

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 522

Representatives Abrams, Fraizer

Cosponsors: Representatives Carfagna, Lipps, Patton, Ray, Schmidt, White

A BILL

To amend sections 149.43, 149.45, 315.25, 317.13, 1
319.28, 319.54, 2303.12, and 5713.09 and to 2
enact sections 149.451, 149.452, and 321.25 of 3
the Revised Code to modify the manner in which 4
designated public service worker residential and 5
familial information is protected from 6
disclosure as a public record. 7

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

Section 1. That sections 149.43, 149.45, 315.25, 317.13, 8
319.28, 319.54, 2303.12, and 5713.09 be amended and sections 9
149.451, 149.452, and 321.25 of the Revised Code be enacted to 10
read as follows: 11

Sec. 149.43. (A) As used in this section: 12

(1) "Public record" means records kept by any public 13
office, including, but not limited to, state, county, city, 14
village, township, and school district units, and records 15
pertaining to the delivery of educational services by an 16
alternative school in this state kept by the nonprofit or for- 17
profit entity operating the alternative school pursuant to 18

section 3313.533 of the Revised Code. "Public record" does not	19
mean any of the following:	20
(a) Medical records;	21
(b) Records pertaining to probation and parole	22
proceedings, to proceedings related to the imposition of	23
community control sanctions and post-release control sanctions,	24
or to proceedings related to determinations under section	25
2967.271 of the Revised Code regarding the release or maintained	26
incarceration of an offender to whom that section applies;	27
(c) Records pertaining to actions under section 2151.85	28
and division (C) of section 2919.121 of the Revised Code and to	29
appeals of actions arising under those sections;	30
(d) Records pertaining to adoption proceedings, including	31
the contents of an adoption file maintained by the department of	32
health under sections 3705.12 to 3705.124 of the Revised Code;	33
(e) Information in a record contained in the putative	34
father registry established by section 3107.062 of the Revised	35
Code, regardless of whether the information is held by the	36
department of job and family services or, pursuant to section	37
3111.69 of the Revised Code, the office of child support in the	38
department or a child support enforcement agency;	39
(f) Records specified in division (A) of section 3107.52	40
of the Revised Code;	41
(g) Trial preparation records;	42
(h) Confidential law enforcement investigatory records;	43
(i) Records containing information that is confidential	44
under section 2710.03 or 4112.05 of the Revised Code;	45

(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	46 47
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	48 49 50 51
(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;	52 53 54 55
(m) Intellectual property records;	56
(n) Donor profile records;	57
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	58 59
(p) Designated public service worker residential and familial information, <u>any request filed under division (B) of section 149.451 of the Revised Code, and any real property confidentiality notice submitted under section 149.452 of the Revised Code;</u>	60 61 62 63 64
(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;	65 66 67 68 69
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	70 71
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a	72 73

review conducted pursuant to guidelines established by the 74
director of health under section 3701.70 of the Revised Code, 75
records provided to the board or director, statements made by 76
board members during meetings of the board or by persons 77
participating in the director's review, and all work products of 78
the board or director, and in the case of a child fatality 79
review board, child fatality review data submitted by the board 80
to the department of health or a national child death review 81
database, other than the report prepared pursuant to division 82
(A) of section 307.626 of the Revised Code; 83

(t) Records provided to and statements made by the 84
executive director of a public children services agency or a 85
prosecuting attorney acting pursuant to section 5153.171 of the 86
Revised Code other than the information released under that 87
section; 88

(u) Test materials, examinations, or evaluation tools used 89
in an examination for licensure as a nursing home administrator 90
that the board of executives of long-term services and supports 91
administers under section 4751.15 of the Revised Code or 92
contracts under that section with a private or government entity 93
to administer; 94

(v) Records the release of which is prohibited by state or 95
federal law; 96

(w) Proprietary information of or relating to any person 97
that is submitted to or compiled by the Ohio venture capital 98
authority created under section 150.01 of the Revised Code; 99

(x) Financial statements and data any person submits for 100
any purpose to the Ohio housing finance agency or the 101
controlling board in connection with applying for, receiving, or 102

accounting for financial assistance from the agency, and	103
information that identifies any individual who benefits directly	104
or indirectly from financial assistance from the agency;	105
(y) Records listed in section 5101.29 of the Revised Code;	106
(z) Discharges recorded with a county recorder under	107
section 317.24 of the Revised Code, as specified in division (B)	108
(2) of that section;	109
(aa) Usage information including names and addresses of	110
specific residential and commercial customers of a municipally	111
owned or operated public utility;	112
(bb) Records described in division (C) of section 187.04	113
of the Revised Code that are not designated to be made available	114
to the public as provided in that division;	115
(cc) Information and records that are made confidential,	116
privileged, and not subject to disclosure under divisions (B)	117
and (C) of section 2949.221 of the Revised Code;	118
(dd) Personal information, as defined in section 149.45 of	119
the Revised Code;	120
(ee) The confidential name, address, and other personally	121
identifiable information of a program participant in the address	122
confidentiality program established under sections 111.41 to	123
111.47 of the Revised Code, including the contents of any	124
application for absent voter's ballots, absent voter's ballot	125
identification envelope statement of voter, or provisional	126
ballot affirmation completed by a program participant who has a	127
confidential voter registration record, and records or portions	128
of records pertaining to that program that identify the number	129
of program participants that reside within a precinct, ward,	130
township, municipal corporation, county, or any other geographic	131

area smaller than the state. As used in this division, 132
"confidential address" and "program participant" have the 133
meaning defined in section 111.41 of the Revised Code. 134

(ff) Orders for active military service of an individual 135
serving or with previous service in the armed forces of the 136
United States, including a reserve component, or the Ohio 137
organized militia, except that, such order becomes a public 138
record on the day that is fifteen years after the published date 139
or effective date of the call to order; 140

(gg) The name, address, contact information, or other 141
personal information of an individual who is less than eighteen 142
years of age that is included in any record related to a traffic 143
accident involving a school vehicle in which the individual was 144
an occupant at the time of the accident; 145

(hh) Protected health information, as defined in 45 C.F.R. 146
160.103, that is in a claim for payment for a health care 147
product, service, or procedure, as well as any other health 148
claims data in another document that reveals the identity of an 149
individual who is the subject of the data or could be used to 150
reveal that individual's identity; 151

(ii) Any depiction by photograph, film, videotape, or 152
printed or digital image under either of the following 153
circumstances: 154

(i) The depiction is that of a victim of an offense the 155
release of which would be, to a reasonable person of ordinary 156
sensibilities, an offensive and objectionable intrusion into the 157
victim's expectation of bodily privacy and integrity. 158

(ii) The depiction captures or depicts the victim of a 159
sexually oriented offense, as defined in section 2950.01 of the 160

Revised Code, at the actual occurrence of that offense.	161
(jj) Restricted portions of a body-worn camera or dashboard camera recording;	162 163
(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code.	164 165 166 167 168 169 170 171 172
(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared under section 3738.08 of the Revised Code;	173 174 175 176 177 178 179
(mm) Except as otherwise provided in division (A) (1) (oo) of this section, telephone numbers for a victim, as defined in section 2930.01 of the Revised Code or a witness to a crime that are listed on any law enforcement record or report.	180 181 182 183
(nn) A preneed funeral contract, as defined in section 4717.01 of the Revised Code, and contract terms and personally identifying information of a preneed funeral contract, that is contained in a report submitted by or for a funeral home to the board of embalmers and funeral directors under division (C) of section 4717.13, division (J) of section 4717.31, or section	184 185 186 187 188 189

4717.41 of the Revised Code.	190
(oo) Telephone numbers for a party to a motor vehicle	191
accident subject to the requirements of section 5502.11 of the	192
Revised Code that are listed on any law enforcement record or	193
report, except that the telephone numbers described in this	194
division are not excluded from the definition of "public record"	195
under this division on and after the thirtieth day after the	196
occurrence of the motor vehicle accident.	197
A record that is not a public record under division (A) (1)	198
of this section and that, under law, is permanently retained	199
becomes a public record on the day that is seventy-five years	200
after the day on which the record was created, except for any	201
record protected by the attorney-client privilege, a trial	202
preparation record as defined in this section, a statement	203
prohibiting the release of identifying information signed under	204
section 3107.083 of the Revised Code, a denial of release form	205
filed pursuant to section 3107.46 of the Revised Code, or any	206
record that is exempt from release or disclosure under section	207
149.433 of the Revised Code. If the record is a birth	208
certificate and a biological parent's name redaction request	209
form has been accepted under section 3107.391 of the Revised	210
Code, the name of that parent shall be redacted from the birth	211
certificate before it is released under this paragraph. If any	212
other section of the Revised Code establishes a time period for	213
disclosure of a record that conflicts with the time period	214
specified in this section, the time period in the other section	215
prevails.	216
(2) "Confidential law enforcement investigatory record"	217
means any record that pertains to a law enforcement matter of a	218
criminal, quasi-criminal, civil, or administrative nature, but	219

only to the extent that the release of the record would create a	220
high probability of disclosure of any of the following:	221
(a) The identity of a suspect who has not been charged	222
with the offense to which the record pertains, or of an	223
information source or witness to whom confidentiality has been	224
reasonably promised;	225
(b) Information provided by an information source or	226
witness to whom confidentiality has been reasonably promised,	227
which information would reasonably tend to disclose the source's	228
or witness's identity;	229
(c) Specific confidential investigatory techniques or	230
procedures or specific investigatory work product;	231
(d) Information that would endanger the life or physical	232
safety of law enforcement personnel, a crime victim, a witness,	233
or a confidential information source.	234
(3) "Medical record" means any document or combination of	235
documents, except births, deaths, and the fact of admission to	236
or discharge from a hospital, that pertains to the medical	237
history, diagnosis, prognosis, or medical condition of a patient	238
and that is generated and maintained in the process of medical	239
treatment.	240
(4) "Trial preparation record" means any record that	241
contains information that is specifically compiled in reasonable	242
anticipation of, or in defense of, a civil or criminal action or	243
proceeding, including the independent thought processes and	244
personal trial preparation of an attorney.	245
(5) "Intellectual property record" means a record, other	246
than a financial or administrative record, that is produced or	247
collected by or for faculty or staff of a state institution of	248

higher learning in the conduct of or as a result of study or 249
research on an educational, commercial, scientific, artistic, 250
technical, or scholarly issue, regardless of whether the study 251
or research was sponsored by the institution alone or in 252
conjunction with a governmental body or private concern, and 253
that has not been publicly released, published, or patented. 254

