

H. B. No. 265  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "and"; after "319.28" insert ", and 1  
319.54" 2

In line 6, delete "and"; after "319.28" insert ", and 319.54" 3

Delete lines 8 through 992 4

After line 992, insert: 5

**"Sec. 149.43.** (A) As used in this section: 6

(1) "Public record" means records kept by any public 7  
office, including, but not limited to, state, county, city, 8  
village, township, and school district units, and records 9  
pertaining to the delivery of educational services by an 10  
alternative school in this state kept by the nonprofit or for- 11  
profit entity operating the alternative school pursuant to 12  
section 3313.533 of the Revised Code. "Public record" does not 13  
mean any of the following: 14

(a) Medical records; 15

(b) Records pertaining to probation and parole 16



proceedings, to proceedings related to the imposition of	17
community control sanctions and post-release control sanctions,	18
or to proceedings related to determinations under section	19
2967.271 of the Revised Code regarding the release or maintained	20
incarceration of an offender to whom that section applies;	21
(c) Records pertaining to actions under section 2151.85	22
and division (C) of section 2919.121 of the Revised Code and to	23
appeals of actions arising under those sections;	24
(d) Records pertaining to adoption proceedings, including	25
the contents of an adoption file maintained by the department of	26
health under sections 3705.12 to 3705.124 of the Revised Code;	27
(e) Information in a record contained in the putative	28
father registry established by section 3107.062 of the Revised	29
Code, regardless of whether the information is held by the	30
department of job and family services or, pursuant to section	31
3111.69 of the Revised Code, the office of child support in the	32
department or a child support enforcement agency;	33
(f) Records specified in division (A) of section 3107.52	34
of the Revised Code;	35
(g) Trial preparation records;	36
(h) Confidential law enforcement investigatory records;	37
(i) Records containing information that is confidential	38
under section 2710.03 or 4112.05 of the Revised Code;	39
(j) DNA records stored in the DNA database pursuant to	40
section 109.573 of the Revised Code;	41
(k) Inmate records released by the department of	42
rehabilitation and correction to the department of youth	43
services or a court of record pursuant to division (E) of	44

section 5120.21 of the Revised Code;	45
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	46 47 48 49
(m) Intellectual property records;	50
(n) Donor profile records;	51
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	52 53
(p) Designated public service worker residential and familial information;	54 55
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	56 57 58 59 60
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	61 62
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review	63 64 65 66 67 68 69 70 71 72

database, other than the report prepared pursuant to division	73
(A) of section 307.626 of the Revised Code;	74
(t) Records provided to and statements made by the	75
executive director of a public children services agency or a	76
prosecuting attorney acting pursuant to section 5153.171 of the	77
Revised Code other than the information released under that	78
section;	79
(u) Test materials, examinations, or evaluation tools used	80
in an examination for licensure as a nursing home administrator	81
that the board of executives of long-term services and supports	82
administers under section 4751.15 of the Revised Code or	83
contracts under that section with a private or government entity	84
to administer;	85
(v) Records the release of which is prohibited by state or	86
federal law;	87
(w) Proprietary information of or relating to any person	88
that is submitted to or compiled by the Ohio venture capital	89
authority created under section 150.01 of the Revised Code;	90
(x) Financial statements and data any person submits for	91
any purpose to the Ohio housing finance agency or the	92
controlling board in connection with applying for, receiving, or	93
accounting for financial assistance from the agency, and	94
information that identifies any individual who benefits directly	95
or indirectly from financial assistance from the agency;	96
(y) Records listed in section 5101.29 of the Revised Code;	97
(z) Discharges recorded with a county recorder under	98
section 317.24 of the Revised Code, as specified in division (B)	99
(2) of that section;	100

(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;	101 102 103
(bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;	104 105 106
(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;	107 108 109
(dd) Personal information, as defined in section 149.45 of the Revised Code;	110 111
(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record; records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state; and any real property confidentiality notice filed under section 111.431 of the Revised Code and the information described in division (C) of that section. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.	112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128
(ff) Orders for active military service of an individual	129

serving or with previous service in the armed forces of the 130  
United States, including a reserve component, or the Ohio 131  
organized militia, except that, such order becomes a public 132  
record on the day that is fifteen years after the published date 133  
or effective date of the call to order; 134

(gg) The name, address, contact information, or other 135  
personal information of an individual who is less than eighteen 136  
years of age that is included in any record related to a traffic 137  
accident involving a school vehicle in which the individual was 138  
an occupant at the time of the accident; 139

(hh) Protected health information, as defined in 45 C.F.R. 140  
160.103, that is in a claim for payment for a health care 141  
product, service, or procedure, as well as any other health 142  
claims data in another document that reveals the identity of an 143  
individual who is the subject of the data or could be used to 144  
reveal that individual's identity; 145

(ii) Any depiction by photograph, film, videotape, or 146  
printed or digital image under either of the following 147  
circumstances: 148

(i) The depiction is that of a victim of an offense the 149  
release of which would be, to a reasonable person of ordinary 150  
sensibilities, an offensive and objectionable intrusion into the 151  
victim's expectation of bodily privacy and integrity. 152

(ii) The depiction captures or depicts the victim of a 153  
sexually oriented offense, as defined in section 2950.01 of the 154  
Revised Code, at the actual occurrence of that offense. 155

(jj) Restricted portions of a body-worn camera or 156  
dashboard camera recording; 157

(kk) In the case of a fetal-infant mortality review board 158  
acting under sections 3707.70 to 3707.77 of the Revised Code, 159  
records, documents, reports, or other information presented to 160  
the board or a person abstracting such materials on the board's 161  
behalf, statements made by review board members during board 162  
meetings, all work products of the board, and data submitted by 163  
the board to the department of health or a national infant death 164  
review database, other than the report prepared pursuant to 165  
section 3707.77 of the Revised Code. 166

(ll) Records, documents, reports, or other information 167  
presented to the pregnancy-associated mortality review board 168  
established under section 3738.01 of the Revised Code, 169  
statements made by board members during board meetings, all work 170  
products of the board, and data submitted by the board to the 171  
department of health, other than the biennial reports prepared 172  
under section 3738.08 of the Revised Code; 173

(mm) Except as otherwise provided in division (A) (1) (oo) 174  
of this section, telephone numbers for a victim, as defined in 175  
section 2930.01 of the Revised Code or a witness to a crime that 176  
are listed on any law enforcement record or report. 177

(nn) A preneed funeral contract, as defined in section 178  
4717.01 of the Revised Code, and contract terms and personally 179  
identifying information of a preneed funeral contract, that is 180  
contained in a report submitted by or for a funeral home to the 181  
board of embalmers and funeral directors under division (C) of 182  
section 4717.13, division (J) of section 4717.31, or section 183  
4717.41 of the Revised Code. 184

(oo) Telephone numbers for a party to a motor vehicle 185  
accident subject to the requirements of section 5502.11 of the 186  
Revised Code that are listed on any law enforcement record or 187

report, except that the telephone numbers described in this 188  
division are not excluded from the definition of "public record" 189  
under this division on and after the thirtieth day after the 190  
occurrence of the motor vehicle accident. 191

