As Introduced

136th General Assembly Regular Session 2025-2026

S. B. No. 327

Senator Cutrona

To	amend sections 149.43, 3503.13, and 3503.153 of	1
	the Revised Code to enact the Protecting Elected	2
	Officials Against Coercion and Extremism (PEACE)	3
	Act to generally prohibit the disclosure of an	4
	elected official's residential and familial	5
	information under the Public Records Law.	6
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:		

Section 1. That sections 149.43, 3503.13, and 3503.153 of	/
the Revised Code be amended to read as follows:	8
Sec. 149.43. (A) As used in this section:	9
(1) "Public record" means records kept by any public	10
office, including, but not limited to, state, county, city,	11
village, township, and school district units, and records	12
pertaining to the delivery of educational services by an	13
alternative school in this state kept by the nonprofit or for-	14
profit entity operating the alternative school pursuant to	15
section 3313.533 of the Revised Code. "Public record" does not	16
mean any of the following:	17
(a) Medical records;	18
(b) Records pertaining to probation and parole	19
proceedings, to proceedings related to the imposition of	20

community control sanctions and post-release control sanctions,	21
or to proceedings related to determinations under section	22
2967.271 of the Revised Code regarding the release or maintained	23
incarceration of an offender to whom that section applies;	24
(c) Records pertaining to actions under section 2151.85	25
and division (C) of section 2919.121 of the Revised Code and to	26
appeals of actions arising under those sections;	27
(d) Records pertaining to adoption proceedings, including	28
the contents of an adoption file maintained by the department of	29
health under sections 3705.12 to 3705.124 of the Revised Code;	30
(e) Information in a record contained in the putative	31
father registry established by section 3107.062 of the Revised	32
Code, regardless of whether the information is held by the	33
department of children and youth or, pursuant to section 3111.69	34
of the Revised Code, the office of child support in the	35
department of job and family services or a child support	36
enforcement agency;	37
(f) Records specified in division (A) of section 3107.52	38
of the Revised Code;	39
(g) Trial preparation records, prior to the conclusion of	40
all direct appeals or, if no appeal is filed, prior to the	41
expiration of the time during which an appeal may be filed, or,	42
if no trial has occurred, until the civil or criminal action or	43
proceeding has ended without the possibility of direct appeal or	44
each agency, office, or official responsible for the matter has	45
made a decision not to proceed with the matter;	46
(h) Confidential law enforcement investigatory records;	47
(i) Records containing information that is confidential	48
under section 2710.03 or 4112.05 of the Revised Code;	49

(j) DNA records stored in the DNA database pursuant to	50
section 109.573 of the Revised Code;	51
(k) Inmate records under section 5120.21 of the Revised	52
Code, except for permitted disclosure of the information listed	53
in division (E)(1) of that section;	54
(1) Records maintained by the department of youth services	55
pertaining to children in its custody released by the department	56
of youth services to the department of rehabilitation and	57
correction pursuant to section 5139.05 of the Revised Code;	58
(m) Intellectual property records;	59
(n) Donor profile records;	60
(o) Records maintained by the department of job and family	61
services pursuant to section 3121.894 of the Revised Code;	62
(p) Designated public service worker residential and	63
familial information;	64
(q) In the case of a county hospital operated pursuant to	65
Chapter 339. of the Revised Code or a municipal hospital	66
operated pursuant to Chapter 749. of the Revised Code,	67
information that constitutes a trade secret, as defined in	68
section 1333.61 of the Revised Code;	69
(r) Information pertaining to the recreational activities	70
of a person under the age of eighteen;	71
(s) In the case of a child fatality review board acting	72
under sections 307.621 to 307.629 of the Revised Code or a	73
review conducted pursuant to guidelines established by the	74
director of health under section 3701.70 of the Revised Code,	75
records provided to the board or director, statements made by	76
board members during meetings of the board or by persons	77

participating in the director's review, and all work products of	78
the board or director, and in the case of a child fatality	79
review board, child fatality review data submitted by the board	80
to the department of health or a national child death review	81
database, other than the report prepared pursuant to division	82
(A) of section 307.626 of the Revised Code;	83
(t) Records provided to and statements made by the	84
executive director of a public children services agency or a	85
prosecuting attorney acting pursuant to section 5153.171 of the	86
Revised Code other than the information released under that	87
section;	88
(u) Test materials, examinations, or evaluation tools used	89
in an examination for licensure as a nursing home administrator	90
that the board of executives of long-term services and supports	91
administers under section 4751.15 of the Revised Code or	92
contracts under that section with a private or government entity	93
to administer;	94
(v) Records the release of which is prohibited by state or	95
<pre>federal law;</pre>	96
(w) Proprietary information of or relating to any person	97
that is submitted to or compiled by the Ohio venture capital	98
authority created under section 150.01 of the Revised Code;	99
(x) Financial statements and data any person submits for	100
any purpose to the Ohio housing finance agency or the	101
controlling board in connection with applying for, receiving, or	102
accounting for financial assistance from the agency, and	103
information that identifies any individual who benefits directly	104
or indirectly from financial assistance from the agency;	105
(y) Records listed in section 5101.29 of the Revised Code;	106

(z) Discharges recorded with a county recorder under	107
section 317.24 of the Revised Code, as specified in division (B)	108
(2) of that section;	109
(aa) Usage information including names and addresses of	110
specific residential and commercial customers of a municipally	111
owned or operated public utility;	112
owned of operated public attricy,	112
(bb) Records described in division (C) of section 187.04	113
of the Revised Code that are not designated to be made available	114
to the public as provided in that division;	115
(cc) Information and records that are made confidential,	116
privileged, and not subject to disclosure under divisions (B)	117
and (C) of section 2949.221 of the Revised Code;	118
(dd) Personal information, as defined in section 149.45 of	119
the Revised Code;	120
(ee) The confidential name, address, and other personally	121
identifiable information of a program participant in the address	122
confidentiality program established under sections 111.41 to	123
111.47 of the Revised Code, including the contents of any	124
application for absent voter's ballots, absent voter's ballot	125
identification envelope statement of voter, or provisional	126
ballot affirmation completed by a program participant who has a	127
confidential voter registration record; records or portions of	128
records pertaining to that program that identify the number of	129
program participants that reside within a precinct, ward,	130
township, municipal corporation, county, or any other geographic	131
area smaller than the state; and any real property	132
confidentiality notice filed under section 111.431 of the	133
Revised Code and the information described in division (C) of	134
that section. As used in this division, "confidential address"	135

and "program participant" have the meaning defined in section	136
111.41 of the Revised Code.	137
(ff) Orders for active military service of an individual	138
serving or with previous service in the armed forces of the	139
United States, including a reserve component, or the Ohio	140
organized militia, except that, such order becomes a public	141
record on the day that is fifteen years after the published date	142
or effective date of the call to order;	143
(gg) The name, address, contact information, or other	144
personal information of an individual who is less than eighteen	145
years of age that is included in any record related to a traffic	146
accident involving a school vehicle in which the individual was	147
an occupant at the time of the accident;	148
(hh) Protected health information, as defined in 45 C.F.R.	149
160.103, that is in a claim for payment for a health care	150
product, service, or procedure, as well as any other health	151
claims data in another document that reveals the identity of an	152
individual who is the subject of the data or could be used to	153
reveal that individual's identity;	154
(ii) Any depiction by photograph, film, videotape, or	155
printed or digital image under either of the following	156
circumstances:	157
(i) The depiction is that of a victim of an offense the	158
release of which would be, to a reasonable person of ordinary	159
sensibilities, an offensive and objectionable intrusion into the	160
victim's expectation of bodily privacy and integrity.	161
(ii) The depiction captures or depicts the victim of a	162
sexually oriented offense, as defined in section 2950.01 of the	163
Revised Code, at the actual occurrence of that offense.	164