(6) "Donor profile record" means all records about donors 255
or potential donors to a public institution of higher education 256
except the names and reported addresses of the actual donors and 257
the date, amount, and conditions of the actual donation. 258

(7) "Designated public service worker" means a peace 259
officer, parole officer, probation officer, bailiff, prosecuting 260
attorney, assistant prosecuting attorney, correctional employee, 261
county or multicounty corrections officer, community-based 262
correctional facility employee, designated Ohio national guard 263
member, protective services worker, youth services employee, 264
firefighter, EMT, medical director or member of a cooperating 265
physician advisory board of an emergency medical service 266
organization, state board of pharmacy employee, investigator of 267
the bureau of criminal identification and investigation, 268
emergency service telecommunicator, forensic mental health 269
provider, mental health evaluation provider, regional 270
psychiatric hospital employee, judge, magistrate, or federal law 271
enforcement officer. 272

(8) "Designated public service worker residential and 273
familial information" means any information that discloses any 274
of the following about a designated public service worker: 275

(a) The address of the actual personal residence of a 276
designated public service worker, except for the following 277
information: 278

(i) The address of the actual personal residence of a prosecuting attorney or judge; and	279 280
(ii) The state or political subdivision in which a designated public service worker resides.	281 282
(b) Information compiled from referral to or participation in an employee assistance program;	283 284
(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;	285 286 287 288 289
(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;	290 291 292 293
(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;	294 295 296 297 298
(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;	299 300 301 302 303 304
(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	305 306 307

officer's appointing authority.	308
(9) As used in divisions (A) (7) and (15) to (17) of this section:	309 310
"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.	311 312 313 314 315 316
"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.	317 318 319 320
"County or multicounty corrections officer" means any corrections officer employed by any county or multicounty correctional facility.	321 322 323
"Designated Ohio national guard member" means a member of the Ohio national guard who is participating in duties related to remotely piloted aircraft, including, but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, and is designated by the adjutant general as a designated public service worker for those purposes.	324 325 326 327 328 329 330
"Protective services worker" means any employee of a county agency who is responsible for child protective services, child support services, or adult protective services.	331 332 333
"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children	334 335 336

committed to the custody of the department of youth services.	337
"Firefighter" means any regular, paid or volunteer, member	338
of a lawfully constituted fire department of a municipal	339
corporation, township, fire district, or village.	340
"EMT" means EMTs-basic, EMTs-I, and paramedics that	341
provide emergency medical services for a public emergency	342
medical service organization. "Emergency medical service	343
organization," "EMT-basic," "EMT-I," and "paramedic" have the	344
meanings defined in section 4765.01 of the Revised Code.	345
"Investigator of the bureau of criminal identification and	346
investigation" has the meaning defined in section 2903.11 of the	347
Revised Code.	348
"Emergency service telecommunicator" has the meaning	349
defined in section 4742.01 of the Revised Code.	350
"Forensic mental health provider" means any employee of a	351
community mental health service provider or local alcohol, drug	352
addiction, and mental health services board who, in the course	353
of the employee's duties, has contact with persons committed to	354
a local alcohol, drug addiction, and mental health services	355
board by a court order pursuant to section 2945.38, 2945.39,	356
2945.40, or 2945.402 of the Revised Code.	357
"Mental health evaluation provider" means an individual	358
who, under Chapter 5122. of the Revised Code, examines a	359
respondent who is alleged to be a mentally ill person subject to	360
court order, as defined in section 5122.01 of the Revised Code,	361
and reports to the probate court the respondent's mental	362
condition.	363
"Regional psychiatric hospital employee" means any	364
employee of the department of mental health and addiction	365

services who, in the course of performing the employee's duties, 366
has contact with patients committed to the department of mental 367
health and addiction services by a court order pursuant to 368
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 369
Code. 370

"Federal law enforcement officer" has the meaning defined 371
in section 9.88 of the Revised Code. 372

(10) "Information pertaining to the recreational 373
activities of a person under the age of eighteen" means 374
information that is kept in the ordinary course of business by a 375
public office, that pertains to the recreational activities of a 376
person under the age of eighteen years, and that discloses any 377
of the following: 378

(a) The address or telephone number of a person under the 379
age of eighteen or the address or telephone number of that 380
person's parent, guardian, custodian, or emergency contact 381
person; 382

(b) The social security number, birth date, or 383
photographic image of a person under the age of eighteen; 384

(c) Any medical record, history, or information pertaining 385
to a person under the age of eighteen; 386

(d) Any additional information sought or required about a 387
person under the age of eighteen for the purpose of allowing 388
that person to participate in any recreational activity 389
conducted or sponsored by a public office or to use or obtain 390
admission privileges to any recreational facility owned or 391
operated by a public office. 392

(11) "Community control sanction" has the meaning defined 393
in section 2929.01 of the Revised Code. 394

(12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code.	395 396
(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.	397 398 399 400
(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.	401 402
(15) "Body-worn camera" means a visual and audio recording device worn on the person of a peace officer while the peace officer is engaged in the performance of the peace officer's duties.	403 404 405 406
(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.	407 408 409 410
(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:	411 412 413 414
(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 law enforcement agency knows or has reason to know the person is a child based on the law enforcement agency's records or the content of the recording;	415 416 417 418 419
(b) The death of a person or a deceased person's body, unless the death was caused by a peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;	420 421 422 423

(c) The death of a peace officer, firefighter, paramedic,	424
or other first responder, occurring while the decedent was	425
engaged in the performance of official duties, unless, subject	426
to division (H) (1) of this section, the consent of the	427
decedent's executor or administrator has been obtained;	428
(d) Grievous bodily harm, unless the injury was effected	429
by a peace officer or, subject to division (H) (1) of this	430
section, the consent of the injured person or the injured	431
person's guardian has been obtained;	432
(e) An act of severe violence against a person that	433
results in serious physical harm to the person, unless the act	434
and injury was effected by a peace officer or, subject to	435
division (H) (1) of this section, the consent of the injured	436
person or the injured person's guardian has been obtained;	437
(f) Grievous bodily harm to a peace officer, firefighter,	438
paramedic, or other first responder, occurring while the injured	439
person was engaged in the performance of official duties,	440
unless, subject to division (H) (1) of this section, the consent	441
of the injured person or the injured person's guardian has been	442
obtained;	443
(g) An act of severe violence resulting in serious	444
physical harm against a peace officer, firefighter, paramedic,	445
or other first responder, occurring while the injured person was	446
engaged in the performance of official duties, unless, subject	447
to division (H) (1) of this section, the consent of the injured	448
person or the injured person's guardian has been obtained;	449
(h) A person's nude body, unless, subject to division (H)	450
(1) of this section, the person's consent has been obtained;	451
(i) Protected health information, the identity of a person	452

in a health care facility who is not the subject of a law 453
enforcement encounter, or any other information in a health care 454
facility that could identify a person who is not the subject of 455
a law enforcement encounter; 456

(j) Information that could identify the alleged victim of 457
a sex offense, menacing by stalking, or domestic violence; 458

(k) Information, that does not constitute a confidential 459
law enforcement investigatory record, that could identify a 460
person who provides sensitive or confidential information to a 461
law enforcement agency when the disclosure of the person's 462
identity or the information provided could reasonably be 463
expected to threaten or endanger the safety or property of the 464
person or another person; 465

(l) Personal information of a person who is not arrested, 466
cited, charged, or issued a written warning by a peace officer; 467

(m) Proprietary police contingency plans or tactics that 468
are intended to prevent crime and maintain public order and 469
safety; 470

(n) A personal conversation unrelated to work between 471
peace officers or between a peace officer and an employee of a 472
law enforcement agency; 473

(o) A conversation between a peace officer and a member of 474
the public that does not concern law enforcement activities; 475

(p) The interior of a residence, unless the interior of a 476
residence is the location of an adversarial encounter with, or a 477
use of force by, a peace officer; 478

(q) Any portion of the interior of a private business that 479
is not open to the public, unless an adversarial encounter with, 480

or a use of force by, a peace officer occurs in that location. 481

As used in division (A) (17) of this section: 482

"Grievous bodily harm" has the same meaning as in section 483
5924.120 of the Revised Code. 484

"Health care facility" has the same meaning as in section 485
1337.11 of the Revised Code. 486

"Protected health information" has the same meaning as in 487
45 C.F.R. 160.103. 488

