

**Committees:**

Armed Services and Veterans Affairs  
Health Provider Services  
Joint Medicaid Oversight Committee  
State and Local Government  
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**Representative Jennifer Gross  
The Ohio House of Representatives**

**Representative Jennifer Gross - HB 211 Sponsor Testimony: June 25, 2024**

Chair Wiggam, Vice Chair Dean, Ranking Member Brennan, and members of the State and Local Government Committee, thank you for allowing me to provide sponsor testimony for HB 211 - the Free to Speak Act. This legislation will require a public body to permit members of the public to comment or testify at a public meeting.

Ohio Open Meetings Law states that public bodies - defined as county, township, school district, or local public institutions; as well as any decision-making body of a state agency or authority - must conduct all deliberations in meetings open to the public, unless specifically exempted by law, and with advanced notice. However, Ohio law does not require members of the public, who attend one of these meetings, be given an opportunity to be heard on matters being discussed.

This legislation speaks to issues that are impacting other local municipalities across our state. School boards, city councils, and other public institutions can suspend public comments, saying it is a "privilege" to be able to speak to matters they are discussing. This is an infringement of First Amendment rights. When important issues are brought before an authority that can impact the lives of the community, that community should have the opportunity to voice its concerns accordingly.

Upon further research, Ohio is considered an outlier compared to the states around us.

In Indiana, the governing body of a school corporation or charter school is required to allow a member of the public to provide oral public comment. Those bodies may adopt reasonable rules to govern the taking of oral public comment. In Michigan, a person must be permitted to address a meeting of a public body under rules established by the public body. In Pennsylvania, official deliberations of a state agency must take place at meetings open to the public, with no requirement for allowing public comment. But a board or council of a political subdivision must

provide reasonable opportunity for residents to comment on matters of concern. And lastly, in Florida, members of the public must be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard is subject to rules or policies adopted by the board or commission.

The Free to Speak Act before you requires a public body to permit members of the public to comment or testify about matters of public concern before the body. Every public body shall establish reasonable methods by which a member of the public may comment or testify and may establish reasonable restrictions regarding time limits on the comment or testimony.

This act allows our state to increase transparency and step in line with our neighboring states. Together, we can ensure Ohioan's 1<sup>st</sup> Amendment Rights are protected and the ability to speak freely is honored.

Thank you once again for this opportunity to provide sponsor testimony on HB 211. I would be glad to take any questions that the members of the committee may have.