

As Introduced

136th General Assembly

Regular Session

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H. B. No. 514

Representatives Hiner, Brennan

Cosponsors: Representatives Robb Blasdel, Click, Daniels, Lear, John

To enact sections 149.437 and 2950.036 of the
Revised Code to specify that a video, taken by a
public office depicting a minor at a public
recreational facility with water activities, is
not a public record, and is subject to
restricted release, and to prohibit a sexually
oriented offender or child-victim oriented
offender from establishing or maintaining a
library box.

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

Section 1. That sections 149.437 and 2950.036 of the
Revised Code be enacted to read as follows:

Sec. 149.437. (A) As used in this section:

"Minor" has the same meaning as in section 2108.01 of the
Revised Code.

"Restricted video" means video taken by a public office
depicting a minor at a public recreational facility with water
activities.

"Sex offender" has the same meaning as in section 2950.01
of the Revised Code.

(B) A video record kept by a public office that is a
restricted video record is not a public record under section
149.43 of the Revised Code and is not subject to inspection or
copying under that section.

(C) An individual who seeks to obtain a copy of a
restricted video shall submit a written request to the public
office. The request shall describe the purpose of the request
and the intended use of the record. Upon receipt of a request
for a restricted video, made and signed by an individual, the
public office shall determine if the requester is a sex
offender, and shall ascertain, from the local law enforcement
agency, if the requester is under investigation for the
commission of a criminal offense involving minors, or involving
stalking or harassment of an individual depicted in the
restricted video.

(D) Notwithstanding division (B) of this section, a public
office or person responsible for public records, having custody
of a restricted video, may transmit a copy of the restricted
video, in the same manner as a public record under section
149.43 of the Revised Code, to a requester determined, by the
public office, not to be a sex offender, and not under
investigation for the commission of a criminal offense involving
minors, or involving stalking or harassment of an individual
depicted in the restricted video.

Sec. 2950.036. (A) As used in this section, "library box"
includes a structure or container of any shape, size, or design
that serves as a repository for a community lending library.

(B) No person who has been convicted of, is convicted of,
has pleaded guilty to, or pleads guilty to a sexually oriented
offense or a child-victim oriented offense shall recklessly

<u>establish or maintain a library box.</u>	50
<u>(C) Whoever violates division (B) of this section is</u>	51
<u>guilty of unlawfully establishing or maintaining a library box,</u>	52
<u>a misdemeanor of the first degree.</u>	53