"Law enforcement agency" has the same meaning as in 489
section 2925.61 of the Revised Code. 490

"Personal information" means any government-issued 491
identification number, date of birth, address, financial 492
information, or criminal justice information from the law 493
enforcement automated data system or similar databases. 494

"Sex offense" has the same meaning as in section 2907.10 495
of the Revised Code. 496

"Firefighter," "paramedic," and "first responder" have the 497
same meanings as in section 4765.01 of the Revised Code. 498

(B) (1) Upon request by any person and subject to division 499
(B) (8) of this section, all public records responsive to the 500
request shall be promptly prepared and made available for 501
inspection to the requester at all reasonable times during 502
regular business hours. Subject to division (B) (8) of this 503
section, upon request by any person, a public office or person 504
responsible for public records shall make copies of the 505
requested public record available to the requester at cost and 506
within a reasonable period of time. If a public record contains 507
information that is exempt from the duty to permit public 508

inspection or to copy the public record, the public office or 509
the person responsible for the public record shall make 510
available all of the information within the public record that 511
is not exempt. When making that public record available for 512
public inspection or copying that public record, the public 513
office or the person responsible for the public record shall 514
notify the requester of any redaction or make the redaction 515
plainly visible. A redaction shall be deemed a denial of a 516
request to inspect or copy the redacted information, except if 517
federal or state law authorizes or requires a public office to 518
make the redaction. 519

(2) To facilitate broader access to public records, a 520
public office or the person responsible for public records shall 521
organize and maintain public records in a manner that they can 522
be made available for inspection or copying in accordance with 523
division (B) of this section. A public office also shall have 524
available a copy of its current records retention schedule at a 525
location readily available to the public. If a requester makes 526
an ambiguous or overly broad request or has difficulty in making 527
a request for copies or inspection of public records under this 528
section such that the public office or the person responsible 529
for the requested public record cannot reasonably identify what 530
public records are being requested, the public office or the 531
person responsible for the requested public record may deny the 532
request but shall provide the requester with an opportunity to 533
revise the request by informing the requester of the manner in 534
which records are maintained by the public office and accessed 535
in the ordinary course of the public office's or person's 536
duties. 537

(3) If a request is ultimately denied, in part or in 538
whole, the public office or the person responsible for the 539

requested public record shall provide the requester with an 540
explanation, including legal authority, setting forth why the 541
request was denied. If the initial request was provided in 542
writing, the explanation also shall be provided to the requester 543
in writing. The explanation shall not preclude the public office 544
or the person responsible for the requested public record from 545
relying upon additional reasons or legal authority in defending 546
an action commenced under division (C) of this section. 547

(4) Unless specifically required or authorized by state or 548
federal law or in accordance with division (B) of this section, 549
no public office or person responsible for public records may 550
limit or condition the availability of public records by 551
requiring disclosure of the requester's identity or the intended 552
use of the requested public record. Any requirement that the 553
requester disclose the requester's identity or the intended use 554
of the requested public record constitutes a denial of the 555
request. 556

(5) A public office or person responsible for public 557
records may ask a requester to make the request in writing, may 558
ask for the requester's identity, and may inquire about the 559
intended use of the information requested, but may do so only 560
after disclosing to the requester that a written request is not 561
mandatory, that the requester may decline to reveal the 562
requester's identity or the intended use, and when a written 563
request or disclosure of the identity or intended use would 564
benefit the requester by enhancing the ability of the public 565
office or person responsible for public records to identify, 566
locate, or deliver the public records sought by the requester. 567

(6) If any person requests a copy of a public record in 568
accordance with division (B) of this section, the public office 569

or person responsible for the public record may require the 570
requester to pay in advance the cost involved in providing the 571
copy of the public record in accordance with the choice made by 572
the requester under this division. The public office or the 573
person responsible for the public record shall permit the 574
requester to choose to have the public record duplicated upon 575
paper, upon the same medium upon which the public office or 576
person responsible for the public record keeps it, or upon any 577
other medium upon which the public office or person responsible 578
for the public record determines that it reasonably can be 579
duplicated as an integral part of the normal operations of the 580
public office or person responsible for the public record. When 581
the requester makes a choice under this division, the public 582
office or person responsible for the public record shall provide 583
a copy of it in accordance with the choice made by the 584
requester. Nothing in this section requires a public office or 585
person responsible for the public record to allow the requester 586
of a copy of the public record to make the copies of the public 587
record. 588

(7) (a) Upon a request made in accordance with division (B) 589
of this section and subject to division (B) (6) of this section, 590
a public office or person responsible for public records shall 591
transmit a copy of a public record to any person by United 592
States mail or by any other means of delivery or transmission 593
within a reasonable period of time after receiving the request 594
for the copy. The public office or person responsible for the 595
public record may require the person making the request to pay 596
in advance the cost of postage if the copy is transmitted by 597
United States mail or the cost of delivery if the copy is 598
transmitted other than by United States mail, and to pay in 599
advance the costs incurred for other supplies used in the 600

mailing, delivery, or transmission. 601

(b) Any public office may adopt a policy and procedures 602
that it will follow in transmitting, within a reasonable period 603
of time after receiving a request, copies of public records by 604
United States mail or by any other means of delivery or 605
transmission pursuant to division (B) (7) of this section. A 606
public office that adopts a policy and procedures under division 607
(B) (7) of this section shall comply with them in performing its 608
duties under that division. 609

(c) In any policy and procedures adopted under division 610
(B) (7) of this section: 611

(i) A public office may limit the number of records 612
requested by a person that the office will physically deliver by 613
United States mail or by another delivery service to ten per 614
month, unless the person certifies to the office in writing that 615
the person does not intend to use or forward the requested 616
records, or the information contained in them, for commercial 617
purposes; 618

(ii) A public office that chooses to provide some or all 619
of its public records on a web site that is fully accessible to 620
and searchable by members of the public at all times, other than 621
during acts of God outside the public office's control or 622
maintenance, and that charges no fee to search, access, 623
download, or otherwise receive records provided on the web site, 624
may limit to ten per month the number of records requested by a 625
person that the office will deliver in a digital format, unless 626
the requested records are not provided on the web site and 627
unless the person certifies to the office in writing that the 628
person does not intend to use or forward the requested records, 629
or the information contained in them, for commercial purposes. 630

(iii) For purposes of division (B)(7) of this section, 631
"commercial" shall be narrowly construed and does not include 632
reporting or gathering news, reporting or gathering information 633
to assist citizen oversight or understanding of the operation or 634
activities of government, or nonprofit educational research. 635

(8) A public office or person responsible for public 636
records is not required to permit a person who is incarcerated 637
pursuant to a criminal conviction or a juvenile adjudication to 638
inspect or to obtain a copy of any public record concerning a 639
criminal investigation or prosecution or concerning what would 640
be a criminal investigation or prosecution if the subject of the 641
investigation or prosecution were an adult, unless the request 642
to inspect or to obtain a copy of the record is for the purpose 643
of acquiring information that is subject to release as a public 644
record under this section and the judge who imposed the sentence 645
or made the adjudication with respect to the person, or the 646
judge's successor in office, finds that the information sought 647
in the public record is necessary to support what appears to be 648
a justiciable claim of the person. 649

(9) (a) Upon written request made and signed by a 650
journalist, a public office, or person responsible for public 651
records, having custody of the records of the agency employing a 652
specified designated public service worker shall disclose to the 653
journalist the address of the actual personal residence of the 654
designated public service worker and, if the designated public 655
service worker's spouse, former spouse, or child is employed by 656
a public office, the name and address of the employer of the 657
designated public service worker's spouse, former spouse, or 658
child. The request shall include the journalist's name and title 659
and the name and address of the journalist's employer and shall 660
state that disclosure of the information sought would be in the 661

public interest. 662

(b) Division (B) (9) (a) of this section also applies to 663
journalist requests for: 664

(i) Customer information maintained by a municipally owned 665
or operated public utility, other than social security numbers 666
and any private financial information such as credit reports, 667
payment methods, credit card numbers, and bank account 668
information; 669

(ii) Information about minors involved in a school vehicle 670
accident as provided in division (A) (1) (gg) of this section, 671
other than personal information as defined in section 149.45 of 672
the Revised Code. 673

(c) As used in division (B) (9) of this section, 674
"journalist" means a person engaged in, connected with, or 675
employed by any news medium, including a newspaper, magazine, 676
press association, news agency, or wire service, a radio or 677
television station, or a similar medium, for the purpose of 678
gathering, processing, transmitting, compiling, editing, or 679
disseminating information for the general public. 680

(10) Upon a request made by a victim, victim's attorney, 681
or victim's representative, as that term is used in section 682
2930.02 of the Revised Code, a public office or person 683
responsible for public records shall transmit a copy of a 684
depiction of the victim as described in division (A) (1) (ii) of 685
this section to the victim, victim's attorney, or victim's 686
representative. 687

(C) (1) If a person allegedly is aggrieved by the failure 688
of a public office or the person responsible for public records 689
to promptly prepare a public record and to make it available to 690

the person for inspection in accordance with division (B) of 691
this section or by any other failure of a public office or the 692
person responsible for public records to comply with an 693
obligation in accordance with division (B) of this section, the 694
person allegedly aggrieved may do only one of the following, and 695
not both: 696

(a) File a complaint with the clerk of the court of claims 697
or the clerk of the court of common pleas under section 2743.75 698
of the Revised Code; 699