(pp) Records pertaining to individuals who complete 192  
training under section 5502.703 of the Revised Code to be 193  
permitted by a school district board of education or governing 194  
body of a community school established under Chapter 3314. of 195  
the Revised Code, a STEM school established under Chapter 3326. 196  
of the Revised Code, or a chartered nonpublic school to convey 197  
deadly weapons or dangerous ordnance into a school safety zone; 198

(qq) Records, documents, reports, or other information 199  
presented to a domestic violence fatality review board 200  
established under section 307.651 of the Revised Code, 201  
statements made by board members during board meetings, all work 202  
products of the board, and data submitted by the board to the 203  
department of health, other than a report prepared pursuant to 204  
section 307.656 of the Revised Code; 205

(rr) Records, documents, and information the release of 206  
which is prohibited under sections 2930.04 and 2930.07 of the 207  
Revised Code; 208

(ss) Records of an existing qualified nonprofit 209  
corporation that creates a special improvement district under 210  
Chapter 1710. of the Revised Code that do not pertain to a 211  
purpose for which the district is created; 212

(tt) Records of the past, current, and future work 213  
schedule of a designated public service worker; 214

(uu) A request form or confirmation letter submitted to a 215  
public office under section 149.45 of the Revised Code; 216



(vv) An affidavit or confirmation letter submitted under 217  
section 319.28 of the Revised Code. 218

A record that is not a public record under division (A) (1) 219  
of this section and that, under law, is permanently retained 220  
becomes a public record on the day that is seventy-five years 221  
after the day on which the record was created, except for any 222  
record protected by the attorney-client privilege, a trial 223  
preparation record as defined in this section, a statement 224  
prohibiting the release of identifying information signed under 225  
section 3107.083 of the Revised Code, a denial of release form 226  
filed pursuant to section 3107.46 of the Revised Code, or any 227  
record that is exempt from release or disclosure under section 228  
149.433 of the Revised Code. If the record is a birth 229  
certificate and a biological parent's name redaction request 230  
form has been accepted under section 3107.391 of the Revised 231  
Code, the name of that parent shall be redacted from the birth 232  
certificate before it is released under this paragraph. If any 233  
other section of the Revised Code establishes a time period for 234  
disclosure of a record that conflicts with the time period 235  
specified in this section, the time period in the other section 236  
prevails. 237

(2) "Confidential law enforcement investigatory record" 238  
means any record that pertains to a law enforcement matter of a 239  
criminal, quasi-criminal, civil, or administrative nature, but 240  
only to the extent that the release of the record would create a 241  
high probability of disclosure of any of the following: 242

(a) The identity of a suspect who has not been charged 243  
with the offense to which the record pertains, or of an 244  
information source or witness to whom confidentiality has been 245  
reasonably promised; 246

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;	247 248 249 250
(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;	251 252
(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.	253 254 255
(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.	256 257 258 259 260 261
(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.	262 263 264 265 266
(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.	267 268 269 270 271 272 273 274 275

(6) "Donor profile record" means all records about donors	276
or potential donors to a public institution of higher education	277
except the names and reported addresses of the actual donors and	278
the date, amount, and conditions of the actual donation.	279
(7) "Designated public service worker" means a peace	280
officer, parole officer, probation officer, bailiff, prosecuting	281
attorney, assistant prosecuting attorney, correctional employee,	282
county or multicounty corrections officer, community-based	283
correctional facility employee, designated Ohio national guard	284
member, protective services worker, youth services employee,	285
firefighter, EMT, medical director or member of a cooperating	286
physician advisory board of an emergency medical service	287
organization, state board of pharmacy employee, investigator of	288
the bureau of criminal identification and investigation,	289
emergency service telecommunicator, forensic mental health	290
provider, mental health evaluation provider, regional	291
psychiatric hospital employee, judge, magistrate, or federal law	292
enforcement officer.	293
(8) "Designated public service worker residential and	294
familial information" means any information that discloses any	295
of the following about a designated public service worker:	296
(a) The address of the actual personal residence of a	297
designated public service worker, except for the following	298
information:	299
(i) The address of the actual personal residence of a	300
prosecuting attorney or judge; and	301
(ii) The state or political subdivision in which a	302
designated public service worker resides.	303
(b) Information compiled from referral to or participation	304

in an employee assistance program;	305
(c) 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, or any medical information pertaining to, a designated public service worker;	306 307 308 309 310
(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;	311 312 313 314
(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;	315 316 317 318 319
(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;	320 321 322 323 324 325
(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.	326 327 328 329
(9) As used in divisions (A) (7) and (15) to (17) of this section:	330 331
"Peace officer" has the meaning defined in section 109.71	332

of the Revised Code and also includes the superintendent and 333  
troopers of the state highway patrol; it does not include the 334  
sheriff of a county or a supervisory employee who, in the 335  
absence of the sheriff, is authorized to stand in for, exercise 336  
the authority of, and perform the duties of the sheriff. 337

"Correctional employee" means any employee of the 338  
department of rehabilitation and correction who in the course of 339  
performing the employee's job duties has or has had contact with 340  
inmates and persons under supervision. 341

"County or multicounty corrections officer" means any 342  
corrections officer employed by any county or multicounty 343  
correctional facility. 344

"Designated Ohio national guard member" means a member of 345  
the Ohio national guard who is participating in duties related 346  
to remotely piloted aircraft, including, but not limited to, 347  
pilots, sensor operators, and mission intelligence personnel, 348  
duties related to special forces operations, or duties related 349  
to cybersecurity, and is designated by the adjutant general as a 350  
designated public service worker for those purposes. 351

"Protective services worker" means any employee of a 352  
county agency who is responsible for child protective services, 353  
child support services, or adult protective services. 354

"Youth services employee" means any employee of the 355  
department of youth services who in the course of performing the 356  
employee's job duties has or has had contact with children 357  
committed to the custody of the department of youth services. 358

"Firefighter" means any regular, paid or volunteer, member 359  
of a lawfully constituted fire department of a municipal 360  
corporation, township, fire district, or village. 361

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

"Emergency service telecommunicator" means an individual employed by an emergency service provider as defined under section 128.01 of the Revised Code, whose primary responsibility is to be an operator for the receipt or processing of calls for emergency services made by telephone, radio, or other electronic means.

