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Office of Research
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Office

H.B. 314
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 314's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Reps. Isaacsohn and Ray

Local Impact Statement Procedure Required: No

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Highlights

- As public record holders, state and local public agencies may see a decrease in complicated or time-consuming public records requests resulting in a decrease in administrative expenses offset somewhat by a reduction in public records fees and the cost of any civil court action.
- Courts of common pleas could see a minimal at most increase in civil case filings if additional actions are filed related to harassing or disruptive public records requests. Any increase in cases and resultant workload will be absorbed using existing staff and appropriated resources and offset in part by revenues in the form of court costs and fees.

Detailed Analysis

The bill allows public records keepers (1) to initiate civil action in a court of common pleas to limit or deny harassing or disruptive public records requests, (2) to engage a private contractor to respond to voluminous public records requests, and (3) to include the cost of a private contractor's services in calculating the cost of providing the copy of the public record.

Public records keepers

To the extent that harassing or disruptive public records requests are curtailed under the bill, public record holders, including state and local governments, may see a decrease in complicated or time-consuming public records requests resulting in a decrease in administrative expenses.

The bill's provision to allow public offices to engage a private contractor to respond to voluminous public records requests and to allow for the cost of the contractor to be passed on to the requestor will likely be fiscally neutral as costs are passed through as fees. Some

administrative efficiencies could be realized if staff resources are unencumbered as a result of utilizing the services of a contractor.

Civil case filings

Courts of common pleas may see a minimal at most increase in civil cases filed if the bill results in additional actions related to harassing or disruptive public records requests. Any increase in cases and workload will be absorbed using existing staff and appropriated resources and offset in part by revenues in the form of court costs and fees assessed to parties in the case.

Indirectly, it is also possible that certain enforcement actions that could be filed by requestors against a public records holder may be interrupted or prevented entirely. Under current law, unchanged by the bill, if a public records requester believes that a public office violated the Public Records Act, the person can file a lawsuit against the office. Before filing a lawsuit, a requester must first serve a complaint on the public office or person responsible for public records on a form prescribed by the Clerk of the Court of Claims. If the complaint is not resolved, the requester may choose to either file a complaint in the Court of Claims or file a mandamus action in a court of common pleas, court of appeals, or the Supreme Court of Ohio.