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H.B. 31
(1_136_0070-1)
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 31's Bill Analysis](#)

Version: In Senate Judiciary

Primary Sponsors: Reps. Humphrey and Stewart

Local Impact Statement Procedure Required: No

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Highlights

- The Ohio Department of Rehabilitation and Correction (DRC) estimates that one additional Parole Program Specialist will be needed to implement the recording and public records requirements under the bill, totaling up to \$120,000 per year in salary and benefits costs. The bill will also result in certain information technology infrastructure costs in order to process and store the additional recordings.
- DRC may recoup some of its public records fulfillment costs, as permitted under current law, as well as transcription costs as allowed for under the bill.

Detailed Analysis

The bill requires the Ohio Department of Rehabilitation and Correction (DRC), via rule, to make electronic recordings of full parole board hearings and other parole hearings of the board, revocation hearings under R.C. 2967.15, and post-release control violation hearings under R.C. 2967.28. Electronic recordings of full parole board hearings are considered to be "public records" under the Public Records Law for which any person may make a request for a copy. The bill requires that an electronic recording, when subject to the Public Records Law, not include personal identifying information of any victim or their immediate family members. Any authorized party, person, or entity that wishes to have the electronic hearing of a parole board hearing transcribed must do so at their own expense.

The bill also permits the sharing of certain medical information of offenders who are the subject of the hearings to prosecutors upon request.

Fiscal effect

In order to comply with the bill, DRC estimates they would need to hire one new Parole Program Specialist to handle the increased workload associated with electronically recording

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certain hearings. In addition to making and storing the electronic recordings, staff will have to redact certain personal identifying information, including those of the victim and before providing copies of electronic recordings. The salaries and benefits of this position would likely be in the range of \$100,000 to \$120,000 per year according to the agency.

There will likely also be some one-time information technology infrastructure costs related to creating and storing the records and minimal one-time rule adoption costs.

Some offsetting revenue may be generated in responding to public records requests for the electronic recording of a full parole board hearing. Current Public Records Law requires public records be made available to the requestor "at cost." Persons entitled to receive the electronic recordings, as defined by the bill, may request a transcript of the electronic recording.

The bill also creates a civil cause of action for incarcerated individuals and victims when their protected information is disclosed in a recording, summary, or other communication related to a parole board hearing. Injured parties may seek damages from the party who disclosed the information. It is presumed that all parties involved with the recording and disclosure of materials related to parole board hearings will comply with the bill and any resultant civil actions will be rare.