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section 5122.01 of the Revised Code, and reports to the probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction

services who, in the course of performing the employee's duties, 391  
has contact with patients committed to the department of mental 392  
health and addiction services by a court order pursuant to 393  
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 394  
Code. 395

"Federal law enforcement officer" has the meaning defined 396  
in section 9.88 of the Revised Code. 397

(10) "Information pertaining to the recreational 398  
activities of a person under the age of eighteen" means 399  
information that is kept in the ordinary course of business by a 400  
public office, that pertains to the recreational activities of a 401  
person under the age of eighteen years, and that discloses any 402  
of the following: 403

(a) The address or telephone number of a person under the 404  
age of eighteen or the address or telephone number of that 405  
person's parent, guardian, custodian, or emergency contact 406  
person; 407

(b) The social security number, birth date, or 408  
photographic image of a person under the age of eighteen; 409

(c) Any medical record, history, or information pertaining 410  
to a person under the age of eighteen; 411

(d) Any additional information sought or required about a 412  
person under the age of eighteen for the purpose of allowing 413  
that person to participate in any recreational activity 414  
conducted or sponsored by a public office or to use or obtain 415  
admission privileges to any recreational facility owned or 416  
operated by a public office. 417

(11) "Community control sanction" has the meaning defined 418

in section 2929.01 of the Revised Code.	419
(12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code.	420 421
(13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code.	422 423 424 425
(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.	426 427
(15) "Body-worn camera" means a visual and audio recording device worn on the person of a correctional employee, youth services employee, or peace officer while the correctional employee, youth services employee, or peace officer is engaged in the performance of official duties.	428 429 430 431 432
(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.	433 434 435 436
(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:	437 438 439 440
(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the department of rehabilitation and correction, department of youth services, or the law enforcement agency knows or has reason to know the person is a child based on the department's or law enforcement agency's	441 442 443 444 445 446



records or the content of the recording; 447

(b) The death of a person or a deceased person's body, 448  
unless the death was caused by a correctional employee, youth 449  
services employee, or peace officer or, subject to division (H) 450  
(1) of this section, the consent of the decedent's executor or 451  
administrator has been obtained; 452

(c) The death of a correctional employee, youth services 453  
employee, peace officer, firefighter, paramedic, or other first 454  
responder, occurring while the decedent was engaged in the 455  
performance of official duties, unless, subject to division (H) 456  
(1) of this section, the consent of the decedent's executor or 457  
administrator has been obtained; 458

(d) Grievous bodily harm, unless the injury was effected 459  
by a correctional employee, youth services employee, or peace 460  
officer or, subject to division (H) (1) of this section, the 461  
consent of the injured person or the injured person's guardian 462  
has been obtained; 463

(e) An act of severe violence against a person that 464  
results in serious physical harm to the person, unless the act 465  
and injury was effected by a correctional employee, youth 466  
services employee, or peace officer or, subject to division (H) 467  
(1) of this section, the consent of the injured person or the 468  
injured person's guardian has been obtained; 469

(f) Grievous bodily harm to a correctional employee, youth 470  
services employee, peace officer, firefighter, paramedic, or 471  
other first responder, occurring while the injured person was 472  
engaged in the performance of official duties, unless, subject 473  
to division (H) (1) of this section, the consent of the injured 474  
person or the injured person's guardian has been obtained; 475

(g) An act of severe violence resulting in serious	476
physical harm against a correctional employee, youth services	477
employee, peace officer, firefighter, paramedic, or other first	478
responder, occurring while the injured person was engaged in the	479
performance of official duties, unless, subject to division (H)	480
(1) of this section, the consent of the injured person or the	481
injured person's guardian has been obtained;	482
(h) A person's nude body, unless, subject to division (H)	483
(1) of this section, the person's consent has been obtained;	484
(i) Protected health information, the identity of a person	485
in a health care facility who is not the subject of a	486
correctional, youth services, or law enforcement encounter, or	487
any other information in a health care facility that could	488
identify a person who is not the subject of a correctional,	489
youth services, or law enforcement encounter;	490
(j) Information that could identify the alleged victim of	491
a sex offense, menacing by stalking, or domestic violence;	492
(k) Information, that does not constitute a confidential	493
law enforcement investigatory record, that could identify a	494
person who provides sensitive or confidential information to the	495
department of rehabilitation and correction, the department of	496
youth services, or a law enforcement agency when the disclosure	497
of the person's identity or the information provided could	498
reasonably be expected to threaten or endanger the safety or	499
property of the person or another person;	500
(l) Personal information of a person who is not arrested,	501
cited, charged, or issued a written warning by a peace officer;	502
(m) Proprietary correctional, youth services, or police	503
contingency plans or tactics that are intended to prevent crime	504

and maintain public order and safety;	505
(n) A personal conversation unrelated to work between	506
correctional employees, youth services employees, or peace	507
officers or between a correctional employee, youth services	508
employee, or peace officer and an employee of a law enforcement	509
agency;	510
(o) A conversation between a correctional employee, youth	511
services employee, or peace officer and a member of the public	512
that does not concern correctional, youth services, or law	513
enforcement activities;	514
(p) The interior of a residence, unless the interior of a	515
residence is the location of an adversarial encounter with, or a	516
use of force by, a correctional employee, youth services	517
employee, or peace officer;	518
(q) Any portion of the interior of a private business that	519
is not open to the public, unless an adversarial encounter with,	520
or a use of force by, a correctional employee, youth services	521
employee, or peace officer occurs in that location.	522
As used in division (A) (17) of this section:	523
"Grievous bodily harm" has the same meaning as in section	524
5924.120 of the Revised Code.	525
"Health care facility" has the same meaning as in section	526
1337.11 of the Revised Code.	527
"Protected health information" has the same meaning as in	528
45 C.F.R. 160.103.	529
"Law enforcement agency" means a government entity that	530
employs peace officers to perform law enforcement duties.	531

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.

(B) (1) Upon request by any person and subject to division (B) (8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to the requester at all reasonable times during regular business hours. Subject to division (B) (8) of this section, upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester at cost and within a reasonable period of time. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requester of any redaction or make the redaction plainly visible. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction. When the auditor of state receives a request to inspect or to make a copy of a record that was provided to

the auditor of state for purposes of an audit, but the original 562  
public office has asserted to the auditor of state that the 563  
record is not a public record, the auditor of state may handle 564  
the requests by directing the requestor to the original public 565  
office that provided the record to the auditor of state. 566

(2) To facilitate broader access to public records, a 567  
public office or the person responsible for public records shall 568  
organize and maintain public records in a manner that they can 569  
be made available for inspection or copying in accordance with 570  
division (B) of this section. A public office also shall have 571  
available a copy of its current records retention schedule at a 572  
location readily available to the public. If a requester makes 573  
an ambiguous or overly broad request or has difficulty in making 574  
a request for copies or inspection of public records under this 575  
section such that the public office or the person responsible 576  
for the requested public record cannot reasonably identify what 577  
public records are being requested, the public office or the 578  
person responsible for the requested public record may deny the 579  
request but shall provide the requester with an opportunity to 580  
revise the request by informing the requester of the manner in 581  
which records are maintained by the public office and accessed 582  
in the ordinary course of the public office's or person's 583  
duties. 584

(3) If a request is ultimately denied, in part or in 585  
whole, the public office or the person responsible for the 586  
requested public record shall provide the requester with an 587  
explanation, including legal authority, setting forth why the 588  
request was denied. If the initial request was provided in 589  
writing, the explanation also shall be provided to the requester 590  
in writing. The explanation shall not preclude the public office 591  
or the person responsible for the requested public record from 592

relying upon additional reasons or legal authority in defending 593  
an action commenced under division (C) of this section. 594