(jj) Restricted portions of a body-worn camera or	165
dashboard camera recording;	166
(kk) In the case of a fetal-infant mortality review board	167
acting under sections 3707.70 to 3707.77 of the Revised Code,	168
records, documents, reports, or other information presented to	169
the board or a person abstracting such materials on the board's	170
behalf, statements made by review board members during board	171
meetings, all work products of the board, and data submitted by	172
the board to the department of health or a national infant death	173
review database, other than the report prepared pursuant to	174
section 3707.77 of the Revised Code.	175
(11) Records, documents, reports, or other information	176
presented to the pregnancy-associated mortality review board	177
established under section 5180.27 of the Revised Code,	178
statements made by board members during board meetings, all work	179
products of the board, and data submitted by the board to the	180
department of health, other than the biennial reports prepared	181
under section 5180.277 of the Revised Code;	182
(mm) Except as otherwise provided in division (A)(1)(00)	183
of this section, telephone numbers for a victim, as defined in	184
section 2930.01 of the Revised Code or a witness to a crime that	185
are listed on any law enforcement record or report.	186
(nn) A preneed funeral contract, as defined in section	187
4717.01 of the Revised Code, and contract terms and personally	188
identifying information of a preneed funeral contract, that is	189
contained in a report submitted by or for a funeral home to the	190
board of embalmers and funeral directors under division (C) of	191
section 4717.13, division (J) of section 4717.31, or section	192
4717.41 of the Revised Code.	193

(oo) Telephone numbers for a party to a motor vehicle	194
accident subject to the requirements of section 5502.11 of the	195
Revised Code that are listed on any law enforcement record or	196
report, except that the telephone numbers described in this	197
division are not excluded from the definition of "public record"	198
under this division on and after the thirtieth day after the	199
occurrence of the motor vehicle accident.	200
(pp) Records pertaining to individuals who complete	201
training under section 5502.703 of the Revised Code to be	202
permitted by a school district board of education or governing	203
body of a community school established under Chapter 3314. of	204
the Revised Code, a STEM school established under Chapter 3326.	205
of the Revised Code, or a chartered nonpublic school to convey	206
deadly weapons or dangerous ordnance into a school safety zone;	207
(qq) Records, documents, reports, or other information	208
presented to a domestic violence fatality review board	209
established under section 307.651 of the Revised Code,	210
statements made by board members during board meetings, all work	211
products of the board, and data submitted by the board to the	212
department of health, other than a report prepared pursuant to	213
section 307.656 of the Revised Code;	214
(rr) Records, documents, and information the release of	215
which is prohibited under sections 2930.04 and 2930.07 of the	216
Revised Code;	217
(ss) Records of an existing qualified nonprofit	218
corporation that creates a special improvement district under	219
Chapter 1710. of the Revised Code that do not pertain to a	220
purpose for which the district is created;	221

(tt) Educational support services data, as defined in

section 3319.325 of the Revised Code;	223
(uu) Records of the past, current, and future work	224
schedule of a designated public service worker. As used in	225
division (A)(1)(uu) of this section, "work schedule" does not	226
include the docket of cases of a court, judge, or magistrate+ $_{ m or}$	227
any entry on the public calendar of an elected official that is	228
for any date that is on or before the date the record is	229
requested.	230
(vv) A request form or confirmation letter submitted to a	231
public office under section 149.45 of the Revised Code;	232
(ww) An affidavit or confirmation letter submitted under	233
section 319.28 of the Revised Code;	234
(xx) License or certificate application or renewal	235
responses and supporting documentation submitted to the state	236
medical board regarding an applicant's, or a license or	237
certificate holder's, inability to practice according to	238
acceptable and prevailing standards of care by reason of a	239
medical condition;	240
(yy) Images and data captured by an automated license	241
plate recognition system that are maintained in a law	242
enforcement database;	243
(zz) Attorney work product record;	244
(aaa) Any entry on the public calendar of an elected	245
official that is for any date that is after the date the record	246
is requested;	247
(bbb) Records pertaining to burial sites under section	248
149.3010 of the Revised Code.	249
A record that is not a public record under division (A)(1)	250

of this section and that, under law, is permanently retained	251
becomes a public record on the day that is seventy-five years	252
after the day on which the record was created, or in the case of	253
a record that is not a public record under division (A)(1)(uu)	254
of this section that is retained, three years after the day on	255
which the record was created, except for any record protected by	256
the attorney-client privilege, a trial preparation record as	257
defined in this section, a statement prohibiting the release of	258
identifying information signed under section 3107.083 of the	259
Revised Code, a denial of release form filed pursuant to section	260
3107.46 of the Revised Code, records pertaining to burial sites	261
under section 149.3010 of the Revised Code, or any record that	262
is exempt from release or disclosure under section 149.433 of	263
the Revised Code. If the record is a birth certificate and a	264
biological parent's name redaction request form has been	265
accepted under section 3107.391 of the Revised Code, the name of	266
that parent shall be redacted from the birth certificate before	267
it is released under this paragraph. If any other section of the	268
Revised Code establishes a time period for disclosure of a	269
record that conflicts with the time period specified in this	270
section, the time period in the other section prevails.	271
(2)(a) "Confidential law enforcement investigatory record"	272
means any record that pertains to a law enforcement matter of a	273
criminal, quasi-criminal, civil, or administrative nature, but	274
only to the extent that the release of the record would create a	275
high probability of disclosure of any of the following:	276
(i) The identity of a suspect who has not been charged	277
with the offense to which the record pertains, or of an	278
information source or witness to whom confidentiality has been	279

reasonably promised;

(ii) Information provided by an information source or	281
witness to whom confidentiality has been reasonably promised,	282
which information would reasonably tend to disclose the source's	283
or witness's identity;	284
(iii) Specific confidential investigatory techniques or	285
procedures or specific investigatory work product;	286
(iv) Information that would endanger the life or physical	287
safety of law enforcement personnel, a crime victim, a witness,	288
or a confidential information source.	289
(b) As used in divisions (A)(2) and $\frac{(18)}{(17)}$ of this	290
section, "specific investigatory work product" means information	291
assembled by law enforcement officials in connection with a	292
probable or pending criminal or civil proceeding, with the	293
exception of routine incident reports. "Specific investigatory	294
work product" is not a public record prior to the conclusion of	295
all direct appeals, or, if no appeal is filed, prior to the	296
expiration of the time during which an appeal may be filed, or,	297
if no trial has occurred, until the criminal or civil proceeding	298
has ended without possibility of direct appeal or each agency,	299
office, or official responsible for the matter has made a	300
decision not to proceed with the matter.	301
(3) "Medical record" means any document or combination of	302
documents, except births, deaths, and the fact of admission to	303
or discharge from a hospital, that pertains to the medical	304
history, diagnosis, prognosis, or medical condition of a patient	305
and that is generated and maintained in the process of medical	306
treatment.	307
(4) "Trial preparation record" means any record created by	308
or for another party or by or for that party's representative,	309

