

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
the Revised Code to enact the Protecting Elected
Officials Against Coercion and Extremism (PEACE)
Act to generally prohibit the disclosure of an
elected official's residential and familial
information under the Public Records Law.

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:

Sec. 149.43. (A) As used in this section:

(1) "Public record" means records kept by any public
office, including, but not limited to, state, county, city,
village, township, and school district units, and records
pertaining to the delivery of educational services by an
alternative school in this state kept by the nonprofit or for-
profit entity operating the alternative school pursuant to
section 3313.533 of the Revised Code. "Public record" does not
mean any of the following:

(a) Medical records;

(b) Records pertaining to probation and parole
proceedings, to proceedings related to the imposition of

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

(l) 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
federal law; 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

(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

(ll) 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) (oo) 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 222

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, 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; 280

(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 ~~(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 339

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
employer, the address of the employer, the social security
number, the residential telephone number, any bank account,
debit card, charge card, or credit card number, or the emergency
telephone number of the spouse, a former spouse, or any child of
a designated public service worker;

(g) A photograph of a peace officer who holds a position
or has an assignment that may include undercover or plain
clothes positions or assignments as determined by the peace
officer's appointing authority.

(9) As used in divisions (A) (7) and ~~(15)~~ (14) to ~~(17)~~ (16)
of this section:

"Peace officer" has the meaning defined in section 109.71
of the Revised Code and also includes the superintendent and
troopers of the state highway patrol; it does not include the
sheriff of a county or a supervisory employee who, in the
absence of the sheriff, is authorized to stand in for, exercise
the authority of, and perform the duties of the sheriff.

"Correctional employee" means any employee of the
department of rehabilitation and correction who in the course of
performing the employee's job duties has or has had contact with
inmates and persons under supervision.

"County or multicounty corrections officer" means any
corrections officer employed by any county or multicounty
correctional facility.

"Designated Ohio national guard member" means a member of
the Ohio national guard who is participating in duties related
to remotely piloted aircraft, including, but not limited to,
pilots, sensor operators, and mission intelligence personnel,

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; 540

(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

(l) 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 ~~(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

"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 that 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
record, the public office or the person responsible for the 669
public record shall notify the requester of any redaction or 670
make the redaction plainly visible. A redaction shall be deemed 671
a denial of a request to inspect or copy the redacted 672
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 700
whole, the public office or the person responsible for the 701
requested public record shall provide the requester with an 702
explanation, including legal authority, setting forth why the 703
request was denied. If the initial request was provided in 704
writing, the explanation also shall be provided to the requester 705
in writing. The explanation shall not preclude the public office 706
or the person responsible for the requested public record from 707
relying upon additional reasons or legal authority in defending 708
an action commenced under division (C) of this section. 709

(4) Unless specifically required or authorized by state or 710
federal law or in accordance with division (B) of this section, 711
no public office or person responsible for public records may 712
limit or condition the availability of public records by 713
requiring disclosure of the requester's identity or the intended 714
use of the requested public record. Any requirement that the 715
requester disclose the requester's identity or the intended use 716
of the requested public record constitutes a denial of the 717
request. 718

(5) A public office or person responsible for public 719
records may ask a requester to make the request in writing, may 720

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
for the public record determines that it reasonably can be 741
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) 751

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
that it will follow in transmitting, within a reasonable period 765
of time after receiving a request, copies of public records by 766
United States mail or by any other means of delivery or 767
transmission pursuant to division (B) (7) of this section. A 768
public office that adopts a policy and procedures under division 769
(B) (7) of this section shall comply with them in performing its 770
duties under that division. 771

(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 781

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, 793
"commercial" shall be narrowly construed and does not include 794
reporting or gathering news, reporting or gathering information 795
to assist citizen oversight or understanding of the operation or 796
activities of government, or nonprofit educational research. 797

(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

~~(e)~~-(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 may have been captured on the video. 903

As used in this division, "legal counsel of the victim" 904
means an attorney who, at the time of making the request, 905
produces to the state or local law enforcement agency or a 906
prosecuting attorney's office a signed retention agreement or 907
letter of representation that establishes that the attorney is 908
representing the victim. 909

(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
address the failure alleged in the complaint. The person 924
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

of the Revised Code; 933

(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
this section allegedly was not complied with, in the supreme 942
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 948
court under divisions (C) (1) (a) or (b) of this section, a person 949
allegedly aggrieved shall file with the court, in conjunction 950
with the person's complaint or petition, a written affirmation 951
stating that the person properly transmitted a complaint to the 952
public office or person responsible for public records, the 953
failure alleged in the complaint has not been cured or otherwise 954
resolved to the person's satisfaction, and that the complaint 955
was transmitted to the public office or person responsible for 956
public records at least three business days before the filing of 957
the suit. If the person fails to file an affirmation pursuant to 958
this division, the suit shall be dismissed. 959

(3) If a requester transmits a written request by hand 960
delivery, electronic submission, or certified mail to inspect or 961
receive copies of any public record in a manner that fairly 962

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: 990

(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 1021

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 law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(5) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (4) (b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C) (5) (c) of this section.

(c) Reasonable attorney's fees shall include reasonable 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, 1165
or selling of any good, service, or other product. 1166

(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 ~~(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; 1197

(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 ~~(A) (17)~~ (A) (16) 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 ~~(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
the following: 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 ~~(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