**Senate Government Oversight and Reform Committee**

**House Bill 139 – Public Records**

**Sponsor Testimony**

**November 14th, 2018**

Chair Coley, Vice Chair Uecker, Ranking Member Schiavoni and members of the Senate Government Oversight and Reform Committee, I and my joint sponsor Representative Candice Keller stand before you today to testify on Amended House Bill 139, which will open, 100 years from creation, certain records that are currently inaccessible to the public.

History tells us who we are and where we have come from. Under current law, a number of records completely closed to the public by law are scheduled for permanent retention. These records include Adoptions, County Home registers which provide residential nursing care and related services, Children’s Home Registers which serve at-risk children and families, Inheritance Tax Records which show the tax for inheriting an estate, initially sealed to protect the heir, and finally Veterans’ Relief Records, or records of grants received for particular injuries.

This is information vital for an enormous amount of research, and it is information that remains permanently unavailable if we do not change the current law. Without House Bill 139, our citizens may not be able to discover their family’s medical history, heritage or the history of their region. This legislation seeks to unseal these documents 100 years after the creation of the document. The sealed time period of 100 years takes into consideration any complications or emotional impact that opening these records might create for certain individuals since it allows the timespan of at least one generation to pass. This legislation is similar to the federal initiative to lift restrictions on United States census records after 72 years.

In 2015, the Ohio General Assembly passed legislation opening confidential records of the Department of Mental Health and Addiction Services 50 years after the patient’s death. House Bill 139 will require 100 years to pass after the creation of the listed records before they may be released. This should allow adequate time to pass before sensitive personal information is disclosed. Several other states have already passed open access legislation for similar types of historical records, and with the rich and vibrant history of this state and the citizens who have lived in it, it is our duty to make sure our future generations have the ability to tell that story.

House Bill 139 is supported by numerous state organizations including the County Archivists and Records Managers Association (CARMA) and the Society of Ohio Archivists, the Ohio History Connection and Adoption Network Cleveland. It has been through preliminary vetting with state agencies such as the office of the Ohio Attorney General, was voted unanimously out of the House State and Local Government Committee, and passed unanimously on the House Floor.

For these reasons and more I urge favorable consideration of House Bill 139. Chair Coley, Vice Chair Uecker, Ranking Member Schiavoni and members of the Government Oversight and Reform Committee, I thank you for the opportunity to testify today.