in reasonable anticipation of, or in defense of, a civil or	310
criminal action or proceeding, that is not a confidential law	311
enforcement investigatory record or attorney work product record	312
and that contains factual information that is specifically	313
compiled for that civil or criminal action or proceeding.	314
(5) "Intellectual property record" means a record, other	315
than a financial or administrative record, that is produced or	316
collected by or for faculty or staff of a state institution of	317
higher learning in the conduct of or as a result of study or	318
research on an educational, commercial, scientific, artistic,	319
technical, or scholarly issue, regardless of whether the study	320
or research was sponsored by the institution alone or in	321
conjunction with a governmental body or private concern, and	322
that has not been publicly released, published, or patented.	323
(6) "Donor profile record" means all records about donors	324
or potential donors to a public institution of higher education	325
except the names and reported addresses of the actual donors and	326
the date, amount, and conditions of the actual donation.	327
(7) "Designated public service worker" means a peace	328
officer, parole officer, probation officer, bailiff, prosecuting	329
attorney, elected official, assistant prosecuting attorney,	330
correctional employee, county or multicounty corrections	331
officer, community-based correctional facility employee,	332
designated Ohio national guard member, protective services	333
worker, youth services employee, firefighter, EMT, medical	334
director or member of a cooperating physician advisory board of	335
an emergency medical service organization, state board of	336
pharmacy employee, investigator of the bureau of criminal	337
identification and investigation, emergency service	338

telecommunicator, forensic mental health provider, mental health

evaluation provider, regional psychiatric hospital employee,	340
judge, magistrate, or federal law enforcement officer.	341
(8) "Designated public service worker residential and	342
familial information" means any information that discloses any	343
of the following about a designated public service worker:	344
(a) The address of the actual personal residence of a	345
designated public service worker, except for the following	346
information:	347
(i) The address of the actual personal residence of a	348
prosecuting attorney or judge; and	349
(ii) The state or political subdivision in which a	350
designated public service worker resides.	351
(b) Information compiled from referral to or participation	352
in an employee assistance program;	353
(c) The social security number, the residential telephone	354
number, any bank account, debit card, charge card, or credit	355
card number, or the emergency telephone number of, or any	356
medical information pertaining to, a designated public service	357
worker;	358
(d) The name of any beneficiary of employment benefits,	359
including, but not limited to, life insurance benefits, provided	360
to a designated public service worker by the designated public	361
service worker's employer;	362
(e) The identity and amount of any charitable or	363
employment benefit deduction made by the designated public	364
service worker's employer from the designated public service	365
worker's compensation, unless the amount of the deduction is	366
required by state or federal law;	367

(f) The name, the residential address, the name of the	368
employer, the address of the employer, the social security	369
number, the residential telephone number, any bank account,	370
debit card, charge card, or credit card number, or the emergency	371
telephone number of the spouse, a former spouse, or any child of	372
a designated public service worker;	373
(g) A photograph of a peace officer who holds a position	374
or has an assignment that may include undercover or plain	375
clothes positions or assignments as determined by the peace	376
officer's appointing authority.	377
(9) As used in divisions (A)(7) and $\frac{(15)}{(14)}$ to $\frac{(17)}{(16)}$	378
of this section:	379
"Peace officer" has the meaning defined in section 109.71	380
of the Revised Code and also includes the superintendent and	381
troopers of the state highway patrol; it does not include the	382
sheriff of a county or a supervisory employee who, in the	383
absence of the sheriff, is authorized to stand in for, exercise	384
the authority of, and perform the duties of the sheriff.	385
"Correctional employee" means any employee of the	386
department of rehabilitation and correction who in the course of	387
performing the employee's job duties has or has had contact with	388
inmates and persons under supervision.	389
"County or multicounty corrections officer" means any	390
corrections officer employed by any county or multicounty	391
correctional facility.	392
"Designated Ohio national guard member" means a member of	393
the Ohio national guard who is participating in duties related	394
to remotely piloted aircraft, including, but not limited to,	395
milets sensor energiators and mission intelligence personnel	306

duties related to special forces operations, or duties related	397
to cybersecurity, and is designated by the adjutant general as a	398
designated public service worker for those purposes.	399
"Protective services worker" means any employee of a	400
county agency who is responsible for child protective services,	401
child support services, or adult protective services.	402
"Youth services employee" means any employee of the	403
department of youth services who in the course of performing the	404
employee's job duties has or has had contact with children	405
committed to the custody of the department of youth services.	406
"Firefighter" means any regular, paid or volunteer, member	407
of a lawfully constituted fire department of a municipal	408
corporation, township, fire district, or village.	409
"EMT" means EMTs-basic, EMTs-I, and paramedics that	410
provide emergency medical services for a public emergency	411
medical service organization. "Emergency medical service	412
organization," "EMT-basic," "EMT-I," and "paramedic" have the	413
meanings defined in section 4765.01 of the Revised Code.	414
"Investigator of the bureau of criminal identification and	415
investigation" has the meaning defined in section 2903.11 of the	416
Revised Code.	417
"Emergency service telecommunicator" means an individual	418
employed by an emergency service provider as defined under	419
section 128.01 of the Revised Code, whose primary responsibility	420
is to be an operator for the receipt or processing of calls for	421
emergency services made by telephone, radio, or other electronic	422
means.	423
"Forensic mental health provider" means any employee of a	424
community mental health service provider or local alcohol, drug	425

addiction, and mental health services board who, in the course	426
of the employee's duties, has contact with persons committed to	427
a local alcohol, drug addiction, and mental health services	428
board by a court order pursuant to section 2945.38, 2945.39,	429
2945.40, or 2945.402 of the Revised Code.	430
"Mental health evaluation provider" means an individual	431
who, under Chapter 5122. of the Revised Code, examines a	432
respondent who is alleged to be a mentally ill person subject to	433
court order, as defined in section 5122.01 of the Revised Code,	434
and reports to the probate court the respondent's mental	435
condition.	436
"Regional psychiatric hospital employee" means any	437
employee of the department of mental health and addiction	438
services who, in the course of performing the employee's duties,	439
has contact with patients committed to the department of mental	440
health and addiction services by a court order pursuant to	441
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised	442
Code.	443
"Federal law enforcement officer" has the meaning defined	444
in section 9.88 of the Revised Code.	445
(10) "Information pertaining to the recreational	446
activities of a person under the age of eighteen" means	447
information that is kept in the ordinary course of business by a	448
public office, that pertains to the recreational activities of a	449
person under the age of eighteen years, and that discloses any	450
of the following:	451
(a) The address or telephone number of a person under the	452
age of eighteen or the address or telephone number of that	453
person's parent, guardian, custodian, or emergency contact	454

person;	455
(b) The social security number, birth date, or	456
photographic image of a person under the age of eighteen;	457
(c) Any medical record, history, or information pertaining	458
to a person under the age of eighteen;	459
(d) Any additional information sought or required about a	460
person under the age of eighteen for the purpose of allowing	461
that person to participate in any recreational activity	462
conducted or sponsored by a public office or to use or obtain	463
admission privileges to any recreational facility owned or	464
operated by a public office.	465
(11) "Community control sanction" has the meaning defined	466
in section 2929.01 of the Revised Code.	467
(12) "Post-release control sanction" has the meaning	468
defined in section 2967.01 of the Revised Code.	469
(13) "Redaction" means obscuring or deleting any	470
information that is exempt from the duty to permit public	471
inspection or copying from an item that otherwise meets the	472
definition of a "record" in section 149.011 of the Revised Code.	473
(14) "Designee," "elected official," and "future official"	474
have the meanings defined in section 109.43 of the Revised Code.	475
(15)—"Body-worn camera" means a visual and audio recording	476
device worn on the person of a correctional employee, youth	477
services employee, or peace officer while the correctional	478
employee, youth services employee, or peace officer is engaged	479
in the performance of official duties.	480
(16) (15) "Dashboard camera" means a visual and audio	481
recording device mounted on a peace officer's vehicle or vessel	482

that is used while the peace officer is engaged in the	483
performance of the peace officer's duties.	484
(17) (16) "Restricted portions of a body-worn camera or	485
dashboard camera recording" means any visual or audio portion of	486
a body-worn camera or dashboard camera recording that shows,	487
communicates, or discloses any of the following:	488
(a) The image or identity of a child or information that	489
could lead to the identification of a child who is a primary	490
subject of the recording when the department of rehabilitation	491
and correction, department of youth services, or the law	492
enforcement agency knows or has reason to know the person is a	493
child based on the department's or law enforcement agency's	494
records or the content of the recording;	495
(b) The death of a person or a deceased person's body,	496
unless the death was caused by a correctional employee, youth	497
services employee, or peace officer or, subject to division (H)	498
(1) of this section, the consent of the decedent's executor or	499
administrator has been obtained;	500
(c) The death of a correctional employee, youth services	501
employee, peace officer, firefighter, paramedic, or other first	502
responder, occurring while the decedent was engaged in the	503
performance of official duties, unless, subject to division (H)	504
(1) of this section, the consent of the decedent's executor or	505
administrator has been obtained;	506
(d) Grievous bodily harm, unless the injury was effected	507
by a correctional employee, youth services employee, or peace	508
officer or, subject to division (H)(1) of this section, the	509
consent of the injured person or the injured person's guardian	510
has been obtained;	511