(b) Commence a mandamus action to obtain a judgment that 700
orders the public office or the person responsible for the 701
public record to comply with division (B) of this section, that 702
awards court costs and reasonable attorney's fees to the person 703
that instituted the mandamus action, and, if applicable, that 704
includes an order fixing statutory damages under division (C) (2) 705
of this section. The mandamus action may be commenced in the 706
court of common pleas of the county in which division (B) of 707
this section allegedly was not complied with, in the supreme 708
court pursuant to its original jurisdiction under Section 2 of 709
Article IV, Ohio Constitution, or in the court of appeals for 710
the appellate district in which division (B) of this section 711
allegedly was not complied with pursuant to its original 712
jurisdiction under Section 3 of Article IV, Ohio Constitution. 713

(2) If a requester transmits a written request by hand 714
delivery, electronic submission, or certified mail to inspect or 715
receive copies of any public record in a manner that fairly 716
describes the public record or class of public records to the 717
public office or person responsible for the requested public 718
records, except as otherwise provided in this section, the 719
requester shall be entitled to recover the amount of statutory 720

damages set forth in this division if a court determines that 721
the public office or the person responsible for public records 722
failed to comply with an obligation in accordance with division 723
(B) of this section. 724

The amount of statutory damages shall be fixed at one 725
hundred dollars for each business day during which the public 726
office or person responsible for the requested public records 727
failed to comply with an obligation in accordance with division 728
(B) of this section, beginning with the day on which the 729
requester files a mandamus action to recover statutory damages, 730
up to a maximum of one thousand dollars. The award of statutory 731
damages shall not be construed as a penalty, but as compensation 732
for injury arising from lost use of the requested information. 733
The existence of this injury shall be conclusively presumed. The 734
award of statutory damages shall be in addition to all other 735
remedies authorized by this section. 736

The court may reduce an award of statutory damages or not 737
award statutory damages if the court determines both of the 738
following: 739

(a) That, based on the ordinary application of statutory 740
law and case law as it existed at the time of the conduct or 741
threatened conduct of the public office or person responsible 742
for the requested public records that allegedly constitutes a 743
failure to comply with an obligation in accordance with division 744
(B) of this section and that was the basis of the mandamus 745
action, a well-informed public office or person responsible for 746
the requested public records reasonably would believe that the 747
conduct or threatened conduct of the public office or person 748
responsible for the requested public records did not constitute 749
a failure to comply with an obligation in accordance with 750

division (B) of this section; 751

(b) That a well-informed public office or person 752
responsible for the requested public records reasonably would 753
believe that the conduct or threatened conduct of the public 754
office or person responsible for the requested public records 755
would serve the public policy that underlies the authority that 756
is asserted as permitting that conduct or threatened conduct. 757

(3) In a mandamus action filed under division (C) (1) of 758
this section, the following apply: 759

(a) (i) If the court orders the public office or the person 760
responsible for the public record to comply with division (B) of 761
this section, the court shall determine and award to the relator 762
all court costs, which shall be construed as remedial and not 763
punitive. 764

(ii) If the court makes a determination described in 765
division (C) (3) (b) (iii) of this section, the court shall 766
determine and award to the relator all court costs, which shall 767
be construed as remedial and not punitive. 768

(b) If the court renders a judgment that orders the public 769
office or the person responsible for the public record to comply 770
with division (B) of this section or if the court determines any 771
of the following, the court may award reasonable attorney's fees 772
to the relator, subject to division (C) (4) of this section: 773

(i) The public office or the person responsible for the 774
public records failed to respond affirmatively or negatively to 775
the public records request in accordance with the time allowed 776
under division (B) of this section. 777

(ii) The public office or the person responsible for the 778
public records promised to permit the relator to inspect or 779

receive copies of the public records requested within a 780
specified period of time but failed to fulfill that promise 781
within that specified period of time. 782

(iii) The public office or the person responsible for the 783
public records acted in bad faith when the office or person 784
voluntarily made the public records available to the relator for 785
the first time after the relator commenced the mandamus action, 786
but before the court issued any order concluding whether or not 787
the public office or person was required to comply with division 788
(B) of this section. No discovery may be conducted on the issue 789
of the alleged bad faith of the public office or person 790
responsible for the public records. This division shall not be 791
construed as creating a presumption that the public office or 792
the person responsible for the public records acted in bad faith 793
when the office or person voluntarily made the public records 794
available to the relator for the first time after the relator 795
commenced the mandamus action, but before the court issued any 796
order described in this division. 797

(c) The court shall not award attorney's fees to the 798
relator if the court determines both of the following: 799

(i) That, based on the ordinary application of statutory 800
law and case law as it existed at the time of the conduct or 801
threatened conduct of the public office or person responsible 802
for the requested public records that allegedly constitutes a 803
failure to comply with an obligation in accordance with division 804
(B) of this section and that was the basis of the mandamus 805
action, a well-informed public office or person responsible for 806
the requested public records reasonably would believe that the 807
conduct or threatened conduct of the public office or person 808
responsible for the requested public records did not constitute 809

a failure to comply with an obligation in accordance with 810
division (B) of this section; 811

(ii) That a well-informed public office or person 812
responsible for the requested public records reasonably would 813
believe that the conduct or threatened conduct of the public 814
office or person responsible for the requested public records 815
would serve the public policy that underlies the authority that 816
is asserted as permitting that conduct or threatened conduct. 817

(4) All of the following apply to any award of reasonable 818
attorney's fees awarded under division (C) (3) (b) of this 819
section: 820

(a) The fees shall be construed as remedial and not 821
punitive. 822

(b) The fees awarded shall not exceed the total of the 823
reasonable attorney's fees incurred before the public record was 824
made available to the relator and the fees described in division 825
(C) (4) (c) of this section. 826

(c) Reasonable attorney's fees shall include reasonable 827
fees incurred to produce proof of the reasonableness and amount 828
of the fees and to otherwise litigate entitlement to the fees. 829

(d) The court may reduce the amount of fees awarded if the 830
court determines that, given the factual circumstances involved 831
with the specific public records request, an alternative means 832
should have been pursued to more effectively and efficiently 833
resolve the dispute that was subject to the mandamus action 834
filed under division (C) (1) of this section. 835

(5) If the court does not issue a writ of mandamus under 836
division (C) of this section and the court determines at that 837
time that the bringing of the mandamus action was frivolous 838

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 provisions of this section.

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

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

The public office shall distribute the public records

policy adopted by the public office under this division to the 869
employee of the public office who is the records custodian or 870
records manager or otherwise has custody of the records of that 871
office. The public office shall require that employee to 872
acknowledge receipt of the copy of the public records policy. 873
The public office shall create a poster that describes its 874
public records policy and shall post the poster in a conspicuous 875
place in the public office and in all locations where the public 876
office has branch offices. The public office may post its public 877
records policy on the internet web site of the public office if 878
the public office maintains an internet web site. A public 879
office that has established a manual or handbook of its general 880
policies and procedures for all employees of the public office 881
shall include the public records policy of the public office in 882
the manual or handbook. 883

(F) (1) The bureau of motor vehicles may adopt rules 884
pursuant to Chapter 119. of the Revised Code to reasonably limit 885
the number of bulk commercial special extraction requests made 886
by a person for the same records or for updated records during a 887
calendar year. The rules may include provisions for charges to 888
be made for bulk commercial special extraction requests for the 889
actual cost of the bureau, plus special extraction costs, plus 890
ten per cent. The bureau may charge for expenses for redacting 891
information, the release of which is prohibited by law. 892

(2) As used in division (F) (1) of this section: 893

(a) "Actual cost" means the cost of depleted supplies, 894
records storage media costs, actual mailing and alternative 895
delivery costs, or other transmitting costs, and any direct 896
equipment operating and maintenance costs, including actual 897
costs paid to private contractors for copying services. 898

(b) "Bulk commercial special extraction request" means a 899
request for copies of a record for information in a format other 900
than the format already available, or information that cannot be 901
extracted without examination of all items in a records series, 902
class of records, or database by a person who intends to use or 903
forward the copies for surveys, marketing, solicitation, or 904
resale for commercial purposes. "Bulk commercial special 905
extraction request" does not include a request by a person who 906
gives assurance to the bureau that the person making the request 907
does not intend to use or forward the requested copies for 908
surveys, marketing, solicitation, or resale for commercial 909
purposes. 910

(c) "Commercial" means profit-seeking production, buying, 911
or selling of any good, service, or other product. 912

(d) "Special extraction costs" means the cost of the time 913
spent by the lowest paid employee competent to perform the task, 914
the actual amount paid to outside private contractors employed 915
by the bureau, or the actual cost incurred to create computer 916
programs to make the special extraction. "Special extraction 917
costs" include any charges paid to a public agency for computer 918
or records services. 919

(3) For purposes of divisions (F) (1) and (2) of this 920
section, "surveys, marketing, solicitation, or resale for 921
commercial purposes" shall be narrowly construed and does not 922
include reporting or gathering news, reporting or gathering 923
information to assist citizen oversight or understanding of the 924
operation or activities of government, or nonprofit educational 925
research. 926

(G) A request by a defendant, counsel of a defendant, or 927
any agent of a defendant in a criminal action that public 928

records related to that action be made available under this 929
section shall be considered a demand for discovery pursuant to 930
the Criminal Rules, except to the extent that the Criminal Rules 931
plainly indicate a contrary intent. The defendant, counsel of 932
the defendant, or agent of the defendant making a request under 933
this division shall serve a copy of the request on the 934
prosecuting attorney, director of law, or other chief legal 935
officer responsible for prosecuting the action. 936