(4) Unless specifically required or authorized by state or 595  
federal law or in accordance with division (B) of this section, 596  
no public office or person responsible for public records may 597  
limit or condition the availability of public records by 598  
requiring disclosure of the requester's identity or the intended 599  
use of the requested public record. Any requirement that the 600  
requester disclose the requester's identity or the intended use 601  
of the requested public record constitutes a denial of the 602  
request. 603

(5) A public office or person responsible for public 604  
records may ask a requester to make the request in writing, may 605  
ask for the requester's identity, and may inquire about the 606  
intended use of the information requested, but may do so only 607  
after disclosing to the requester that a written request is not 608  
mandatory, that the requester may decline to reveal the 609  
requester's identity or the intended use, and when a written 610  
request or disclosure of the identity or intended use would 611  
benefit the requester by enhancing the ability of the public 612  
office or person responsible for public records to identify, 613  
locate, or deliver the public records sought by the requester. 614

(6) If any person requests a copy of a public record in 615  
accordance with division (B) of this section, the public office 616  
or person responsible for the public record may require the 617  
requester to pay in advance the cost involved in providing the 618  
copy of the public record in accordance with the choice made by 619  
the requester under this division. The public office or the 620  
person responsible for the public record shall permit the 621  
requester to choose to have the public record duplicated upon 622

paper, upon the same medium upon which the public office or 623  
person responsible for the public record keeps it, or upon any 624  
other medium upon which the public office or person responsible 625  
for the public record determines that it reasonably can be 626  
duplicated as an integral part of the normal operations of the 627  
public office or person responsible for the public record. When 628  
the requester makes a choice under this division, the public 629  
office or person responsible for the public record shall provide 630  
a copy of it in accordance with the choice made by the 631  
requester. Nothing in this section requires a public office or 632  
person responsible for the public record to allow the requester 633  
of a copy of the public record to make the copies of the public 634  
record. 635

(7) (a) Upon a request made in accordance with division (B) 636  
of this section and subject to division (B) (6) of this section, 637  
a public office or person responsible for public records shall 638  
transmit a copy of a public record to any person by United 639  
States mail or by any other means of delivery or transmission 640  
within a reasonable period of time after receiving the request 641  
for the copy. The public office or person responsible for the 642  
public record may require the person making the request to pay 643  
in advance the cost of postage if the copy is transmitted by 644  
United States mail or the cost of delivery if the copy is 645  
transmitted other than by United States mail, and to pay in 646  
advance the costs incurred for other supplies used in the 647  
mailing, delivery, or transmission. 648

(b) Any public office may adopt a policy and procedures 649  
that it will follow in transmitting, within a reasonable period 650  
of time after receiving a request, copies of public records by 651  
United States mail or by any other means of delivery or 652  
transmission pursuant to division (B) (7) of this section. A 653

public office that adopts a policy and procedures under division 654  
(B) (7) of this section shall comply with them in performing its 655  
duties under that division. 656

(c) In any policy and procedures adopted under division 657  
(B) (7) of this section: 658

(i) A public office may limit the number of records 659  
requested by a person that the office will physically deliver by 660  
United States mail or by another delivery service to ten per 661  
month, unless the person certifies to the office in writing that 662  
the person does not intend to use or forward the requested 663  
records, or the information contained in them, for commercial 664  
purposes; 665

(ii) A public office that chooses to provide some or all 666  
of its public records on a web site that is fully accessible to 667  
and searchable by members of the public at all times, other than 668  
during acts of God outside the public office's control or 669  
maintenance, and that charges no fee to search, access, 670  
download, or otherwise receive records provided on the web site, 671  
may limit to ten per month the number of records requested by a 672  
person that the office will deliver in a digital format, unless 673  
the requested records are not provided on the web site and 674  
unless the person certifies to the office in writing that the 675  
person does not intend to use or forward the requested records, 676  
or the information contained in them, for commercial purposes. 677

(iii) For purposes of division (B) (7) of this section, 678  
"commercial" shall be narrowly construed and does not include 679  
reporting or gathering news, reporting or gathering information 680  
to assist citizen oversight or understanding of the operation or 681  
activities of government, or nonprofit educational research. 682



(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9) (a) Upon written request made and signed by a journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the designated public service worker's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

(b) Division (B) (9) (a) of this section also applies to journalist requests for:

(i) Customer information maintained by a municipally owned

or operated public utility, other than social security numbers 713  
and any private financial information such as credit reports, 714  
payment methods, credit card numbers, and bank account 715  
information; 716

(ii) Information about minors involved in a school vehicle 717  
accident as provided in division (A) (1) (gg) of this section, 718  
other than personal information as defined in section 149.45 of 719  
the Revised Code. 720

(c) As used in division (B) (9) of this section, 721  
"journalist" means a person engaged in, connected with, or 722  
employed by any news medium, including a newspaper, magazine, 723  
press association, news agency, or wire service, a radio or 724  
television station, or a similar medium, for the purpose of 725  
gathering, processing, transmitting, compiling, editing, or 726  
disseminating information for the general public. 727

(10) Upon a request made by a victim, victim's attorney, 728  
or victim's representative, as that term is used in section 729  
2930.02 of the Revised Code, a public office or person 730  
responsible for public records shall transmit a copy of a 731  
depiction of the victim as described in division (A) (1) (ii) of 732  
this section to the victim, victim's attorney, or victim's 733  
representative. 734

(C) (1) If a person allegedly is aggrieved by the failure 735  
of a public office or the person responsible for public records 736  
to promptly prepare a public record and to make it available to 737  
the person for inspection in accordance with division (B) of 738  
this section or by any other failure of a public office or the 739  
person responsible for public records to comply with an 740  
obligation in accordance with division (B) of this section, the 741  
person allegedly aggrieved may do only one of the following, and 742

not both:	743
(a) File a complaint with the clerk of the court of claims	744
or the clerk of the court of common pleas under section 2743.75	745
of the Revised Code;	746
(b) Commence a mandamus action to obtain a judgment that	747
orders the public office or the person responsible for the	748
public record to comply with division (B) of this section, that	749
awards court costs and reasonable attorney's fees to the person	750
that instituted the mandamus action, and, if applicable, that	751
includes an order fixing statutory damages under division (C) (2)	752
of this section. The mandamus action may be commenced in the	753
court of common pleas of the county in which division (B) of	754
this section allegedly was not complied with, in the supreme	755
court pursuant to its original jurisdiction under Section 2 of	756
Article IV, Ohio Constitution, or in the court of appeals for	757
the appellate district in which division (B) of this section	758
allegedly was not complied with pursuant to its original	759
jurisdiction under Section 3 of Article IV, Ohio Constitution.	760
(2) If a requester transmits a written request by hand	761
delivery, electronic submission, or certified mail to inspect or	762
receive copies of any public record in a manner that fairly	763
describes the public record or class of public records to the	764
public office or person responsible for the requested public	765
records, except as otherwise provided in this section, the	766
requester shall be entitled to recover the amount of statutory	767
damages set forth in this division if a court determines that	768
the public office or the person responsible for public records	769
failed to comply with an obligation in accordance with division	770
(B) of this section.	771
The amount of statutory damages shall be fixed at one	772

hundred dollars for each business day during which the public 773  
office or person responsible for the requested public records 774  
failed to comply with an obligation in accordance with division 775  
(B) of this section, beginning with the day on which the 776  
requester files a mandamus action to recover statutory damages, 777  
up to a maximum of one thousand dollars. The award of statutory 778  
damages shall not be construed as a penalty, but as compensation 779  
for injury arising from lost use of the requested information. 780  
The existence of this injury shall be conclusively presumed. The 781  
award of statutory damages shall be in addition to all other 782  
remedies authorized by this section. 783