(e) An act of severe violence against a person that	512
results in serious physical harm to the person, unless the act	513
and injury was effected by a correctional employee, youth	514
services employee, or peace officer or, subject to division (H)	515
(1) of this section, the consent of the injured person or the	516
injured person's guardian has been obtained;	517
(f) Grievous bodily harm to a correctional employee, youth	518
services employee, peace officer, firefighter, paramedic, or	519
other first responder, occurring while the injured person was	520
engaged in the performance of official duties, unless, subject	521
to division (H)(1) of this section, the consent of the injured	522
person or the injured person's guardian has been obtained;	523
(g) An act of severe violence resulting in serious	524
physical harm against a correctional employee, youth services	525
employee, peace officer, firefighter, paramedic, or other first	526
responder, occurring while the injured person was engaged in the	527
performance of official duties, unless, subject to division (H)	528
(1) of this section, the consent of the injured person or the	529
injured person's guardian has been obtained;	530
(h) A person's nude body, unless, subject to division (H)	531
(1) of this section, the person's consent has been obtained;	532
(i) Protected health information, the identity of a person	533
in a health care facility who is not the subject of a	534
correctional, youth services, or law enforcement encounter, or	535
any other information in a health care facility that could	536
identify a person who is not the subject of a correctional,	537
youth services, or law enforcement encounter;	538
(j) Information that could identify the alleged victim of	539

a sex offense, menacing by stalking, or domestic violence;

(k) Information, that does not constitute a confidential	541
law enforcement investigatory record, that could identify a	542
person who provides sensitive or confidential information to the	543
department of rehabilitation and correction, the department of	544
youth services, or a law enforcement agency when the disclosure	545
of the person's identity or the information provided could	546
reasonably be expected to threaten or endanger the safety or	547
property of the person or another person;	548
(1) Personal information of a person who is not arrested,	549
cited, charged, or issued a written warning by a peace officer;	550
(m) Proprietary correctional, youth services, or police	551
contingency plans or tactics that are intended to prevent crime	552
and maintain public order and safety;	553
(n) A personal conversation unrelated to work between	554
correctional employees, youth services employees, or peace	555
officers or between a correctional employee, youth services	556
employee, or peace officer and an employee of a law enforcement	557
agency;	558
(o) A conversation between a correctional employee, youth	559
services employee, or peace officer and a member of the public	560
that does not concern correctional, youth services, or law	561
enforcement activities;	562
(p) The interior of a residence, unless the interior of a	563
residence is the location of an adversarial encounter with, or a	564
use of force by, a correctional employee, youth services	565
employee, or peace officer;	566
(q) Any portion of the interior of a private business that	567
is not open to the public, unless an adversarial encounter with,	568
or a use of force by, a correctional employee, youth services	569

employee, or peace officer occurs in that location.	570
As used in division $\frac{(A)(17)}{(A)(16)}$ of this section:	571
"Grievous bodily harm" has the same meaning as in section	572
5924.120 of the Revised Code.	573
"Health care facility" has the same meaning as in section	574
1337.11 of the Revised Code.	575
"Protected health information" has the same meaning as in	576
45 C.F.R. 160.103.	577
"Law enforcement agency" means a government entity that	578
employs peace officers to perform law enforcement duties.	579
"Personal information" means any government-issued	580
identification number, date of birth, address, financial	581
information, or criminal justice information from the law	582
enforcement automated data system or similar databases.	583
"Sex offense" has the same meaning as in section 2907.10	584
of the Revised Code.	585
of the hevisea coat.	303
"Firefighter," "paramedic," and "first responder" have the	586
same meanings as in section 4765.01 of the Revised Code.	587
(18) (17) "Attorney work product record" means a record	588
that is not specific investigatory work product or a trial	589
preparation record and that is created by an attorney, or by the	590
agent of an attorney, in reasonable anticipation of or for	591
litigation, trial, or administrative proceedings, when acting in	592
an official capacity on behalf of the state, a political	593
subdivision of the state, a state agency, a public official, or	594
a public employee, that documents the independent thought	595
processes, mental impressions, legal theories, strategies,	596
analysis, or reasoning of an attorney or the agent of an	597

attorney.	598
(19) "Elected (18) Except as otherwise provided in	599
division (E)(1) of this section, "elected official" means a	600
person who is elected or appointed to an elective office of the	601
state or a political subdivision.	602
(20) (19) "Public calendar" means a calendar or	603
appointment book maintained by an elected official to schedule	604
the elected official's activities in relation to the elected	605
official's position as an elected official. "Public calendar"	606
does not include a personal calendar or appointment book	607
maintained solely for an elected official's personal convenience	608
that does not serve to document the elected official's official	609
activities or functions or the official activities or functions	610
of the elected official's public office.	611
(B)(1) Upon request by any person and subject to division	612
(B)(8) of this section, all public records responsive to the	613
request shall be promptly prepared and made available for	614
inspection to the requester at all reasonable times during	615
regular business hours. Subject to division (B)(8) of this	616
section, upon request by any person, a public office or person	617
responsible for public records shall make copies of the	618
requested public record available to the requester at cost and	619
within a reasonable period of time.	620
When considering whether a state or local law enforcement	621
agency or a prosecuting attorney's office promptly prepared a	622
video record for inspection or produced a copy of a video record	623
within a reasonable period of time, in addition to any other	624
factors, a court shall consider the time required for a state or	625
local law enforcement agency or a prosecuting attorney's office	626
to retrieve, download, review, redact, seek legal advice	627

regarding, and produce the video record. Except as specified in	628
division (B)(11) of this section, notwithstanding any other	629
requirement set forth in Chapter 149. of the Revised Code, a	630
state or local law enforcement agency or a prosecuting	631
attorney's office may charge a requester the actual cost	632
associated with preparing a video record for inspection or	633
production, not to exceed seventy-five dollars per hour of video	634
produced, nor seven hundred fifty dollars total. As used in this	635
division, "actual cost," with respect to video records only,	636
means all costs incurred by the state or local law enforcement	637
agency or a prosecuting attorney's office in reviewing, blurring	638
or otherwise obscuring, redacting, uploading, or producing the	639
video records, including but not limited to the storage medium	640
on which the record is produced, staff time, and any other	641
relevant overhead necessary to comply with the request. A state	642
or local law enforcement agency or a prosecuting attorney's	643
office may include in its public records policy the requirement	644
that a requester pay the estimated actual cost before beginning	645
the process of preparing a video record for inspection or	646
production. Where a state or local law enforcement agency or a	647
prosecuting attorney's office imposes such a requirement, its	648
obligation to produce a video or make it available for	649
inspection begins once the estimated actual cost is paid in full	650
by the requester. A state or local law enforcement agency or a	651
prosecuting attorney's office shall provide the requester with	652
the estimated actual cost within five business days of receipt	653
of the public records request. If the actual cost exceeds the	654
estimated actual cost, a state or local law enforcement agency	655
or a prosecuting attorney's office may charge a requester for	656
the difference upon fulfilling a request for video records if	657
the requester is notified in advance that the actual cost may be	658
up to twenty per cent higher than the estimated actual cost. A	659

state or local law enforcement agency or a prosecuting	660
attorney's office shall not charge a requester a difference tha	t 661
exceeds twenty per cent of the estimated actual cost.	662