(H) (1) Any portion of a body-worn camera or dashboard 937
camera recording described in divisions (A) (17) (b) to (h) of 938
this section may be released by consent of the subject of the 939
recording or a representative of that person, as specified in 940
those divisions, only if either of the following applies: 941

(a) The recording will not be used in connection with any 942
probable or pending criminal proceedings; 943

(b) The recording has been used in connection with a 944
criminal proceeding that was dismissed or for which a judgment 945
has been entered pursuant to Rule 32 of the Rules of Criminal 946
Procedure, and will not be used again in connection with any 947
probable or pending criminal proceedings. 948

(2) If a public office denies a request to release a 949
restricted portion of a body-worn camera or dashboard camera 950
recording, as defined in division (A) (17) of this section, any 951
person may file a mandamus action pursuant to this section or a 952
complaint with the clerk of the court of claims pursuant to 953
section 2743.75 of the Revised Code, requesting the court to 954
order the release of all or portions of the recording. If the 955
court considering the request determines that the filing 956
articulates by clear and convincing evidence that the public 957
interest in the recording substantially outweighs privacy 958

interests and other interests asserted to deny release, the 959
court shall order the public office to release the recording. 960

Sec. 149.45. (A) As used in this section: 961

(1) "Personal information" means any of the following: 962

(a) An individual's social security number; 963

(b) An individual's state or federal tax identification 964
number; 965

(c) An individual's driver's license number or state 966
identification number; 967

(d) An individual's checking account number, savings 968
account number, credit card number, or debit card number; 969

(e) An individual's demand deposit account number, money 970
market account number, mutual fund account number, or any other 971
financial or medical account number. 972

(2) "Public record," ~~"designated public service worker,"~~ 973
~~and "designated public service worker residential and familial-~~ 974
~~information" have has the ~~meanings~~ meaning defined in section 975
149.43 of the Revised Code. 976~~

(3) "Truncate" means to redact all but the last four 977
digits of an individual's social security number. 978

(B) (1) No public office or person responsible for a public 979
office's public records shall make available to the general 980
public on the internet any document that contains an 981
individual's social security number without otherwise redacting, 982
encrypting, or truncating the social security number. 983

(2) A public office or person responsible for a public 984
office's public records that, prior to October 17, 2011, made 985

available to the general public on the internet any document 986
that contains an individual's social security number shall 987
redact, encrypt, or truncate the social security number from 988
that document. 989

(3) Divisions (B)(1) and (2) of this section do not apply 990
to documents that are only accessible through the internet with 991
a password. 992

(C)(1) An individual may request that a public office or a 993
person responsible for a public office's public records redact 994
personal information of that individual from any record made 995
available to the general public on the internet. An individual 996
who makes a request for redaction pursuant to this division 997
shall make the request in writing on a form developed by the 998
attorney general and shall specify the personal information to 999
be redacted and provide any information that identifies the 1000
location of that personal information within a document that 1001
contains that personal information. 1002

(2) Upon receiving a request for a redaction pursuant to 1003
division (C)(1) of this section, a public office or a person 1004
responsible for a public office's public records shall act 1005
within five business days in accordance with the request to 1006
redact the personal information of the individual from any 1007
record made available to the general public on the internet, if 1008
practicable. If a redaction is not practicable, the public 1009
office or person responsible for the public office's public 1010
records shall verbally or in writing within five business days 1011
after receiving the written request explain to the individual 1012
why the redaction is impracticable. 1013

(3) The attorney general shall develop a form to be used 1014
by an individual to request a redaction pursuant to division (C) 1015

(1) of this section. The form shall include a place to provide 1016
any information that identifies the location of the personal 1017
information to be redacted. 1018

~~(D) (1) A designated public service worker may request that 1019
a public office, other than a county auditor, or a person 1020
responsible for the public records of a public office, other 1021
than a county auditor, redact the designated public service 1022
worker's address from any record made available to the general 1023
public on the internet that includes designated public service 1024
worker residential and familial information of the designated 1025
public service worker making the request. A designated public 1026
service worker who makes a request for a redaction pursuant to 1027
this division shall make the request in writing and on a form 1028
developed by the attorney general. 1029~~

~~(2) Upon receiving a written request for a redaction 1030
pursuant to division (D) (1) of this section, a public office, 1031
other than a county auditor, or a person responsible for the 1032
public records of a public office, other than a county auditor, 1033
shall act within five business days in accordance with the 1034
request to redact the address of the designated public service 1035
worker making the request from any record made available to the 1036
general public on the internet that includes designated public 1037
service worker residential and familial information of the 1038
designated public service worker making the request, if 1039
practicable. If a redaction is not practicable, the public 1040
office or person responsible for the public office's public 1041
records shall verbally or in writing within five business days 1042
after receiving the written request explain to the designated 1043
public service worker why the redaction is impracticable. 1044~~

~~(3) Except as provided in this section and section 319.29 1045~~

~~of the Revised Code, a public office, other than an employer of
a designated public service worker, or a person responsible for
the public records of the employer, is not required to redact
designated public service worker residential and familial
information of the designated public service worker from other
records maintained by the public office.~~

~~(4) The attorney general shall develop a form to be used
by a designated public service worker to request a redaction
pursuant to division (D) (1) of this section. The form shall
include a place to provide any information that identifies the
location of the address of the designated public service worker
to be redacted.~~

~~(E) (1) If a public office or a person responsible for a
public office's public records becomes aware that an electronic
record of that public office that is made available to the
general public on the internet contains an individual's social
security number that was mistakenly not redacted, encrypted, or
truncated as required by division (B) (1) or (2) of this section,
the public office or person responsible for the public office's
public records shall redact, encrypt, or truncate the
individual's social security number within a reasonable period
of time.~~

(2) A public office or a person responsible for a public
office's public records is not liable in damages in a civil
action for any harm an individual allegedly sustains as a result
of the inclusion of that individual's personal information on
any record made available to the general public on the internet
~~or any harm a designated public service worker sustains as a
result of the inclusion of the designated public service
worker's address on any record made available to the general~~

~~public on the internet~~ in violation of this section, unless the 1076
public office or person responsible for the public office's 1077
public records acted with malicious purpose, in bad faith, or in 1078
a wanton or reckless manner or unless division (A) (6) (a) or (c) 1079
of section 2744.03 of the Revised Code applies. 1080

Sec. 149.451. (A) As used in this section and section 1081
149.452 of the Revised Code, "designated public service worker" 1082
and "designated public service worker residential and familial 1083
information" have the meanings defined in section 149.43 of the 1084
Revised Code. 1085

(B) (1) Except as otherwise provided in section 149.452 of 1086
the Revised Code, a designated public service worker or the 1087
spouse, former spouse, or child of a designated public service 1088
worker may request that a public office redact the applicant's 1089
designated public service worker residential and familial 1090
information from any record the public office makes available to 1091
the public. 1092

(2) A request under division (B) (1) of this section shall 1093
be submitted in writing on a form prescribed by the attorney 1094
general. The form shall include spaces for the applicant to 1095
provide all of the following: 1096

(a) The designated public service worker's full name, 1097
occupation, and employer; 1098

(b) The applicant's full name, if the applicant is not the 1099
designated public service worker; 1100

(c) The applicant's relationship to the designated public 1101
service worker, if applicable; 1102

(d) The applicant's contact information; 1103

(e) The nature and location of the designated public service worker residential and familial information to be redacted. 1104
1105
1106

(3) Not later than five business days after receiving a request under division (B)(1) of this section, the public office shall redact the designated public service worker residential and familial information. 1107
1108
1109
1110

(4) If either of the following occur, the public office shall restore the previously redacted information: 1111
1112

(a) The public office becomes aware that the designated public service worker no longer qualifies as a designated public service worker. 1113
1114
1115

(b) The applicant under division (B)(1) of this section submits a notarized revocation to the public office on a form prescribed by the attorney general. 1116
1117
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(C) A public office or a person responsible for a public office's public records is not liable in damages in a civil action for any harm a designated public service worker or the spouse, former spouse, or child of a designated public service worker sustains as a result of the inclusion of designated public service worker residential and familial information on any record made available to the public in violation of this section, unless the public office or person responsible for the public office's public records acted with malicious purpose, in bad faith, or in a wanton or reckless manner or unless division (A)(6)(a) or (c) of section 2744.03 of the Revised Code applies. 1119
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Sec. 149.452. (A)(1) Any of the following persons who has an ownership interest in real property in this state that is the person's actual personal residence may submit a real property 1130
1131
1132

confidentiality notice to the county recorder of the county in 1133
which the real property is located: 1134

(a) A designated public service worker, other than a judge 1135
or a prosecuting attorney, or the designated public service 1136
worker's spouse, former spouse, or child; 1137

(b) The spouse, former spouse, or child of a judge or a 1138
prosecuting attorney, if the real property is not the actual 1139
personal residence of the judge or prosecuting attorney. 1140

(2) The real property confidentiality notice shall be on a 1141
form prescribed by the attorney general and shall include all of 1142
the following: 1143

(a) The designated public service worker's full name, 1144
occupation, and employer; 1145

(b) The applicant's full name, if the applicant is not the 1146
designated public service worker; 1147

(c) The applicant's relationship to the designated public 1148
service worker, if applicable; 1149

