several 1131  
persons, companies, firms, partnerships, associations, and 1132  
corporations in whose names real property has been listed in 1133  
each township, municipal corporation, special district, or 1134  
separate school district, or part of either in the auditor's 1135  
county, placing separately, in appropriate columns opposite each 1136  
name, the description of each tract, lot, or parcel of real 1137  
estate, the value of each tract, lot, or parcel, the value of 1138  
the improvements thereon, and of the names of the several public 1139  
utilities whose property, subject to taxation on the general tax 1140  
list and duplicate, has been apportioned by the department of 1141  
taxation to the county, and the amount so apportioned to each 1142  
township, municipal corporation, special district, or separate 1143  
school district or part of either in the auditor's county, as 1144  
shown by the certificates of apportionment of public utility 1145  
property. If the name of the owner of any tract, lot, or parcel 1146  
of real estate is unknown to the auditor, "unknown" shall be 1147  
entered in the column of names opposite said tract, lot, or 1148  
parcel. Such lists shall be prepared in duplicate. On or before 1149  
the first Monday of September in each year, the auditor shall 1150  
correct such lists in accordance with the additions and 1151  
deductions ordered by the tax commissioner and by the county 1152  
board of revision, and shall certify and on the first day of 1153  
October deliver one copy thereof to the county treasurer. The 1154  
copies prepared by the auditor shall constitute the auditor's 1155  
general tax list and treasurer's general duplicate of real and 1156  
public utility property for the current year. 1157

Once a permanent parcel numbering system has been 1158  
established in any county as provided by the preceding 1159  
paragraph, such system shall remain in effect until otherwise 1160  
agreed upon by the county auditor and county treasurer. 1161



(B) (1) An individual, or the spouse of that individual, 1162  
whose residential and familial information is not a public 1163  
record under divisions (A) (1) (p) and (A) (7) of section 149.43 of 1164  
the Revised Code may submit an affidavit to the county auditor 1165  
requesting the county auditor to remove the name of the 1166  
individual filing the affidavit from any record made available 1167  
to the general public on the internet or a publicly accessible 1168  
database, and from the general tax list and duplicate of real 1169  
and public utility property, and to instead insert the 1170  
individual's initials on any such record, and on the general tax 1171  
list and duplicate of real and public utility property as the 1172  
name of the individual that appears on the deed. 1173

(2) Upon receiving an affidavit described in division (B) 1174  
(1) of this section, the county auditor shall act within five 1175  
business days in accordance with the request to remove the 1176  
individual's name from any record made available to the general 1177  
public on the internet or a publicly accessible database, and 1178  
from the general tax list and duplicate of real and public 1179  
utility property and insert the individual's initials on any 1180  
such record and on the general tax list and duplicate of real 1181  
and public utility property, if practicable. If the removal and 1182  
insertion is not practicable, the county auditor shall verbally 1183  
or in writing within five business days after receiving the 1184  
affidavit explain to the individual why the removal and 1185  
insertion is impracticable. 1186

(C) The county auditor shall keep confidential information 1187  
that is subject to a real property confidentiality notice under 1188  
section 111.431 of the Revised Code, in accordance with that 1189  
section. An affidavit submitted under division (B) (1) of this 1190  
section is not a public record under division (A) (1) (vv) of 1191  
section 149.43 of the Revised Code. 1192

**Section 2.** That existing sections 149.43, 149.45, and 1193  
319.28 of the Revised Code are hereby repealed. 1194

**Section 3.** Section 149.43 of the Revised Code is presented 1195  
in this act as a composite of the section as amended by H.B. 45, 1196  
H.B. 99, H.B. 254, H.B. 343, H.B. 558, and S.B. 288, all of the 1197  
134th General Assembly. The General Assembly, applying the 1198  
principle stated in division (B) of section 1.52 of the Revised 1199  
Code that amendments are to be harmonized and reconciled if 1200  
reasonably capable of simultaneous operation, finds that the 1201  
composite is the resulting version of the section in effect 1202  
prior to the effective date of the section as presented in this 1203  
act. 1204

1205