If a public record contains information that is exempt 663 from the duty to permit public inspection or to copy the public 664 record, the public office or the person responsible for the 665 public record shall make available all of the information within 666 the public record that is not exempt. When making that public 667 record available for public inspection or copying that public 668 669 record, the public office or the person responsible for the public record shall notify the requester of any redaction or 670 make the redaction plainly visible. A redaction shall be deemed 671 672 a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or 673 requires a public office to make the redaction. When the auditor 674 of state receives a request to inspect or to make a copy of a 675 record that was provided to the auditor of state for purposes of 676 an audit, but the original public office has asserted to the 677 auditor of state that the record is not a public record, the 678 auditor of state may handle the requests by directing the 679 requestor to the original public office that provided the record 680 to the auditor of state. 681

(2) To facilitate broader access to public records, a 682 public office or the person responsible for public records shall 683 organize and maintain public records in a manner that they can 684 be made available for inspection or copying in accordance with 685 division (B) of this section. A public office also shall have 686 available a copy of its current records retention schedule at a 687 location readily available to the public. If a requester makes 688 an ambiguous or overly broad request or has difficulty in making 689 a request for copies or inspection of public records under this 690

section such that the public office or the person responsible	691
for the requested public record cannot reasonably identify what	692
public records are being requested, the public office or the	693
person responsible for the requested public record may deny the	694
request but shall provide the requester with an opportunity to	695
revise the request by informing the requester of the manner in	696
which records are maintained by the public office and accessed	697
in the ordinary course of the public office's or person's	698
duties.	699

- (3) If a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude the public office or the person responsible for the requested public record from relying upon additional reasons or legal authority in defending an action commenced under division (C) of this section.
- (4) Unless specifically required or authorized by state or federal law or in accordance with division (B) of this section, no public office or person responsible for public records may limit or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any requirement that the requester disclose the requester's identity or the intended use of the requested public record constitutes a denial of the request.
- (5) A public office or person responsible for public719records may ask a requester to make the request in writing, may720

ask for the requester's identity, and may inquire about the 721 intended use of the information requested, but may do so only 722 after disclosing to the requester that a written request is not 723 mandatory, that the requester may decline to reveal the 724 requester's identity or the intended use, and when a written 725 request or disclosure of the identity or intended use would 726 benefit the requester by enhancing the ability of the public 727 office or person responsible for public records to identify, 728 locate, or deliver the public records sought by the requester. 729

(6) If any person requests a copy of a public record in 730 accordance with division (B) of this section, the public office 731 or person responsible for the public record may require the 732 requester to pay in advance the cost involved in providing the 733 copy of the public record in accordance with the choice made by 734 the requester under this division. The public office or the 735 person responsible for the public record shall permit the 736 requester to choose to have the public record duplicated upon 737 paper, upon the same medium upon which the public office or 738 person responsible for the public record keeps it, or upon any 739 other medium upon which the public office or person responsible 740 741 for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the 742 public office or person responsible for the public record. When 743 the requester makes a choice under this division, the public 744 office or person responsible for the public record shall provide 745 a copy of it in accordance with the choice made by the 746 requester. Nothing in this section requires a public office or 747 person responsible for the public record to allow the requester 748 of a copy of the public record to make the copies of the public 749 record. 750

(7) (a) Upon a request made in accordance with division (B)

of this section and subject to division (B)(6) of this section,	752
a public office or person responsible for public records shall	753
transmit a copy of a public record to any person by United	754
States mail or by any other means of delivery or transmission	755
within a reasonable period of time after receiving the request	756
for the copy. The public office or person responsible for the	757
public record may require the person making the request to pay	758
in advance the cost of postage if the copy is transmitted by	759
United States mail or the cost of delivery if the copy is	760
transmitted other than by United States mail, and to pay in	761
advance the costs incurred for other supplies used in the	762
mailing, delivery, or transmission.	763
(b) Any public office may adopt a policy and procedures	764

(b) Any public office may adopt a policy and procedures that it will follow in transmitting, within a reasonable period of time after receiving a request, copies of public records by United States mail or by any other means of delivery or transmission pursuant to division (B)(7) of this section. A public office that adopts a policy and procedures under division (B)(7) of this section shall comply with them in performing its duties under that division.

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- (c) In any policy and procedures adopted under division 772
 (B) (7) of this section: 773
- (i) A public office may limit the number of records 774 requested by a person that the office will physically deliver by 775 United States mail or by another delivery service to ten per 776 month, unless the person certifies to the office in writing that 777 the person does not intend to use or forward the requested 778 records, or the information contained in them, for commercial 779 purposes; 780
 - (ii) A public office that chooses to provide some or all

of its public records on a web site that is fully accessible to	782
and searchable by members of the public at all times, other than	783
during acts of God outside the public office's control or	784
maintenance, and that charges no fee to search, access,	785
download, or otherwise receive records provided on the web site,	786
may limit to ten per month the number of records requested by a	787
person that the office will deliver in a digital format, unless	788
the requested records are not provided on the web site and	789
unless the person certifies to the office in writing that the	790
person does not intend to use or forward the requested records,	791
or the information contained in them, for commercial purposes.	792

(iii) For purposes of division (B)(7) of this section,
"commercial" shall be narrowly construed and does not include
reporting or gathering news, reporting or gathering information
to assist citizen oversight or understanding of the operation or
activities of government, or nonprofit educational research.

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(8) A public office or person responsible for public 798 records is not required to permit a person who is incarcerated 799 pursuant to a criminal conviction or a juvenile adjudication to 800 inspect or to obtain a copy of any public record concerning a 801 criminal investigation or prosecution or concerning what would 802 be a criminal investigation or prosecution if the subject of the 803 investigation or prosecution were an adult, unless the request 804 to inspect or to obtain a copy of the record is for the purpose 805 of acquiring information that is subject to release as a public 806 record under this section and the judge who imposed the sentence 807 or made the adjudication with respect to the person, or the 808 judge's successor in office, finds that the information sought 809 in the public record is necessary to support what appears to be 810 a justiciable claim of the person. As used in this division, 811 "public record concerning a criminal investigation or 812

prosecution or concerning what would be a criminal investigation	813
or prosecution if the subject of the investigation were an	814
adult" includes, but is not limited to, personnel files and	815
payroll and attendance records of designated public service	816
workers.	817
(9)(a) Upon Except as otherwise provided in division (B)	818
(9) (b) of this section with respect to an elected official, upon	819
written request made and signed by a journalist, a public	820
office, or person responsible for public records, having custody	821
of the records of the agency employing a specified designated	822
public service worker shall disclose to the journalist the	823
address of the actual personal residence of the designated	824
public service worker and, if the designated public service	825
worker's spouse, former spouse, or child is employed by a public	826
office, the name and address of the employer of the designated	827
public service worker's spouse, former spouse, or child, and any	828
past, current, and future work schedules of the designated	829
public service worker. The request shall include the	830
journalist's name and title and the name and address of the	831
journalist's employer and shall state that disclosure of the	832
information sought would be in the public interest.	833
(b) (b) (i) Division (B) (9) (a) of this section does not	834
apply to a designated public service worker who is an elected	835
official. Upon written request by a journalist, a public office,	836
or person responsible for public records, having custody of the	837
records of an elected official's public office shall disclose to	838
the journalist the address of the actual personal residence of	839
the public official and, if the public official's spouse, former	840
spouse, or child is employed by a public office, the name and	841
address of the employer of the public official's spouse, former	842
spouse, or child.	843