(d) The full name of any other person who has an ownership 1150
interest in the real property and who is a designated public 1151
service worker or the spouse, former spouse, or child of a 1152
designated public service worker; 1153

(e) The last four digits of the applicant's social 1154
security number; 1155

(f) The legal description and street address of the real 1156
property, which shall be the same as the legal description and 1157
street address included on any instrument concerning the real 1158
property that includes the applicant's name and that has been 1159
presented to the county recorder for recording; 1160

- (g) The applicant's preferred mailing address, if 1161
different from the address of the real property; 1162
- (h) The applicant's notarized signature. 1163
- (B) When the county recorder receives a properly completed 1164
real property confidentiality notice under division (A) of this 1165
section, the county recorder promptly shall do both of the 1166
following: 1167
- (1) Obscure the name of the applicant and, if applicable, 1168
any other person with an ownership interest in the real property 1169
who is a designated public service worker or the spouse, former 1170
spouse, or child of a designated public service worker by one of 1171
the following methods: 1172
- (a) Assigning a fictitious name to each such person and 1173
adding the fictitious name or names to the notice; 1174
- (b) Changing the name of each such person to the person's 1175
initials and noting that fact on the notice. 1176
- (2) Transmit copies of the notice to the county auditor, 1177
treasurer, and engineer. 1178
- (C) (1) Except as otherwise provided in this section, after 1179
a person has submitted a properly completed real property 1180
confidentiality notice under division (A) of this section, the 1181
county recorder, auditor, treasurer, and engineer shall not 1182
disclose any of the following to any person: 1183
- (a) The name, telephone number, or electronic mail address 1184
of any person named in the notice, or any other information that 1185
may be used to identify a person named in the notice, in 1186
conjunction with the legal description, parcel identification 1187
number, or street address of the real property or any other 1188

information that may be used to identify the real property; 1189

(b) Any image of the signature of a person named in the 1190
notice, regardless of whether the signature is presented in 1191
conjunction with other information about the person or the 1192
person's real property. 1193

(2) Not later than five business days after receiving a 1194
real property confidentiality notice under this section, the 1195
county recorder, auditor, treasurer, and engineer shall bring 1196
any existing publicly available records or databases into 1197
conformity with this section. 1198

(3) If a designated public service worker or the 1199
designated public service worker's spouse, former spouse, or 1200
child is a party to a court of common pleas proceeding, the 1201
person may provide a properly completed real property 1202
confidentiality notice to the clerk of the court of common 1203
pleas. Upon such notice, the clerk shall not disclose to any 1204
person the information described in division (C)(1)(a) of this 1205
section. 1206

(D) The county recorder, auditor, treasurer, or engineer 1207
or the clerk of the court of common pleas may disclose the 1208
information described in division (C)(1) of this section if any 1209
of the following apply: 1210

(1) The information is disclosed to the staff of the 1211
county recorder, auditor, treasurer, or engineer or the staff of 1212
the clerk of the court of common pleas in order to carry out the 1213
duties of the office. 1214

(2) The person who submitted the notice is the person to 1215
whom the information is to be disclosed. 1216

(3) The person who submitted the notice provides a 1217

notarized statement authorizing the disclosure to another person 1218
for a specific purpose described in the statement. 1219

(4) The person to whom the information is to be disclosed 1220
is authorized under division (E) of this section to perform a 1221
title examination. 1222

(5) A court of competent jurisdiction orders the 1223
disclosure. 1224

(E) (1) A person who requires access to the information 1225
described in division (C) (1) of this section for the purpose of 1226
performing a title examination may apply to the county recorder 1227
for authorization. 1228

(2) The person shall submit to the county recorder, on a 1229
form prescribed by the attorney general, a written application 1230
that includes all of the following: 1231

(a) The applicant's name, title, address, and affiliated 1232
organization, if any; 1233

(b) The purpose for which the applicant is requesting 1234
access to the information; 1235

(c) The applicant's relationship to the designated public 1236
service worker or the designated public service worker's spouse, 1237
former spouse, or child, if any; 1238

(d) A legal description of the real property subject to 1239
the title examination; 1240

(e) A statement that the applicant will treat the 1241
information as confidential and will use the information only 1242
for the purpose identified in the application; 1243

(f) The applicant's signature; 1244

(g) Any other information required by the attorney 1245
general. 1246

(3) Within ten business days after receiving an 1247
application under division (E) of this section, the county 1248
recorder shall approve or deny the application. The county 1249
recorder shall approve the application if the county recorder 1250
determines that the application is properly completed; that the 1251
information the applicant seeks is subject to division (C) of 1252
this section; and that the applicant is seeking the information 1253
only for the purpose of performing a bona fide title 1254
examination. 1255

(F) A real property confidentiality notice is valid for a 1256
period of five years after it is submitted to the county 1257
recorder and may be renewed in writing, on a form prescribed by 1258
the attorney general, for additional periods of five years. Not 1259
later than six months before a real property confidentiality 1260
notice is scheduled to expire under this division, the county 1261
recorder shall mail a notice of expiration, along with a renewal 1262
form, to the person who submitted the notice at the address of 1263
the real property or, if the person indicated a preferred 1264
mailing address on the notice, at that address. 1265

(G) If any of the following occur, the county recorder, 1266
auditor, treasurer, and engineer and the clerk of the court of 1267
common pleas shall cease to keep confidential the information 1268
described in division (C)(1) of this section and shall make the 1269
information available to the public in the same manner as other 1270
information concerning real property: 1271

(1) The person who submitted the notice ceases to hold a 1272
recorded ownership interest in the real property that is the 1273
subject of the real property confidentiality notice. When the 1274

county recorder receives notice that the person who submitted 1275
the notice has ceased to hold that ownership interest, the 1276
county recorder promptly shall revoke the real property 1277
confidentiality notice and notify the county auditor, treasurer, 1278
and engineer and the clerk of the court of common pleas of that 1279
revocation. 1280

(2) The real property confidentiality notice expires under 1281
division (F) of this section. 1282

(3) A court of competent jurisdiction so orders. 1283

(H) Nothing in this section precludes a person's name from 1284
being recorded and indexed for the purpose of giving notice of 1285
an ownership interest, lien, or other encumbrance on real 1286
property. On such records, if the record contains the 1287
information described in division (C)(1) of this section, the 1288
county auditor, recorder, treasurer, or engineer, or the clerk 1289
of the court of common pleas, as applicable, shall redact the 1290
legal description, parcel identification number, or street 1291
address of the real property, along with any other information 1292
that may be used to identify the real property, on any versions 1293
of the documents available to the public. The county auditor, 1294
recorder, treasurer, or engineer, for the purpose of indexing a 1295
person's records, may use the person's fictitious name or 1296
initials listed in the real property confidentiality notice, as 1297
applicable. 1298

(I) No real estate broker or real estate salesperson as 1299
defined in section 4735.01 of the Revised Code, land 1300
professional under section 4735.023 of the Revised Code, title 1301
examiner, attorney, or county official shall be held liable for 1302
damages resulting from the failure to discover a defect in 1303
title, failure to properly index or record a person's interest 1304

in property, or failure to alert a professional to rely on 1305
confidential information, when such failure was the proximate 1306
result of a person being a designated public service worker or 1307
the spouse, former spouse, or child of a designated public 1308
service worker, notwithstanding the negligence of the real 1309
estate broker, real estate salesperson, land professional, title 1310
examiner, attorney, or county official. 1311

(J) A public office or a person responsible for a public 1312
office's public records is not liable in damages in a civil 1313
action for any harm a designated public service worker or the 1314
spouse, former spouse, or child of a designated public service 1315
worker sustains as a result of the disclosure of information 1316
described in division (C) (1) of this section in violation of 1317
this section, unless the public office or person responsible for 1318
the public office's public records acted with malicious purpose, 1319
in bad faith, or in a wanton or reckless manner or unless 1320
division (A) (6) (a) or (c) of section 2744.03 of the Revised Code 1321
applies. 1322

Sec. 315.25. (A) The county engineer shall make and keep, 1323
in a book provided for that purpose, an accurate record of all 1324
surveys made by ~~him~~ the engineer or ~~his~~ the engineer's deputies 1325
for the purpose of locating any land or road lines, or fixing 1326
any corner or monument by which it may be determined, whether 1327
official or otherwise. Such surveys shall include corners, 1328
distances, azimuths, angles, calculations, plats, and a 1329
description of the monuments set up, with such references 1330
thereto as will aid in finding the names of the parties for whom 1331
the surveys are made, and the date of making such surveys. Such 1332
book shall be kept as a public record by the engineer at ~~his~~ the 1333
engineer's office, and it shall be at all proper times open to 1334
inspection and examination by all persons interested therein. 1335

Any other surveys made in the county by competent surveyors, 1336
certified by such surveyor to be correct and deemed worthy of 1337
preservation, may, by order of the board of county 1338
commissioners, be recorded by the engineer. 1339

(B) The county engineer shall keep confidential 1340
information that is subject to a real property confidentiality 1341
notice under section 149.452 of the Revised Code, in accordance 1342
with that section. 1343

Sec. 317.13. (A) Except as otherwise provided in division 1344
(B) of this section, the county recorder shall record in the 1345
official records, in legible handwriting, typewriting, or 1346
printing, or by any authorized photographic or electronic 1347
process, all deeds, mortgages, plats, or other instruments of 1348
writing that are required or authorized by the Revised Code to 1349
be recorded and that are presented to the county recorder for 1350
that purpose. The county recorder shall record the instruments 1351
in regular succession, according to the priority of 1352
presentation, and shall enter the file number at the beginning 1353
of the record. On the record of each instrument, the county 1354
recorder shall record the date and precise time the instrument 1355
was presented for record. All records made, prior to July 28, 1356
1949, by means authorized by this section or by section 9.01 of 1357
the Revised Code shall be deemed properly made. 1358

(B) The county recorder may refuse to record an instrument 1359
of writing presented for recording if the instrument is not 1360
required or authorized by the Revised Code to be recorded or the 1361
county recorder has reasonable cause to believe the instrument 1362
is materially false or fraudulent. This division does not create 1363
a duty upon a recorder to inspect, evaluate, or investigate an 1364
instrument of writing that is presented for recording. 1365

(C) If a person presents an instrument of writing to the county recorder for recording and the county recorder, pursuant to division (B) of this section, refuses to record the instrument, the person has a cause of action for an order from the court of common pleas in the county that the county recorder serves, to require the county recorder to record the instrument. If the court determines that the instrument is required or authorized by the Revised Code to be recorded and is not materially false or fraudulent, it shall order the county recorder to record the instrument.

