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Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Cutrona

Emily E. Wendel, Attorney

SUMMARY

- Includes all state and local elected officials as designated public service workers under the Public Records Law, meaning that their residential and familial information generally is exempt from disclosure to the public.
- Prohibits the disclosure of the state or political subdivision in which any designated public service worker resides.
- Creates a procedure for a member of the public to obtain an elected official's residence address in person from a board of elections and requires the board to notify the official of the disclosure.
- Allows a journalist to request certain information about an elected official from the official's public employer, similar to the current process for requesting that information about other designated public service workers, and requires the employer to notify the official of the disclosure.

DETAILED ANALYSIS

Public records exemption for elected officials

The bill includes all state and local elected officials as designated public service workers under the Public Records Law, meaning that their residential and familial information generally is exempt from disclosure to the public. The bill is to be known as the Protecting Elected Officials Against Coercion and Extremism (PEACE) Act.[1]

Existing law includes judges and prosecutors as designated public service workers on a limited basis, but not other elected officials. Other designated public service workers under

[1] Section 3 of the bill.

continuing law include law enforcement professionals, firefighters, EMTs, and certain public employee health care workers.

Eligible officials

For purposes of the bill, "elected official" means a person who is elected or appointed to an elective office of the state or a political subdivision. The term does not include a federal official or a person who holds an appointed office.

The bill also allows a former elected official who served for at least five years and was in good standing at the end of the person's service to request continued redactions from records posted online, as continuing law allows other former designated public service workers to do. However, that protection does not appear to apply when a person submits a records request to the office that keeps them instead of accessing the records on a publicly available website.

The current Public Records Law gives two conflicting definitions of an elected official, apparently by mistake. The bill corrects this by clarifying that the "elected official" definition for purposes of mandatory public records training, which excludes judicial offices, applies only to the training, and that elected judicial officers are considered elected officials for purposes of the bill's protections.[2]

Protected information

Under continuing law, certain information about a designated public service worker and the person's immediate family that otherwise would be disclosed under the Public Records Law is exempt from disclosure.[3] That information is:

- The person's residence address.
  - Current law allows the disclosure of judges' and prosecutors' residence addresses because they are elected and must live within the jurisdiction. The bill makes judges' and prosecutors' addresses private but, as is explained below, still allows a person who wishes to challenge a candidacy to obtain the person's residence address.
  - In the case of real property records, continuing law allows a designated public service worker or the person's spouse instead to ask the county auditor to list only the person's initials on publicly available records.[4]
- The state or political subdivision in which the person resides. Current law allows this information to be disclosed regarding any designated public service worker, but the bill prohibits its disclosure.
- The person's residential telephone number and emergency telephone number;

[2] R.C. 149.43(A)(7), (14), and (18) and (E)(1). See also R.C. 149.45, not in the bill.

[3] R.C. 149.43(A)(8). See also R.C. 149.45, not in the bill.

[4] R.C. 319.28, not in the bill.

- The person's spouse's, former spouse's, or child's name, residence address, employer, work address, residential telephone number, and emergency telephone number;
- The person's past, current, and future work schedules, except that under continuing law, the following are considered public:[5]
  - An entry on an elected official's public calendar that is for the current date or a past date;
  - A court docket of cases.
- Information compiled from the person's referral to or participation in an employee assistance program;
- The name of any beneficiary of employment benefits, including life insurance benefits, provided by the person's employer;
- The identity and amount of any charitable or employment benefit deduction made by the person's employer from the person's compensation, unless the amount of the deduction is required by state or federal law;
- Any photograph of a peace officer whose duties may include undercover or plain clothes work.

Applying for protection

Because public offices do not necessarily know who is eligible for redaction, continuing law requires a designated public service worker or a qualifying former designated public service worker to submit a request on a form prescribed by the Attorney General to each public office that makes records about the person available on the internet, such as the person's local board of elections. Upon receiving the request, the office must make the redactions within five business days.[6]

Exceptions allowing access

Board of elections

The bill creates a procedure for a member of the public to obtain an elected official's residence address from a board of elections, such as for the purpose of challenging the person's candidacy. Under the bill, the requester must appear in person at the office of the board, show government-issued identification, and complete a form prescribed by the Secretary of State that includes all of the following:

- The requester's name;
- Identification of each record requested. The requester may request copies of multiple records using the same form.

[5] R.C. 149.43(A)(1)(uu) and (aaa) and (A)(19).

[6] R.C. 3503.13; conforming change in R.C. 3503.153. See also R.C. 149.45, not in the bill.

- The reason the requester seeks the record;
- The date;
- The requester's signature under penalty of election falsification.

When the board of elections gives the requester an unredacted record under this procedure, the board promptly must notify the elected official in writing and provide the official a copy of the completed request form.[7]

Journalists

With respect to elected officials, the bill also modifies a current procedure that allows a journalist to request any of the following about a designated public service worker from the worker's public employer:

- The person's residence address;
- The person's work schedules;
- If the person's spouse, former spouse, or child works for a public agency, the name and address of the agency;
- A redaction request form the person submitted to a public office.

The journalist must make the request in writing and include the journalist's name and title, the name and address of the journalist's employer, a statement that disclosure of the information would be in the public interest, and the journalist's signature. For purposes of this provision, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

In the case of an elected official, the bill allows a journalist to request the same information, other than the official's work schedules. The written request must include the same information as under current law but also must state the reason the journalist is seeking the disclosure. Within three business days after granting the journalist's request, the employer must notify the elected official in writing of the disclosure and provide a copy of the completed request form. Under continuing law, other designated public service workers are not notified of journalist requests.[8]

[7] R.C. 3503.13(C).

[8] R.C. 149.43(B)(9).

HISTORY

Action	Date
Introduced	11-18-25

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