(ii) The request shall include the journalist's name and	844
title, the name and address of the journalist's employer, the	845
information the journalist seeks, the reason the journalist	846
seeks the disclosure, a statement that disclosure of the	847
information would be in the public interest, the journalist's	848
signature, and the date the request is submitted.	849
(iii) Not later than three business days after the public_	850
office or person responsible for public records discloses	851
information to a journalist under division (B)(9)(b) of this	852
section, the public office or person responsible for public	853
records shall notify the elected official in writing of the	854
disclosure and shall provide the elected official with a copy of	855
the completed request form.	856
(c) Division (B)(9)(a) of this section also applies to	857
journalist requests for:	858
(i) Customer information maintained by a municipally owned	859
or operated public utility, other than social security numbers	860
and any private financial information such as credit reports,	861
payment methods, credit card numbers, and bank account	862
information;	863
(ii) Information about minors involved in a school vehicle	864
accident as provided in division (A)(1)(gg) of this section,	865
other than personal information as defined in section 149.45 of	866
the Revised Code;	867
(iii) A request form submitted to a public office under	868
section 149.45 of the Revised Code, except that division (B)(9)	869
(b) of this section applies to a request form submitted to a	870
public office under that section by a designated public service	871
worker or qualifying former designated public service worker who	872

is or was an elected official;	873
(iv) An affidavit submitted under section 319.28 of the	874
Revised Code.	875
$\frac{(c)}{(d)}$ As used in division (B)(9) of this section,	876
"journalist" means a person engaged in, connected with, or	877
employed by any news medium, including a newspaper, magazine,	878
press association, news agency, or wire service, a radio or	879
television station, or a similar medium, for the purpose of	880
gathering, processing, transmitting, compiling, editing, or	881
disseminating information for the general public.	882
(10) Upon a request made by a victim, victim's attorney,	883
or victim's representative, as that term is used in section	884
2930.02 of the Revised Code, a public office or person	885
responsible for public records shall transmit a copy of a	886
depiction of the victim as described in division (A)(1)(ii) of	887
this section to the victim, victim's attorney, or victim's	888
representative.	889
(11) A state or local law enforcement agency or a	890
prosecuting attorney's office shall not charge a fee for	891
preparing a video record for inspection, or producing a copy of	892
a video record, when the requester of the video record is a	893
victim, as defined in Ohio Constitution, Article I, Section 10a,	894
or who is a victim who suffered loss and could seek remedy	895
through a tort action as defined by section 2307.011 of the	896
Revised Code, who reasonably asserts that the video recording	897
relates to the act or omission that caused the victim's harm or	898
loss, or who is the legal counsel or insurer of the victim. A	899
fee under this section may only be waived upon the receipt of an	900
affidavit by the victim or the victim's legal counsel	901
identifying that the use of the video is to investigate harm or	902

damages	that	mav	have	been	captured	on	the	video.

As used in this division, "legal counsel of the victim"

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means an attorney who, at the time of making the request,

produces to the state or local law enforcement agency or a

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prosecuting attorney's office a signed retention agreement or

1 etter of representation that establishes that the attorney is

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representing the victim.

- (C)(1) If a person allegedly is aggrieved by the failure 910 of a public office or the person responsible for public records 911 to promptly prepare a public record and to make it available to 912 the person for inspection in accordance with division (B) of 913 this section or by any other failure of a public office or the 914 person responsible for public records to comply with an 915 obligation in accordance with division (B) of this section, the 916 person allegedly aggrieved may serve pursuant to Rule 4 of the 917 Ohio Rules of Civil Procedure a complaint, on a form prescribed 918 by the clerk of the court of claims, to the public office or 919 person responsible for public records allegedly responsible for 920 the alleged failure. Upon receipt of the complaint of the person 921 allegedly aggrieved, the public office or person responsible for 922 public records has three business days to cure or otherwise 923 924 address the failure alleged in the complaint. The person allegedly aggrieved shall not file a complaint with a court or 925 commence a mandamus action under this section within the three-926 day period. Upon the expiration of the three-day period, the 927 person allegedly aggrieved may, subject to the requirements of 928 division (C)(2) of this section, do only one of the following, 929 and not both: 930
- (a) File a complaint with the clerk of the court of claims 931 or the clerk of the court of common pleas under section 2743.75 932

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of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that 934 orders the public office or the person responsible for the 935 public record to comply with division (B) of this section, that 936 awards court costs and reasonable attorney's fees to the person 937 that instituted the mandamus action, and, if applicable, that 938 includes an order fixing statutory damages under division (C)(3) 939 of this section. The mandamus action may be commenced in the 940 court of common pleas of the county in which division (B) of 941 942 this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of 943 Article IV, Ohio Constitution, or in the court of appeals for 944 the appellate district in which division (B) of this section 945 allegedly was not complied with pursuant to its original 946 jurisdiction under Section 3 of Article IV, Ohio Constitution. 947

- (2) Upon filing a complaint or mandamus action with a court under divisions (C)(1)(a) or (b) of this section, a person allegedly aggrieved shall file with the court, in conjunction with the person's complaint or petition, a written affirmation stating that the person properly transmitted a complaint to the public office or person responsible for public records, the failure alleged in the complaint has not been cured or otherwise resolved to the person's satisfaction, and that the complaint was transmitted to the public office or person responsible for public records at least three business days before the filing of the suit. If the person fails to file an affirmation pursuant to this division, the suit shall be dismissed.
- (3) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly

describes the public record or class of public records to the	963
public office or person responsible for the requested public	964
records, except as otherwise provided in this section, the	965
requester shall be entitled to recover the amount of statutory	966
damages set forth in this division if a court determines that	967
the public office or the person responsible for public records	968
failed to comply with an obligation in accordance with division	969
(B) of this section. Statutory damages are not available	970
pursuant to this section to a person committed to the custody of	971
the department of rehabilitation and correction or the United	972
States bureau of prisons, or a child committed to the department	973
of youth services as permitted in Chapter 2152. of the Revised	974
Code.	975

The amount of statutory damages shall be fixed at one 976 hundred dollars for each business day during which the public 977 office or person responsible for the requested public records 978 failed to comply with an obligation in accordance with division 979 (B) of this section, beginning with the day on which the 980 requester files a mandamus action to recover statutory damages, 981 up to a maximum of one thousand dollars. The award of statutory 982 damages shall not be construed as a penalty, but as compensation 983 for injury arising from lost use of the requested information. 984 The existence of this injury shall be conclusively presumed. The 985 award of statutory damages shall be in addition to all other 986 remedies authorized by this section. 987

The court may reduce an award of statutory damages or not 988 award statutory damages if the court determines both of the 989 following:

