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Office of Research
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Legislative Budget
Office

S.B. 351
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Manning

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SUMMARY

- Permits a public body to allow a member who is an active duty service member and is deployed outside the public body's jurisdiction to attend a meeting or hearing by means of video conference or any other similar electronic technology.
- Creates an exception to a continuing law that allows a public body to conduct its meetings virtually only if certain requirements are met.

DETAILED ANALYSIS

Virtual meeting attendance

Active duty service members

The bill permits a public body that is subject to the Open Meetings Law to adopt a policy to allow a member of the public body who is an active duty service member and is deployed outside the public body's jurisdiction to attend a meeting or hearing by means of video conference or any other similar electronic technology.

For purposes of the bill, "active duty service member" means a member of the U.S. armed forces who is performing active duty under Title 10 of the U.S. Code. Under Title 10, "active duty" means full-time duty in the active military service of the United States. The term does not include full-time National Guard duty in service of the state.¹

Exception to general requirements for virtual meetings

The bill creates an exception to a continuing law, enacted in 2025, that allows a public body to conduct its meetings virtually only if certain requirements are met. In other words, a

¹ 10 United States Code 101(d).

public body that allows an active duty service member to participate virtually is not required to comply with the following requirements that normally would apply to a body that conducts virtual meetings:²

- In general, only an appointed public body whose members serve without compensation may hold virtual meetings.
- Elected or compensated public bodies may hold a virtual meeting only if the meeting includes members of more than one public body.
- Virtual meetings or hearings must not involve any of the following:
 - A vote to approve a major nonroutine expenditure;
 - A significant hiring decision;
 - A purpose to propose, approve, or vote on a tax issue or tax increase.
- All votes must be taken by roll call unless all members agree to make a decision by unanimous consent. If the vote is unanimous, the body must provide the public with information about how the members voted, including any members who abstained.
- A member who intends to attend virtually must notify the chairperson at least 48 hours before the meeting, except in the case of an emergency.
- The public body must meet certain public notice and access requirements.
- If at least 10% of the members of the public body or two members, whichever is greater, notify the chairperson at least 48 hours before a virtual meeting that an item on the agenda must be handled in person, the body may take action on that item only in person.
- In the case of a hearing, all parties to the hearing must consent to a virtual hearing or to individual members attending virtually.

HISTORY

Action	Date
Introduced	02-04-26

ANSB0351IN-136/sb

² R.C. 121.221.