The court may reduce an award of statutory damages or not 784  
award statutory damages if the court determines both of the 785  
following: 786

(a) That, based on the ordinary application of statutory 787  
law and case law as it existed at the time of the conduct or 788  
threatened conduct of the public office or person responsible 789  
for the requested public records that allegedly constitutes a 790  
failure to comply with an obligation in accordance with division 791  
(B) of this section and that was the basis of the mandamus 792  
action, a well-informed public office or person responsible for 793  
the requested public records reasonably would believe that the 794  
conduct or threatened conduct of the public office or person 795  
responsible for the requested public records did not constitute 796  
a failure to comply with an obligation in accordance with 797  
division (B) of this section; 798

(b) That a well-informed public office or person 799  
responsible for the requested public records reasonably would 800  
believe that the conduct or threatened conduct of the public 801  
office or person responsible for the requested public records 802

would serve the public policy that underlies the authority that 803  
is asserted as permitting that conduct or threatened conduct. 804

(3) In a mandamus action filed under division (C) (1) of 805  
this section, the following apply: 806

(a) (i) If the court orders the public office or the person 807  
responsible for the public record to comply with division (B) of 808  
this section, the court shall determine and award to the relator 809  
all court costs, which shall be construed as remedial and not 810  
punitive. 811

(ii) If the court makes a determination described in 812  
division (C) (3) (b) (iii) of this section, the court shall 813  
determine and award to the relator all court costs, which shall 814  
be construed as remedial and not punitive. 815

(b) If the court renders a judgment that orders the public 816  
office or the person responsible for the public record to comply 817  
with division (B) of this section or if the court determines any 818  
of the following, the court may award reasonable attorney's fees 819  
to the relator, subject to division (C) (4) of this section: 820

(i) The public office or the person responsible for the 821  
public records failed to respond affirmatively or negatively to 822  
the public records request in accordance with the time allowed 823  
under division (B) of this section. 824

(ii) The public office or the person responsible for the 825  
public records promised to permit the relator to inspect or 826  
receive copies of the public records requested within a 827  
specified period of time but failed to fulfill that promise 828  
within that specified period of time. 829

(iii) The public office or the person responsible for the 830

public records acted in bad faith when the office or person 831  
voluntarily made the public records available to the relator for 832  
the first time after the relator commenced the mandamus action, 833  
but before the court issued any order concluding whether or not 834  
the public office or person was required to comply with division 835  
(B) of this section. No discovery may be conducted on the issue 836  
of the alleged bad faith of the public office or person 837  
responsible for the public records. This division shall not be 838  
construed as creating a presumption that the public office or 839  
the person responsible for the public records acted in bad faith 840  
when the office or person voluntarily made the public records 841  
available to the relator for the first time after the relator 842  
commenced the mandamus action, but before the court issued any 843  
order described in this division. 844

(c) The court shall not award attorney's fees to the 845  
relator if the court determines both of the following: 846

(i) That, based on the ordinary application of statutory 847  
law and case law as it existed at the time of the conduct or 848  
threatened conduct of the public office or person responsible 849  
for the requested public records that allegedly constitutes a 850  
failure to comply with an obligation in accordance with division 851  
(B) of this section and that was the basis of the mandamus 852  
action, a well-informed public office or person responsible for 853  
the requested public records reasonably would believe that the 854  
conduct or threatened conduct of the public office or person 855  
responsible for the requested public records did not constitute 856  
a failure to comply with an obligation in accordance with 857  
division (B) of this section; 858

(ii) That a well-informed public office or person 859  
responsible for the requested public records reasonably would 860

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.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (3) (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) (4) (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.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C) (1) of this section.

(5) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the 890  
provisions of this section. 891

(E) (1) To ensure that all employees of public offices are 892  
appropriately educated about a public office's obligations under 893  
division (B) of this section, all elected officials or their 894  
appropriate designees shall attend training approved by the 895  
attorney general as provided in section 109.43 of the Revised 896  
Code. A future official may satisfy the requirements of this 897  
division by attending the training before taking office, 898  
provided that the future official may not send a designee in the 899  
future official's place. 900

(2) All public offices shall adopt a public records policy 901  
in compliance with this section for responding to public records 902  
requests. In adopting a public records policy under this 903  
division, a public office may obtain guidance from the model 904  
public records policy developed and provided to the public 905  
office by the attorney general under section 109.43 of the 906  
Revised Code. Except as otherwise provided in this section, the 907  
policy may not limit the number of public records that the 908  
public office will make available to a single person, may not 909  
limit the number of public records that it will make available 910  
during a fixed period of time, and may not establish a fixed 911  
period of time before it will respond to a request for 912  
inspection or copying of public records, unless that period is 913  
less than eight hours. 914

The public office shall distribute the public records 915  
policy adopted by the public office under this division to the 916  
employee of the public office who is the records custodian or 917  
records manager or otherwise has custody of the records of that 918  
office. The public office shall require that employee to 919



acknowledge receipt of the copy of the public records policy. 920  
The public office shall create a poster that describes its 921  
public records policy and shall post the poster in a conspicuous 922  
place in the public office and in all locations where the public 923  
office has branch offices. The public office may post its public 924  
records policy on the internet web site of the public office if 925  
the public office maintains an internet web site. A public 926  
office that has established a manual or handbook of its general 927  
policies and procedures for all employees of the public office 928  
shall include the public records policy of the public office in 929  
the manual or handbook. 930

(F) (1) The bureau of motor vehicles may adopt rules 931  
pursuant to Chapter 119. of the Revised Code to reasonably limit 932  
the number of bulk commercial special extraction requests made 933  
by a person for the same records or for updated records during a 934  
calendar year. The rules may include provisions for charges to 935  
be made for bulk commercial special extraction requests for the 936  
actual cost of the bureau, plus special extraction costs, plus 937  
ten per cent. The bureau may charge for expenses for redacting 938  
information, the release of which is prohibited by law. 939

