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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research and Drafting

Legislative Budget Office

Substitute Bill Comparative Synopsis

Sub. H.B. 314

136th General Assembly

House Judiciary

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Latest Version (I_136_3295-2)
Student and parent email addresses	No provision.	Specifies that an email address kept by a public school of any current or former student, or such student's parent, is not a public record subject to disclosure under the Public Records Law. (R.C. 149.43(A)(1)(ddd)).
Private contractors	Permits a public office or person responsible for public records to engage a private contractor to respond to voluminous requests. *(R.C. 149.43(B)(6)(a))*.	Same as previous version but additionally requires a private contractor to (1) dispose of public records reviewed during an engagement, (2) not otherwise use any such

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		record for profit, and (3) not disclose any redacted information. (R.C. 149.43(B)(6)(b)).
	Permits a public office or person responsible for public records to include the cost of a contractor's services in calculating the cost of providing copies. (R.C. 149.43(B)(6)(a)).	Same as previous version but as applied to new fee structure. (R.C. 149.43(B)(6)(b)(i)).
Reasonable period of time	No provision.	Prohibits a court from considering whether engaging a private contractor would have resulted in the faster production of records when determining whether a public office or person responsible for public records satisfied its obligation to produce records within a reasonable period of time. (R.C. 149.43(B)(1)(a)).
Costs and fees	No provision.	Establishes an alternative fee structure, and a fee estimate procedure, that political subdivisions can adopt for public records requests. (R.C. 149.43(B)(1)(b) and (E)).
	No provision.	Requires a political subdivision that adopts an alternative fee structure receive payment from a requester before releasing the requested public records (R.C. 149.43(B)(1)(c)(ii)).
	No provision.	Prohibits a person who fails to pay for requested public records from making

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		subsequent public records requests until payment is provided (R.C. 149.43(B)(1)(c)(iii)).
Harassing requestors – civil action	Permits a court to deny indefinitely a person's ability to request public records if that person is found to have submitted requests for the purpose of harassing or disrupting a public office or person responsible for public records. (R.C. 149.43(B)(2)(c)(i)).	Permits a court to issue an order suspending a person's ability to request public records for up to five years if that person is found to have submitted requests for the purpose of harassing or disrupting a public office or person responsible for public records. The court can extend the suspension period if the person violates the order and can also fine the person up to $100 for attempting to circumvent the order via anonymous request. (R.C. 149.43(B)(2)(c)(iii)).
	No provision.	Allows a requester, upon a successful defense, to recover reasonable attorney's fees and costs arising out of a harassing requestor action. (R.C. 149.43(B)(2)(c)(iv)).

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