

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 678

Representative Barnes

A BILL

To amend section 103.13 and to enact sections 1
103.171 and 103.26 of the Revised Code to permit 2
staff of the Ohio Legislative Service Commission 3
to request public records on behalf of members 4
of the General Assembly, and to permit the 5
Commission to issue subpoenas for public records 6
at the request of a General Assembly member. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 103.13 be amended and sections 8
103.171 and 103.26 of the Revised Code be enacted to read as 9
follows: 10

Sec. 103.13. The Ohio legislative service commission 11
shall: 12

(A) Conduct research, make investigations, and secure 13
information or data on any subject and make reports thereon to 14
the general assembly; 15

(B) Ascertain facts and make reports concerning the state 16
budget, the revenues and expenditures of the state, and of the 17
organization and functions of the state, its departments, 18
subdivisions, and agencies; 19

(C) Make surveys, investigations, and studies, and compile	20
data, information, and records on any question which may be	21
referred to it by either house of the general assembly or any	22
standing committee of the general assembly;	23
(D) Assist and cooperate with any interim legislative	24
committee or other agency created by the general assembly;	25
(E) Prepare or advise in the preparation of any bill or	26
resolution, when requested by any member of the general	27
assembly;	28
(F) Collect, classify, and index the documents of the	29
state which shall include executive and legislative documents	30
and departmental reports and keep on file all bills,	31
resolutions, and official journals printed by order of either	32
house of the general assembly;	33
(G) Provide members of the general assembly with impartial	34
and accurate information and reports concerning legislative	35
problems in accordance with rules prescribed by the commission;	36
(H) Annually collect the reports required by section	37
4743.01 of the Revised Code and prepare a report evaluating the	38
extent to which state boards and commissions which regulate	39
occupations are financially self-supporting. The report shall be	40
presented to the speaker and the minority leader of the house of	41
representatives, the president and the minority leader of the	42
senate, and the chairperson and ranking minority member of the	43
finance committees of both houses, on or before the thirty-first	44
day of December each year.	45
(I) Codify the rules of administrative agencies of the	46
state in accordance with the provisions of section 103.05 of the	47
Revised Code;	48

(J) Publish the register of Ohio under section 103.051 of the Revised Code; 49
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(K) Operate the electronic rule-filing system under section 103.0511 of the Revised Code; 51
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(L) Request public records for members of the general assembly under section 103.26 of the Revised Code. 53
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Sec. 103.171. At the request of a member of the general assembly, the Ohio legislative service commission may issue a subpoena to a public office to compel that office to produce public records requested under section 103.26 of the Revised Code if the requested records have not been produced in a reasonable period of time. If a public office fails to comply with a subpoena issued on behalf of the commission, it shall be the duty of the county prosecutor in any county, on application of the commission, to bring a proceeding for contempt. The remedy provided for in this section is in addition to any other remedies provided by law. 55
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Sec. 103.26. (A) As used in this section: 66

(1) "Legislative staff" means the staff of the Ohio legislative service commission. 67
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(2) "Public record" has the meaning defined in section 149.43 of the Revised Code. 69
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(B) If a member of the general assembly desires to obtain any public record, the member may instruct legislative staff to request the public record on the member's behalf. The public office shall comply with the request as required by section 149.43 of the Revised Code. 71
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(C) No public record obtained under this section by 76

legislative staff shall be deemed a public record kept by the 77
legislative service commission, legislative staff, or a member 78
of the general assembly for purposes of section 149.43 of the 79
Revised Code, but shall be a confidential record for the use 80
only of legislative staff and the member of the general assembly 81
requesting the public record. 82

Section 2. That existing section 103.13 of the Revised 83
Code is hereby repealed. 84