(2) As used in division (F) (1) of this section: 940

(a) "Actual cost" means the cost of depleted supplies, 941  
records storage media costs, actual mailing and alternative 942  
delivery costs, or other transmitting costs, and any direct 943  
equipment operating and maintenance costs, including actual 944  
costs paid to private contractors for copying services. 945

(b) "Bulk commercial special extraction request" means a 946  
request for copies of a record for information in a format other 947  
than the format already available, or information that cannot be 948  
extracted without examination of all items in a records series, 949

class of records, or database by a person who intends to use or 950  
forward the copies for surveys, marketing, solicitation, or 951  
resale for commercial purposes. "Bulk commercial special 952  
extraction request" does not include a request by a person who 953  
gives assurance to the bureau that the person making the request 954  
does not intend to use or forward the requested copies for 955  
surveys, marketing, solicitation, or resale for commercial 956  
purposes. 957

(c) "Commercial" means profit-seeking production, buying, 958  
or selling of any good, service, or other product. 959

(d) "Special extraction costs" means the cost of the time 960  
spent by the lowest paid employee competent to perform the task, 961  
the actual amount paid to outside private contractors employed 962  
by the bureau, or the actual cost incurred to create computer 963  
programs to make the special extraction. "Special extraction 964  
costs" include any charges paid to a public agency for computer 965  
or records services. 966

(3) For purposes of divisions (F) (1) and (2) of this 967  
section, "surveys, marketing, solicitation, or resale for 968  
commercial purposes" shall be narrowly construed and does not 969  
include reporting or gathering news, reporting or gathering 970  
information to assist citizen oversight or understanding of the 971  
operation or activities of government, or nonprofit educational 972  
research. 973

(G) A request by a defendant, counsel of a defendant, or 974  
any agent of a defendant in a criminal action that public 975  
records related to that action be made available under this 976  
section shall be considered a demand for discovery pursuant to 977  
the Criminal Rules, except to the extent that the Criminal Rules 978  
plainly indicate a contrary intent. The defendant, counsel of 979

the defendant, or agent of the defendant making a request under 980  
this division shall serve a copy of the request on the 981  
prosecuting attorney, director of law, or other chief legal 982  
officer responsible for prosecuting the action. 983

(H) (1) Any portion of a body-worn camera or dashboard 984  
camera recording described in divisions (A) (17) (b) to (h) of 985  
this section may be released by consent of the subject of the 986  
recording or a representative of that person, as specified in 987  
those divisions, only if either of the following applies: 988

(a) The recording will not be used in connection with any 989  
probable or pending criminal proceedings; 990

(b) The recording has been used in connection with a 991  
criminal proceeding that was dismissed or for which a judgment 992  
has been entered pursuant to Rule 32 of the Rules of Criminal 993  
Procedure, and will not be used again in connection with any 994  
probable or pending criminal proceedings. 995

(2) If a public office denies a request to release a 996  
restricted portion of a body-worn camera or dashboard camera 997  
recording, as defined in division (A) (17) of this section, any 998  
person may file a mandamus action pursuant to this section or a 999  
complaint with the clerk of the court of claims pursuant to 1000  
section 2743.75 of the Revised Code, requesting the court to 1001  
order the release of all or portions of the recording. If the 1002  
court considering the request determines that the filing 1003  
articulates by clear and convincing evidence that the public 1004  
interest in the recording substantially outweighs privacy 1005  
interests and other interests asserted to deny release, the 1006  
court shall order the public office to release the recording. " 1007

In line 1009, after "(3)" insert "Qualifying former designated 1008  
public service worker" means a former designated public service worker 1009

with a minimum of five years of qualifying service who was an employee in 1010  
good standing at the completion of such service. 1011

(4)" 1012

In line 1051, after "a" insert "qualifying" 1013

In line 1055, strike through "designated public service"; delete 1014  
"worker's or former" 1015

In line 1056, delete "designated public service"; strike through 1016  
"worker's" and insert "requestor's" 1017

In line 1059, strike through "designated public service worker"; 1018  
delete "or former" 1019

In line 1060, delete "designated public service worker"; strike 1020  
through "making the request" and insert "requestor" 1021

In line 1061, after "or" insert "qualifying" 1022

In line 1064, after "general" insert ". A qualifying former 1023  
designated public service worker shall provide, with the form, a 1024  
confirmation letter from each employer at which the worker accumulated 1025  
service confirming the years of service and that the worker departed 1026  
service in good standing" 1027

In line 1065, after "redaction" insert ", and confirmation letter if 1028  
applicable," 1029

In line 1070, strike through "designated public service" 1030

In line 1071, strike through "worker"; delete "or former designated 1031  
public service worker"; strike through "making the" 1032

In line 1072, strike through "request" and insert "requestor" 1033

In line 1074, strike through "designated public" 1034

In line 1075, strike through "service worker"; delete " <u>or former designated public service worker</u> "; strike through "making"	1035 1036
In line 1076, strike through "the request" and insert " <u>requestor</u> "	1037
In line 1080, strike through "designated public service worker"; delete " <u>or former designated public</u> "	1038 1039
In line 1081, delete " <u>service worker</u> " and insert " <u>requestor</u> "	1040
In line 1084, after " <u>or</u> " insert " <u>qualifying</u> "	1041
In line 1088, after " <u>or</u> " insert " <u>qualifying</u> "	1042
In line 1092, after " <u>or</u> " insert " <u>qualifying</u> "	1043
In line 1096, after " <u>or</u> " insert " <u>qualifying</u> "	1044
In line 1121, delete " <u>An</u> " and insert " <u>A</u> "	1045
In line 1122, after " <u>section</u> " insert " <u>, or a confirmation letter submitted under division (D) of this section,</u> "	1046 1047
In line 1124, after "(A)" insert " <u>As used in this section:</u> "	1048
<u>"Designated public service worker" has the meaning defined in division (A) (7) of section 149.43 of the Revised Code.</u>	1049 1050
<u>"Qualifying former designated public service worker" has the meaning defined in section 149.45 of the Revised Code.</u>	1051 1052
<u>(B)</u> "	1053
In line 1125, strike through "(B)" and insert " <u>(C)</u> "	1054
In line 1162, strike through "(B) (1) An individual" and insert " <u>(C) (1) A designated public service worker, a qualified former designated public service worker</u> "; strike through "that" and insert " <u>either</u> "	1055 1056 1057
In line 1173, after "deed" insert " <u>. A qualifying former designated</u> "	1058

public service worker shall provide, with the affidavit, a confirmation 1059  
letter from each employer at which the worker accumulated service 1060  
confirming the years of service and that the worker departed service in 1061  
good standing" 1062

In line 1174, after "affidavit" insert ", and confirmation letter if 1063  
applicable,"; strike through "(B)" 1064

In line 1175, strike through "(1)" and insert "(C) (1)" 1065

In line 1187, strike through "(C)" and insert "(D)" 1066

In line 1190, after "affidavit" insert "or confirmation letter"; 1067  
delete "(B) (1)" and insert "(C) (1)" 1068