(D) The county recorder shall keep confidential information that is subject to a real property confidentiality notice under section 149.452 of the Revised Code, in accordance with that section. A copy of the real property confidentiality notice shall accompany subsequent recordings of the property unless the notice is no longer valid, as described in division (G) of section 149.452 of the Revised Code.

Sec. 319.28. (A) Except as otherwise provided in division (B) of this section, on or before the first Monday of August, annually, the county auditor shall compile and make up a general tax list of real and public utility property in the county, either in tabular form and alphabetical order, or, with the consent of the county treasurer, by listing all parcels in a permanent parcel number sequence to which a separate alphabetical index is keyed, containing the names of the several persons, companies, firms, partnerships, associations, and corporations in whose names real property has been listed in each township, municipal corporation, special district, or separate school district, or part of either in the auditor's county, placing separately, in appropriate columns opposite each name, the description of each tract, lot, or parcel of real

estate, the value of each tract, lot, or parcel, the value of 1397
the improvements thereon, and of the names of the several public 1398
utilities whose property, subject to taxation on the general tax 1399
list and duplicate, has been apportioned by the department of 1400
taxation to the county, and the amount so apportioned to each 1401
township, municipal corporation, special district, or separate 1402
school district or part of either in the auditor's county, as 1403
shown by the certificates of apportionment of public utility 1404
property. If the name of the owner of any tract, lot, or parcel 1405
of real estate is unknown to the auditor, "unknown" shall be 1406
entered in the column of names opposite said tract, lot, or 1407
parcel. Such lists shall be prepared in duplicate. On or before 1408
the first Monday of September in each year, the auditor shall 1409
correct such lists in accordance with the additions and 1410
deductions ordered by the tax commissioner and by the county 1411
board of revision, and shall certify and on the first day of 1412
October deliver one copy thereof to the county treasurer. The 1413
copies prepared by the auditor shall constitute the auditor's 1414
general tax list and treasurer's general duplicate of real and 1415
public utility property for the current year. 1416

Once a permanent parcel numbering system has been 1417
established in any county as provided by the preceding 1418
paragraph, such system shall remain in effect until otherwise 1419
agreed upon by the county auditor and county treasurer. 1420

~~(B) (1) An individual, or the spouse of that individual, 1421
whose residential and familial information is not a public 1422
record under divisions (A) (1) (p) and (A) (7) of section 149.43 of 1423
the Revised Code may submit an affidavit to the county auditor 1424
requesting the county auditor to remove the name of the 1425
individual filing the affidavit from any record made available 1426
to the general public on the internet or a publicly accessible 1427~~

~~database, and from the general tax list and duplicate of real- 1428
and public utility property, and to instead insert the- 1429
individual's initials on any such record, and on the general tax- 1430
list and duplicate of real and public utility property as the- 1431
name of the individual that appears on the deed. 1432~~

~~(2) Upon receiving an affidavit described in division (B) 1433
(1) of this section, the county auditor shall act within five- 1434
business days in accordance with the request to remove the- 1435
individual's name from any record made available to the general- 1436
public on the internet or a publicly accessible database, and- 1437
from the general tax list and duplicate of real and public- 1438
utility property and insert the individual's initials on any- 1439
such record and on the general tax list and duplicate of real- 1440
and public utility property, if practicable. If the removal and- 1441
insertion is not practicable, the county auditor shall verbally- 1442
or in writing within five business days after receiving the- 1443
affidavit explain to the individual why the removal and- 1444
insertion is impracticable. 1445~~

(B) The county auditor shall keep confidential information 1446
that is subject to a real property confidentiality notice under 1447
section 149.452 of the Revised Code, in accordance with that 1448
section. 1449

Sec. 319.54. (A) On all moneys collected by the county 1450
treasurer on any tax duplicate of the county, other than estate 1451
tax duplicates, and on all moneys received as advance payments 1452
of personal property and classified property taxes, the county 1453
auditor, on settlement with the treasurer and tax commissioner, 1454
on or before the date prescribed by law for such settlement or 1455
any lawful extension of such date, shall be allowed as 1456
compensation for the county auditor's services the following 1457

percentages: 1458

(1) On the first one hundred thousand dollars, two and 1459
one-half per cent; 1460

(2) On the next two million dollars, eight thousand three 1461
hundred eighteen ten-thousandths of one per cent; 1462

(3) On the next two million dollars, six thousand six 1463
hundred fifty-five ten-thousandths of one per cent; 1464

(4) On all further sums, one thousand six hundred sixty- 1465
three ten-thousandths of one per cent. 1466

If any settlement is not made on or before the date 1467
prescribed by law for such settlement or any lawful extension of 1468
such date, the aggregate compensation allowed to the auditor 1469
shall be reduced one per cent for each day such settlement is 1470
delayed after the prescribed date. No penalty shall apply if the 1471
auditor and treasurer grant all requests for advances up to 1472
ninety per cent of the settlement pursuant to section 321.34 of 1473
the Revised Code. The compensation allowed in accordance with 1474
this section on settlements made before the dates prescribed by 1475
law, or the reduced compensation allowed in accordance with this 1476
section on settlements made after the date prescribed by law or 1477
any lawful extension of such date, shall be apportioned ratably 1478
by the auditor and deducted from the shares or portions of the 1479
revenue payable to the state as well as to the county, 1480
townships, municipal corporations, and school districts. 1481

(B) For the purpose of reimbursing county auditors for the 1482
expenses associated with the increased number of applications 1483
for reductions in real property taxes under sections 323.152 and 1484
4503.065 of the Revised Code that result from the amendment of 1485
those sections by Am. Sub. H.B. 119 of the 127th general 1486

assembly, there shall be paid from the state's general revenue 1487
fund to the county treasury, to the credit of the real estate 1488
assessment fund created by section 325.31 of the Revised Code, 1489
an amount equal to one per cent of the total annual amount of 1490
property tax relief reimbursement paid to that county under 1491
sections 323.156 and 4503.068 of the Revised Code for the 1492
preceding tax year. Payments made under this division shall be 1493
made at the same times and in the same manner as payments made 1494
under section 323.156 of the Revised Code. 1495

(C) From all moneys collected by the county treasurer on 1496
any tax duplicate of the county, other than estate tax 1497
duplicates, and on all moneys received as advance payments of 1498
personal property and classified property taxes, there shall be 1499
paid into the county treasury to the credit of the real estate 1500
assessment fund created by section 325.31 of the Revised Code, 1501
an amount to be determined by the county auditor, which shall 1502
not exceed the percentages prescribed in divisions (C) (1) and 1503
(2) of this section. 1504

(1) For payments made after June 30, 2007, and before 1505
2011, the following percentages: 1506

(a) On the first five hundred thousand dollars, four per 1507
cent; 1508

(b) On the next five million dollars, two per cent; 1509

(c) On the next five million dollars, one per cent; 1510

(d) On all further sums not exceeding one hundred fifty 1511
million dollars, three-quarters of one per cent; 1512

(e) On amounts exceeding one hundred fifty million 1513
dollars, five hundred eighty-five thousandths of one per cent. 1514

(2) For payments made in or after 2011, the following 1515
percentages: 1516

(a) On the first five hundred thousand dollars, four per 1517
cent; 1518

(b) On the next ten million dollars, two per cent; 1519

(c) On amounts exceeding ten million five hundred thousand 1520
dollars, three-fourths of one per cent. 1521

Such compensation shall be apportioned ratably by the 1522
auditor and deducted from the shares or portions of the revenue 1523
payable to the state as well as to the county, townships, 1524
municipal corporations, and school districts. 1525

(D) Each county auditor shall receive four per cent of the 1526
amount of tax collected and paid into the county treasury, on 1527
property omitted and placed by the county auditor on the tax 1528
duplicate. 1529

(E) On all estate tax moneys collected by the county 1530
treasurer, the county auditor, on settlement annually with the 1531
tax commissioner, shall be allowed, as compensation for the 1532
auditor's services under Chapter 5731. of the Revised Code, two 1533
per cent of the amount collected and reported that year in 1534
excess of refunds distributed, for the use of the general fund 1535
of the county. 1536

(F) On all cigarette license moneys collected by the 1537
county treasurer, the county auditor, on settlement semiannually 1538
with the treasurer, shall be allowed as compensation for the 1539
auditor's services in the issuing of such licenses one-half of 1540
one per cent of such moneys, to be apportioned ratably and 1541
deducted from the shares of the revenue payable to the county 1542
and subdivisions, for the use of the general fund of the county. 1543

