



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 695
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Bird and Stewart

Alyssa Bethel, Attorney

SUMMARY

- Prohibits county commissioners, township trustees, village mayors, and members of a village legislative authority from entering into nondisclosure agreements.

DETAILED ANALYSIS

Local nondisclosure agreements

The bill prohibits certain local elected officials from entering into nondisclosure agreements, specifically county commissioners, township trustees, village mayors, and members of a village legislative authority. An official who violates the prohibition is subject to an up to \$1,000 civil fine enforced by the Attorney General. Any nondisclosure agreement that is entered into, amended, extended, or renewed on or after the bill's effective date is void and unenforceable. The bill defines nondisclosure agreement to mean "an agreement or contract that includes a provision or clause that prohibits county commissioners, township trustees, or village mayors, or members of a village legislative authority from disclosing, discussing, describing, or commenting on county matters related to the member's official duties."¹

Ohio's cities and villages have municipal home rule authority, including local self-government authority to govern their affairs.² If challenged, it is unclear whether a court would find nondisclosure agreements to be a matter of local self-government and if so, whether it is a substantive or procedural matter (noncharter municipalities may vary regarding substantive matters while charter municipalities may vary regarding both substantive and procedural). Based on a court's ruling, potentially some or all of Ohio's municipal corporations could vary from the bill's prohibition.

¹ R.C. 305.44, 505.96, 731.142, and 733.241; Section 2.

² Ohio Constitution, Article XVIII, Sections 3 and 7.

HISTORY

| Action | Date |
|------------|----------|
| Introduced | 02-12-26 |