After line 1192, insert: 1069

**"Sec. 319.54.** (A) On all moneys collected by the county 1070  
treasurer on any tax duplicate of the county, other than estate 1071  
tax duplicates, and on all moneys received as advance payments 1072  
of personal property and classified property taxes, the county 1073  
auditor, on settlement with the treasurer and tax commissioner, 1074  
on or before the date prescribed by law for such settlement or 1075  
any lawful extension of such date, shall be allowed as 1076  
compensation for the county auditor's services the following 1077  
percentages: 1078

(1) On the first one hundred thousand dollars, two and 1079  
one-half per cent; 1080

(2) On the next two million dollars, eight thousand three 1081  
hundred eighteen ten-thousandths of one per cent; 1082

(3) On the next two million dollars, six thousand six 1083  
hundred fifty-five ten-thousandths of one per cent; 1084

(4) On all further sums, one thousand six hundred sixty- 1085

three ten-thousandths of one per cent. 1086

If any settlement is not made on or before the date 1087  
prescribed by law for such settlement or any lawful extension of 1088  
such date, the aggregate compensation allowed to the auditor 1089  
shall be reduced one per cent for each day such settlement is 1090  
delayed after the prescribed date. No penalty shall apply if the 1091  
auditor and treasurer grant all requests for advances up to 1092  
ninety per cent of the settlement pursuant to section 321.34 of 1093  
the Revised Code. The compensation allowed in accordance with 1094  
this section on settlements made before the dates prescribed by 1095  
law, or the reduced compensation allowed in accordance with this 1096  
section on settlements made after the date prescribed by law or 1097  
any lawful extension of such date, shall be apportioned ratably 1098  
by the auditor and deducted from the shares or portions of the 1099  
revenue payable to the state as well as to the county, 1100  
townships, municipal corporations, and school districts. 1101

(B) For the purpose of reimbursing county auditors for the 1102  
expenses associated with the increased number of applications 1103  
for reductions in real property taxes under sections 323.152 and 1104  
4503.065 of the Revised Code that result from the amendment of 1105  
those sections by Am. Sub. H.B. 119 of the 127th general 1106  
assembly, there shall be paid from the state's general revenue 1107  
fund to the county treasury, to the credit of the real estate 1108  
assessment fund created by section 325.31 of the Revised Code, 1109  
an amount equal to one per cent of the total annual amount of 1110  
property tax relief reimbursement paid to that county under 1111  
sections 323.156 and 4503.068 of the Revised Code for the 1112  
preceding tax year. Payments made under this division shall be 1113  
made at the same times and in the same manner as payments made 1114  
under section 323.156 of the Revised Code. 1115

(C) From all moneys collected by the county treasurer on	1116
any tax duplicate of the county, other than estate tax	1117
duplicates, and on all moneys received as advance payments of	1118
personal property and classified property taxes, there shall be	1119
paid into the county treasury to the credit of the real estate	1120
assessment fund created by section 325.31 of the Revised Code,	1121
an amount to be determined by the county auditor, which shall	1122
not exceed the percentages prescribed in divisions (C)(1) and	1123
(2) of this section.	1124
(1) For payments made after June 30, 2007, and before	1125
2011, the following percentages:	1126
(a) On the first five hundred thousand dollars, four per	1127
cent;	1128
(b) On the next five million dollars, two per cent;	1129
(c) On the next five million dollars, one per cent;	1130
(d) On all further sums not exceeding one hundred fifty	1131
million dollars, three-quarters of one per cent;	1132
(e) On amounts exceeding one hundred fifty million	1133
dollars, five hundred eighty-five thousandths of one per cent.	1134
(2) For payments made in or after 2011, the following	1135
percentages:	1136
(a) On the first five hundred thousand dollars, four per	1137
cent;	1138
(b) On the next ten million dollars, two per cent;	1139
(c) On amounts exceeding ten million five hundred thousand	1140
dollars, three-fourths of one per cent.	1141
Such compensation shall be apportioned ratably by the	1142



auditor and deducted from the shares or portions of the revenue 1143  
payable to the state as well as to the county, townships, 1144  
municipal corporations, and school districts. 1145

(D) Each county auditor shall receive four per cent of the 1146  
amount of tax collected and paid into the county treasury, on 1147  
property omitted and placed by the county auditor on the tax 1148  
duplicate. 1149

(E) On all estate tax moneys collected by the county 1150  
treasurer, the county auditor, on settlement annually with the 1151  
tax commissioner, shall be allowed, as compensation for the 1152  
auditor's services under Chapter 5731. of the Revised Code, two 1153  
per cent of the amount collected and reported that year in 1154  
excess of refunds distributed, for the use of the general fund 1155  
of the county. 1156

(F) On all cigarette license moneys collected by the 1157  
county treasurer, the county auditor, on settlement semiannually 1158  
with the treasurer, shall be allowed as compensation for the 1159  
auditor's services in the issuing of such licenses one-half of 1160  
one per cent of such moneys, to be apportioned ratably and 1161  
deducted from the shares of the revenue payable to the county 1162  
and subdivisions, for the use of the general fund of the county. 1163

(G) The county auditor shall charge and receive fees as 1164  
follows: 1165

(1) For deeds of land sold for taxes to be paid by the 1166  
purchaser, five dollars; 1167

(2) For the transfer or entry of land, lot, or part of 1168  
lot, or the transfer or entry on or after January 1, 2000, of a 1169  
used manufactured home or mobile home as defined in section 1170  
5739.0210 of the Revised Code, fifty cents for each transfer or 1171

entry, to be paid by the person requiring it; 1172

(3) For receiving statements of value and administering 1173  
section 319.202 of the Revised Code, one dollar, or ten cents 1174  
for each one hundred dollars or fraction of one hundred dollars, 1175  
whichever is greater, of the value of the real property 1176  
transferred or, for sales occurring on or after January 1, 2000, 1177  
the value of the used manufactured home or used mobile home, as 1178  
defined in section 5739.0210 of the Revised Code, transferred, 1179  
except no fee shall be charged when the transfer is made: 1180

(a) To or from the United States, this state, or any 1181  
instrumentality, agency, or political subdivision of the United 1182  
States or this state; 1183

(b) Solely in order to provide or release security for a 1184  
debt or obligation; 1185

(c) To confirm or correct a deed previously executed and 1186  
recorded, or when a current owner on any record made available 1187  
~~to the general public on the internet or a publicly accessible~~ 1188  
~~database and the general tax list of real and public utility~~ 1189  
~~property and the general duplicate of real and public utility~~ 1190  
~~property is a peace officer, parole officer, prosecuting~~ 1191  
~~attorney, assistant prosecuting attorney, correctional employee,~~ 1192  
~~youth services employee, firefighter, EMT, or investigator of~~ 1193  
~~the bureau of criminal identification and investigation and is~~ 1194  
changing the current owner name listed on any record made 1195  
available to the general public on the internet, or a publicly 1196  
accessible database, and the general tax list of real and public 1197  
utility property, and the general duplicate of real and public 1198  
utility property, to the initials of the current owner as 1199  
prescribed in division ~~(B)(1)~~ (C)(1) of section 319.28 of the 1200  
Revised Code; 1201