(a) That, based on the ordinary application of statutory 991 law and case law as it existed at the time of the conduct or 992

threatened conduct of the public office or person responsible	993
for the requested public records that allegedly constitutes a	994
failure to comply with an obligation in accordance with division	995
(B) of this section and that was the basis of the mandamus	996
action, a well-informed public office or person responsible for	997
the requested public records reasonably would believe that the	998
conduct or threatened conduct of the public office or person	999
responsible for the requested public records did not constitute	1000
a failure to comply with an obligation in accordance with	1001
division (B) of this section;	1002
(b) That a well-informed public office or person	1003
responsible for the requested public records reasonably would	1004
believe that the conduct or threatened conduct of the public	1005
office or person responsible for the requested public records	1006
would serve the public policy that underlies the authority that	1007
is asserted as permitting that conduct or threatened conduct.	1008
(4) In a mandamus action filed under division (C)(1) of	1009
this section, the following apply:	1010
(a)(i) If the court orders the public office or the person	1011
responsible for the public record to comply with division (B) of	1012
this section, the court shall determine and award to the relator	1013
all court costs, which shall be construed as remedial and not	1014
punitive.	1015
(ii) If the court makes a determination described in	1016
division (C)(4)(b)(iii) of this section, the court shall	1017
determine and award to the relator all court costs, which shall	1018
be construed as remedial and not punitive.	1019
(b) If the court renders a judgment that orders the public	1020

office or the person responsible for the public record to comply

with division (B) of this section or if the court determines any	1022
of the following, the court may award reasonable attorney's fees	1023
to the relator, subject to division (C)(5) of this section:	1024
(i) The public office or the person responsible for the	1025
public records failed to respond affirmatively or negatively to	1026
the public records request in accordance with the time allowed	1027
under division (B) of this section.	1028
(ii) The public office or the person responsible for the	1029
public records promised to permit the relator to inspect or	1030
receive copies of the public records requested within a	1031
specified period of time but failed to fulfill that promise	1032
within that specified period of time.	1033
(iii) The public office or the person responsible for the	1034
public records acted in bad faith when the office or person	1035
voluntarily made the public records available to the relator for	1036
the first time after the relator commenced the mandamus action,	1037
but before the court issued any order concluding whether or not	1038
the public office or person was required to comply with division	1039
(B) of this section. No discovery may be conducted on the issue	1040
of the alleged bad faith of the public office or person	1041
responsible for the public records. This division shall not be	1042
construed as creating a presumption that the public office or	1043
the person responsible for the public records acted in bad faith	1044
when the office or person voluntarily made the public records	1045
available to the relator for the first time after the relator	1046
commenced the mandamus action, but before the court issued any	1047
order described in this division.	1048
(c) The court shall not award attorney's fees to the	1049
relator if the court determines both of the following:	1050

(i) That, based on the ordinary application of statutory	1051
law and case law as it existed at the time of the conduct or	1052
threatened conduct of the public office or person responsible	1053
for the requested public records that allegedly constitutes a	1054
failure to comply with an obligation in accordance with division	1055
(B) of this section and that was the basis of the mandamus	1056
action, a well-informed public office or person responsible for	1057
the requested public records reasonably would believe that the	1058
conduct or threatened conduct of the public office or person	1059
responsible for the requested public records did not constitute	1060
a failure to comply with an obligation in accordance with	1061
division (B) of this section;	1062
(ii) That a well-informed public office or person	1063
responsible for the requested public records reasonably would	1064
believe that the conduct or threatened conduct of the public	1065
office or person responsible for the requested public records	1066
would serve the public policy that underlies the authority that	1067
is asserted as permitting that conduct or threatened conduct.	1068
(5) All of the following apply to any award of reasonable	1069
attorney's fees awarded under division (C)(4)(b) of this	1070
section:	1071
(a) The fees shall be construed as remedial and not	1072
punitive.	1073
(b) The fees awarded shall not exceed the total of the	1074
reasonable attorney's fees incurred before the public record was	1075
made available to the relator and the fees described in division	1076
(C)(5)(c) of this section.	1077
(c) Reasonable attorney's fees shall include reasonable	1078

fees incurred to produce proof of the reasonableness and amount

of the fees and to otherwise litigate entitlement to the fees.	1080
(d) The court may reduce the amount of fees awarded if the	1081
court determines that, given the factual circumstances involved	1082
with the specific public records request, an alternative means	1083
should have been pursued to more effectively and efficiently	1084
resolve the dispute that was subject to the mandamus action	1085
filed under division (C)(1) of this section.	1086
(6) If the court does not issue a writ of mandamus under	1087
division (C) of this section and the court determines at that	1088
time that the bringing of the mandamus action was frivolous	1089
conduct as defined in division (A) of section 2323.51 of the	1090
Revised Code, the court may award to the public office all court	1091
costs, expenses, and reasonable attorney's fees, as determined	1092
by the court.	1093
(D) Chapter 1347. of the Revised Code does not limit the	1094
provisions of this section.	1095
(E)(1) To As used in division (E) of this section,	1096
"designee," "elected official," and "future official" have the	1097
same meanings as in section 109.43 of the Revised Code.	1098
(2) To ensure that all employees of public offices are	1099
appropriately educated about a public office's obligations under	1100
division (B) of this section, all elected officials or their	1101
appropriate designees shall attend training approved by the	1102
attorney general as provided in section 109.43 of the Revised	1103
Code. A future official may satisfy the requirements of this	1104
division by attending the training before taking office,	1105
provided that the future official may not send a designee in the	1106
future official's place.	1107
(2)—(3) All public offices shall adopt a public records	1108

policy in compliance with this section for responding to public	1109
records requests. In adopting a public records policy under this	1110
division, a public office may obtain guidance from the model	1111
public records policy developed and provided to the public	1112
office by the attorney general under section 109.43 of the	1113
Revised Code. Except as otherwise provided in this section, the	1114
policy may not limit the number of public records that the	1115
public office will make available to a single person, may not	1116
limit the number of public records that it will make available	1117
during a fixed period of time, and may not establish a fixed	1118
period of time before it will respond to a request for	1119
inspection or copying of public records, unless that period is	1120
less than eight hours.	1121

The public office shall distribute the public records 1122 policy adopted by the public office under this division to the 1123 employee of the public office who is the records custodian or 1124 records manager or otherwise has custody of the records of that 1125 office. The public office shall require that employee to 1126 acknowledge receipt of the copy of the public records policy. 1127 The public office shall create a poster that describes its 1128 public records policy and shall post the poster in a conspicuous 1129 place in the public office and in all locations where the public 1130 office has branch offices. The public office may post its public 1131 records policy on the internet web site of the public office if 1132 the public office maintains an internet web site. A public 1133 office that has established a manual or handbook of its general 1134 policies and procedures for all employees of the public office 1135 shall include the public records policy of the public office in 1136 the manual or handbook. 1137

(F) (1) The bureau of motor vehicles may adopt rules 1138 pursuant to Chapter 119. of the Revised Code to reasonably limit 1139

the number of bulk commercial special extraction requests made	1140
by a person for the same records or for updated records during a	1141
calendar year. The rules may include provisions for charges to	1142
be made for bulk commercial special extraction requests for the	1143
actual cost of the bureau, plus special extraction costs, plus	1144
ten per cent. The bureau may charge for expenses for redacting	1145
information, the release of which is prohibited by law.	1146
(2) As used in division (F)(1) of this section:	1147
(a) "Actual cost" means the cost of depleted supplies,	1148
records storage media costs, actual mailing and alternative	1149
delivery costs, or other transmitting costs, and any direct	1150
equipment operating and maintenance costs, including actual	1151
costs paid to private contractors for copying services.	1152
(b) "Bulk commercial special extraction request" means a	1153
request for copies of a record for information in a format other	1154
than the format already available, or information that cannot be	1155
extracted without examination of all items in a records series,	1156
class of records, or database by a person who intends to use or	1157
forward the copies for surveys, marketing, solicitation, or	1158
resale for commercial purposes. "Bulk commercial special	1159
extraction request" does not include a request by a person who	1160
gives assurance to the bureau that the person making the request	1161
does not intend to use or forward the requested copies for	1162
surveys, marketing, solicitation, or resale for commercial	1163
purposes.	1164