(d) To evidence a gift, in trust or otherwise and whether	1202
revocable or irrevocable, between husband and wife, or parent	1203
and child or the spouse of either;	1204
(e) On sale for delinquent taxes or assessments;	1205
(f) Pursuant to court order, to the extent that such	1206
transfer is not the result of a sale effected or completed	1207
pursuant to such order;	1208
(g) Pursuant to a reorganization of corporations or	1209
unincorporated associations or pursuant to the dissolution of a	1210
corporation, to the extent that the corporation conveys the	1211
property to a stockholder as a distribution in kind of the	1212
corporation's assets in exchange for the stockholder's shares in	1213
the dissolved corporation;	1214
(h) By a subsidiary corporation to its parent corporation	1215
for no consideration, nominal consideration, or in sole	1216
consideration of the cancellation or surrender of the	1217
subsidiary's stock;	1218
(i) By lease, whether or not it extends to mineral or	1219
mineral rights, unless the lease is for a term of years	1220
renewable forever;	1221
(j) When the value of the real property or the	1222
manufactured or mobile home or the value of the interest that is	1223
conveyed does not exceed one hundred dollars;	1224
(k) Of an occupied residential property, including a	1225
manufactured or mobile home, being transferred to the builder of	1226
a new residence or to the dealer of a new manufactured or mobile	1227
home when the former residence is traded as part of the	1228
consideration for the new residence or new manufactured or	1229

mobile home;	1230
(l) To a grantee other than a dealer in real property or	1231
in manufactured or mobile homes, solely for the purpose of, and	1232
as a step in, the prompt sale of the real property or	1233
manufactured or mobile home to others;	1234
(m) To or from a person when no money or other valuable	1235
and tangible consideration readily convertible into money is	1236
paid or to be paid for the real estate or manufactured or mobile	1237
home and the transaction is not a gift;	1238
(n) Pursuant to division (B) of section 317.22 of the	1239
Revised Code, or section 2113.61 of the Revised Code, between	1240
spouses or to a surviving spouse pursuant to section 5302.17 of	1241
the Revised Code as it existed prior to April 4, 1985, between	1242
persons pursuant to section 5302.17 or 5302.18 of the Revised	1243
Code on or after April 4, 1985, to a person who is a surviving,	1244
survivorship tenant pursuant to section 5302.17 of the Revised	1245
Code on or after April 4, 1985, or pursuant to section 5309.45	1246
of the Revised Code;	1247
(o) To a trustee acting on behalf of minor children of the	1248
deceased;	1249
(p) Of an easement or right-of-way when the value of the	1250
interest conveyed does not exceed one thousand dollars;	1251
(q) Of property sold to a surviving spouse pursuant to	1252
section 2106.16 of the Revised Code;	1253
(r) To or from an organization exempt from federal income	1254
taxation under section 501(c)(3) of the "Internal Revenue Code	1255
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, provided	1256
such transfer is without consideration and is in furtherance of	1257

the charitable or public purposes of such organization;	1258
(s) Among the heirs at law or devisees, including a surviving spouse, of a common decedent, when no consideration in money is paid or to be paid for the real property or manufactured or mobile home;	1259 1260 1261 1262
(t) To a trustee of a trust, when the grantor of the trust has reserved an unlimited power to revoke the trust;	1263 1264
(u) To the grantor of a trust by a trustee of the trust, when the transfer is made to the grantor pursuant to the exercise of the grantor's power to revoke the trust or to withdraw trust assets;	1265 1266 1267 1268
(v) To the beneficiaries of a trust if the fee was paid on the transfer from the grantor of the trust to the trustee or if the transfer is made pursuant to trust provisions which became irrevocable at the death of the grantor;	1269 1270 1271 1272
(w) To a corporation for incorporation into a sports facility constructed pursuant to section 307.696 of the Revised Code;	1273 1274 1275
(x) Between persons pursuant to section 5302.18 of the Revised Code;	1276 1277
(y) From a county land reutilization corporation organized under Chapter 1724. of the Revised Code, or its wholly owned subsidiary, to a third party.	1278 1279 1280
(4) For the cost of publishing the delinquent manufactured home tax list, the delinquent tax list, and the delinquent vacant land tax list, a flat fee, as determined by the county auditor, to be charged to the owner of a home on the delinquent manufactured home tax list or the property owner of land on the	1281 1282 1283 1284 1285

delinquent tax list or the delinquent vacant land tax list. 1286

The auditor shall compute and collect the fee. The auditor 1287  
shall maintain a numbered receipt system, as prescribed by the 1288  
tax commissioner, and use such receipt system to provide a 1289  
receipt to each person paying a fee. The auditor shall deposit 1290  
the receipts of the fees on conveyances in the county treasury 1291  
daily to the credit of the general fund of the county, except 1292  
that fees charged and received under division (G) (3) of this 1293  
section for a transfer of real property to a county land 1294  
reutilization corporation shall be credited to the county land 1295  
reutilization corporation fund established under section 321.263 1296  
of the Revised Code. 1297

The real property transfer fee provided for in division 1298  
(G) (3) of this section shall be applicable to any conveyance of 1299  
real property presented to the auditor on or after January 1, 1300  
1968, regardless of its time of execution or delivery. 1301

The transfer fee for a used manufactured home or used 1302  
mobile home shall be computed by and paid to the county auditor 1303  
of the county in which the home is located immediately prior to 1304  
the transfer. " 1305

In line 1193, delete "and" 1306

In line 1194, after "319.28" insert ", and 319.54" 1307

Delete lines 1195 through 1204 1308

Delete line 1205 1309

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	1310
<b>Qualifying former designated public service worker; 5</b>	1311
<b>years and good standing</b>	1312
<b>R.C. 149.43 and 149.45; R.C. 319.54 conforming</b>	1313
Allows qualifying former designated public service workers	1314
to submit an affidavit to a county auditor requesting the county	1315
auditor to remove the name of the individual filing the	1316
affidavit from any record made available to the general public	1317
on the internet or a publicly accessible database, and from the	1318
general tax list and duplicate of real and public utility	1319
property, and to instead insert the individual's initials on any	1320
such record, and on the general tax list and duplicate of real	1321
and public utility property. Under current law, this procedure	1322
is only available to current designated public service workers.	1323
Requires a qualifying former designated public service	1324
worker to provide, with the redaction request form for a public	1325
office, or with an affidavit for the county auditor, a	1326
confirmation letter from each employer where the worker	1327
accumulated service confirming the years of service and that the	1328
worker departed service in good standing of such service.	1329
Defines "qualified former designated public service	1330
worker" as a former designated public service worker with a	1331
minimum of five years of qualifying service, and who was an	1332
employee in good standing at the completion of such service.	1333
Updates R.C. 149.43 to the most recent version of the	1334
section.	1335