- (c) "Commercial" means profit-seeking production, buying,
 or selling of any good, service, or other product.
- (d) "Special extraction costs" means the cost of the time 1167 spent by the lowest paid employee competent to perform the task, 1168

the actual amount paid to outside private contractors employed	1169
by the bureau, or the actual cost incurred to create computer	1170
programs to make the special extraction. "Special extraction	1171
costs" include any charges paid to a public agency for computer	1172
or records services.	1173
(3) For purposes of divisions (F)(1) and (2) of this	1174
section, "surveys, marketing, solicitation, or resale for	1175
commercial purposes" shall be narrowly construed and does not	1176
include reporting or gathering news, reporting or gathering	1177
information to assist citizen oversight or understanding of the	1178
operation or activities of government, or nonprofit educational	1179
research.	1180
(G) A request by a defendant, counsel of a defendant, or	1181
any agent of a defendant in a criminal action that public	1182
records related to that action be made available under this	1183
section shall be considered a demand for discovery pursuant to	1184
the Criminal Rules, except to the extent that the Criminal Rules	1185
plainly indicate a contrary intent. The defendant, counsel of	1186
the defendant, or agent of the defendant making a request under	1187
this division shall serve a copy of the request on the	1188
prosecuting attorney, director of law, or other chief legal	1189
officer responsible for prosecuting the action.	1190
(H)(1) Any portion of a body-worn camera or dashboard	1191
camera recording described in divisions $\frac{A}{A}$ (17) (b) A (16) (b) to	1192
(h) of this section may be released by consent of the subject of	1193
the recording or a representative of that person, as specified	1194
in those divisions, only if either of the following applies:	1195
(a) The recording will not be used in connection with any	1196

probable or pending criminal proceedings;

(b) The recording has been used in connection with a	1198
criminal proceeding that was dismissed or for which a judgment	1199
has been entered pursuant to Rule 32 of the Rules of Criminal	1200
Procedure, and will not be used again in connection with any	1201
probable or pending criminal proceedings.	1202
(2) If a public office denies a request to release a	1203
restricted portion of a body-worn camera or dashboard camera	1204
recording, as defined in division $\frac{A}{A}$ (17) of this	1205
section, any person may file a mandamus action pursuant to this	1206
section or a complaint with the clerk of the court of claims	1207
pursuant to section 2743.75 of the Revised Code, requesting the	1208
court to order the release of all or portions of the recording.	1209
If the court considering the request determines that the filing	1210
articulates by clear and convincing evidence that the public	1211
interest in the recording substantially outweighs privacy	1212
interests and other interests asserted to deny release, the	1213
court shall order the public office to release the recording.	1214
Sec. 3503.13. (A) (1) (A) As used in this section,	1215
"designated public service worker," "designated public service	1216
worker residential and familial information," "elected	1217
official," and "public record" have the same meanings as in	1218
section 149.43 of the Revised Code.	1219
(B) (1) Except as otherwise provided in division $\frac{(A)(2)}{(B)}$	1220
(2) of this section, voter registration forms submitted by	1221
applicants and the statewide voter registration database	1222
established under section 3503.15 of the Revised Code are public	1223
records subject to disclosure under section 149.43 of the	1224
Revised Code.	1225
(2) None Except as otherwise provided in division (C) of	1226
this section and in division (B)(9) of section 149.43 of the	1227

Revised Code, none of the following in a record described in	1228
division (B)(1) of this section or in any other public record in	1229
the possession of a board of elections are subject to disclosure	1230
under division (A) (1) of this section as public records:	1231
(a) An elector's full or partial social security number,	1232
driver's license or state identification card number, telephone	1233
number, or electronic mail address;	1234
(b) A confidential voter registration record, as described	1235
in section 111.44 of the Revised Code;	1236
(c) The address of a designated Designated public service	1237
worker residential and familial information, if the designated	1238
public service worker has submitted a redaction request to the	1239
board of elections under section 149.45 of the Revised Code;	1240
(d) Any other information that is prohibited from being	1241
disclosed by state or federal law.	1242
(B) (C) (1) Notwithstanding any contrary provision of	1243
section 149.43 of the Revised Code, a board of elections shall	1244
provide a requester with a copy of a public record that includes	1245
the unredacted residence address of an elected official who has	1246
submitted a redaction request to the board of elections under	1247
section 149.45 of the Revised Code if the requester does all of	1248
<pre>the following:</pre>	1249
(a) Appears in person at the office of the board to	1250
request the record;	1251
(b) Completes a request form prescribed by the secretary	1252
of state that includes all of the following:	1253
(i) The requester's name;	1254
(ii) Identification of each record requested. The	1255

requester may request copies of multiple public records using	1256
the same request form.	1257
(iii) The reason the requester seeks the record or	1258
records;	1259
(iv) The date;	1260
(v) The requester's signature, under penalty of election	1261
falsification.	1262
(c) Shows the requester's government-issued identification	1263
to the election officials. The election officials shall mark the	1264
request form to indicate that the requester did so.	1265
(2) Upon providing a requester with a copy of a public	1266
record under division (C)(1) of this section that includes an	1267
elected official's unredacted residence address, the board	1268
promptly shall notify the elected official in writing of the	1269
release of the record and shall provide the elected official	1270
with a copy of the request form.	1271
(D) A board of elections may use a legible digitized	1272
signature list of voter signatures, copied from the signatures	1273
on the registration forms in a form and manner prescribed by the	1274
secretary of state, provided that the board includes the	1275
required voter registration information in the statewide voter	1276
registration database established under section 3503.15 of the	1277
Revised Code, and provided that the precinct election officials	1278
have computer printouts at the polls prepared in the manner	1279
required under section 3503.23 of the Revised Code.	1280
Sec. 3503.153. (A) The statewide voter registration	1281
database shall be made available on a web site of the office of	1282
the secretary of state as follows:	1283

(1) Except as otherwise provided in division (A)(2) of	1284
this section, the following information from the statewide voter	1285
registration database regarding a registered elector shall be	1286
made available on the web site:	1287
(a) The elector's name;	1288
(b) The elector's birth date;	1289
(c) The elector's current residence address;	1290
(d) The elector's precinct number;	1291
(e) The elector's voter registration date, as described in	1292
division (C)(9) of section 3503.15 of the Revised Code;	1293
(f) The elector's voting history, as described in division	1294
(C)(10) of section 3503.15 of the Revised Code;	1295
(g) The elector's last activity date, as described in	1296
division (C)(11) of section 3503.15 of the Revised Code.	1297
(2) During the thirty days before the day of a primary or	1298
general election, the web site interface of the statewide voter	1299
registration database shall permit an elector to search for the	1300
polling location at which that elector may cast a ballot.	1301
(3) No information in the statewide voter registration	1302
database that is exempt from disclosure under division $\frac{(A)}{(2)}$	1303
(B)(2) of section 3503.13 of the Revised Code shall be made	1304
available on the web site.	1305
(B)(1) The secretary of state shall establish, by rule	1306
adopted under Chapter 119. of the Revised Code, a process for	1307
boards of elections to notify the secretary of state of changes	1308
in the locations of precinct polling places for the purpose of	1309
updating the information made available on the secretary of	1310

state's web site under division (A)(2) of this section. Those	1311
rules shall require a board of elections, during the thirty days	1312
before the day of a primary or general election, to notify the	1313
secretary of state within one business day of any change to the	1314
location of a precinct polling place within the county.	1315
(2) During the thirty days before the day of a primary or	1316
general election, not later than one business day after	1317
receiving a notification from a county pursuant to division (B)	1318
(1) of this section that the location of a precinct polling	1319
place has changed, the secretary of state shall update that	1320
information on the secretary of state's web site for the purpose	1321
of division (A)(2) of this section.	1322
Section 2. That existing sections 149.43, 3503.13, and	1323
3503.153 of the Revised Code are hereby repealed.	1324
Section 3. This act shall be known as the Protecting	1325
Elected Officials Against Coercion and Extremism (PEACE) Act.	1326