(G) The county auditor shall charge and receive fees as follows:	1544 1545
(1) For deeds of land sold for taxes to be paid by the purchaser, five dollars;	1546 1547
(2) For the transfer or entry of land, lot, or part of lot, or the transfer or entry on or after January 1, 2000, of a used manufactured home or mobile home as defined in section 5739.0210 of the Revised Code, fifty cents for each transfer or entry, to be paid by the person requiring it;	1548 1549 1550 1551 1552
(3) For receiving statements of value and administering section 319.202 of the Revised Code, one dollar, or ten cents for each one hundred dollars or fraction of one hundred dollars, whichever is greater, of the value of the real property transferred or, for sales occurring on or after January 1, 2000, the value of the used manufactured home or used mobile home, as defined in section 5739.0210 of the Revised Code, transferred, except no fee shall be charged when the transfer is made:	1553 1554 1555 1556 1557 1558 1559 1560
(a) To or from the United States, this state, or any instrumentality, agency, or political subdivision of the United States or this state;	1561 1562 1563
(b) Solely in order to provide or release security for a debt or obligation;	1564 1565
(c) To confirm or correct a deed previously executed and recorded or when a current owner on any record made available to the general public on the internet or a publicly accessible database and the general tax list of real and public utility property and the general duplicate of real and public utility property is a peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee,	1566 1567 1568 1569 1570 1571 1572

~~youth services employee, firefighter, EMT, or investigator of
the bureau of criminal identification and investigation and is
changing the current owner name listed on any record made
available to the general public on the internet or a publicly
accessible database and the general tax list of real and public
utility property and the general duplicate of real and public
utility property to the initials of the current owner as
prescribed in division (B) (1) of section 319.28 of the Revised
Code;~~ 1573
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(d) To evidence a gift, in trust or otherwise and whether 1582
revocable or irrevocable, between husband and wife, or parent 1583
and child or the spouse of either; 1584

(e) On sale for delinquent taxes or assessments; 1585

(f) Pursuant to court order, to the extent that such 1586
transfer is not the result of a sale effected or completed 1587
pursuant to such order; 1588

(g) Pursuant to a reorganization of corporations or 1589
unincorporated associations or pursuant to the dissolution of a 1590
corporation, to the extent that the corporation conveys the 1591
property to a stockholder as a distribution in kind of the 1592
corporation's assets in exchange for the stockholder's shares in 1593
the dissolved corporation; 1594

(h) By a subsidiary corporation to its parent corporation 1595
for no consideration, nominal consideration, or in sole 1596
consideration of the cancellation or surrender of the 1597
subsidiary's stock; 1598

(i) By lease, whether or not it extends to mineral or 1599
mineral rights, unless the lease is for a term of years 1600
renewable forever; 1601

(j) When the value of the real property or the 1602
manufactured or mobile home or the value of the interest that is 1603
conveyed does not exceed one hundred dollars; 1604

(k) Of an occupied residential property, including a 1605
manufactured or mobile home, being transferred to the builder of 1606
a new residence or to the dealer of a new manufactured or mobile 1607
home when the former residence is traded as part of the 1608
consideration for the new residence or new manufactured or 1609
mobile home; 1610

(l) To a grantee other than a dealer in real property or 1611
in manufactured or mobile homes, solely for the purpose of, and 1612
as a step in, the prompt sale of the real property or 1613
manufactured or mobile home to others; 1614

(m) To or from a person when no money or other valuable 1615
and tangible consideration readily convertible into money is 1616
paid or to be paid for the real estate or manufactured or mobile 1617
home and the transaction is not a gift; 1618

(n) Pursuant to division (B) of section 317.22 of the 1619
Revised Code, or section 2113.61 of the Revised Code, between 1620
spouses or to a surviving spouse pursuant to section 5302.17 of 1621
the Revised Code as it existed prior to April 4, 1985, between 1622
persons pursuant to section 5302.17 or 5302.18 of the Revised 1623
Code on or after April 4, 1985, to a person who is a surviving, 1624
survivorship tenant pursuant to section 5302.17 of the Revised 1625
Code on or after April 4, 1985, or pursuant to section 5309.45 1626
of the Revised Code; 1627

(o) To a trustee acting on behalf of minor children of the 1628
deceased; 1629

(p) Of an easement or right-of-way when the value of the 1630

interest conveyed does not exceed one thousand dollars; 1631

(q) Of property sold to a surviving spouse pursuant to 1632
section 2106.16 of the Revised Code; 1633

(r) To or from an organization exempt from federal income 1634
taxation under section 501(c)(3) of the "Internal Revenue Code 1635
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, provided 1636
such transfer is without consideration and is in furtherance of 1637
the charitable or public purposes of such organization; 1638

(s) Among the heirs at law or devisees, including a 1639
surviving spouse, of a common decedent, when no consideration in 1640
money is paid or to be paid for the real property or 1641
manufactured or mobile home; 1642

(t) To a trustee of a trust, when the grantor of the trust 1643
has reserved an unlimited power to revoke the trust; 1644

(u) To the grantor of a trust by a trustee of the trust, 1645
when the transfer is made to the grantor pursuant to the 1646
exercise of the grantor's power to revoke the trust or to 1647
withdraw trust assets; 1648

(v) To the beneficiaries of a trust if the fee was paid on 1649
the transfer from the grantor of the trust to the trustee or if 1650
the transfer is made pursuant to trust provisions which became 1651
irrevocable at the death of the grantor; 1652

(w) To a corporation for incorporation into a sports 1653
facility constructed pursuant to section 307.696 of the Revised 1654
Code; 1655

(x) Between persons pursuant to section 5302.18 of the 1656
Revised Code; 1657

(y) From a county land reutilization corporation organized 1658

under Chapter 1724. of the Revised Code, or its wholly owned 1659
subsidiary, to a third party. 1660

(4) For the cost of publishing the delinquent manufactured 1661
home tax list, the delinquent tax list, and the delinquent 1662
vacant land tax list, a flat fee, as determined by the county 1663
auditor, to be charged to the owner of a home on the delinquent 1664
manufactured home tax list or the property owner of land on the 1665
delinquent tax list or the delinquent vacant land tax list. 1666

The auditor shall compute and collect the fee. The auditor 1667
shall maintain a numbered receipt system, as prescribed by the 1668
tax commissioner, and use such receipt system to provide a 1669
receipt to each person paying a fee. The auditor shall deposit 1670
the receipts of the fees on conveyances in the county treasury 1671
daily to the credit of the general fund of the county, except 1672
that fees charged and received under division (G) (3) of this 1673
section for a transfer of real property to a county land 1674
reutilization corporation shall be credited to the county land 1675
reutilization corporation fund established under section 321.263 1676
of the Revised Code. 1677

The real property transfer fee provided for in division 1678
(G) (3) of this section shall be applicable to any conveyance of 1679
real property presented to the auditor on or after January 1, 1680
1968, regardless of its time of execution or delivery. 1681

The transfer fee for a used manufactured home or used 1682
mobile home shall be computed by and paid to the county auditor 1683
of the county in which the home is located immediately prior to 1684
the transfer. 1685

Sec. 321.25. The county treasurer shall keep confidential 1686
information that is subject to a real property confidentiality 1687

notice under section 149.452 of the Revised Code, in accordance 1688
with that section. 1689

Sec. 2303.12. (A) The clerk of the court of common pleas 1690
shall keep at least four books. They shall be called the 1691
appearance docket, trial docket and printed duplicates of the 1692
trial docket for the use of the court and the officers thereof, 1693
journal, and execution docket.~~He~~ The clerk shall also keep a 1694
record in book form or ~~he~~ the clerk may prepare a record by 1695
using any photostatic, photographic, miniature photographic, 1696
film, microfilm, or microphotographic process, electrostatic 1697
process, perforated tape, magnetic tape, or other 1698
electromagnetic means, electronic data processing, machine 1699
readable media, graphic or video display, or any combination 1700
thereof, which correctly and accurately copies or reproduces the 1701
original document, paper, or instrument in writing.~~He~~ The clerk 1702
shall use materials that comply with the minimum standards of 1703
quality for permanent photographic records prescribed by the 1704
National Bureau of Standards.~~He~~ The clerk shall keep an index 1705
to the trial docket and to the printed duplicates of the trial 1706
docket and of the journal direct, and to the appearance docket, 1707
record, and execution docket, direct and reverse. All clerks 1708
keeping records and information by the methods described in this 1709
section shall keep and make readily available to the public the 1710
machine and equipment necessary to reproduce the records and 1711
information in a readable form. 1712

(B) The clerk of the court of common pleas shall keep 1713
confidential information that is subject to a real property 1714
confidentiality notice under section 149.452 of the Revised 1715
Code, in accordance with that section. 1716

Sec. 5713.09. (A) The board of county commissioners may 1717

designate the county engineer to provide for making, correcting, 1718
and keeping up to date a complete set of tax maps of the county, 1719
and shall employ the necessary number of assistants. ~~Such Except~~ 1720
as otherwise provided in division (B) of this section, such maps 1721
shall show all original lots and parcels of land, and all 1722
divisions, subdivisions, and allotments thereof, with the name 1723
of the owner of each original lot or parcel and of each 1724
division, subdivision, or lot, all new divisions, subdivisions, 1725
or allotments made in the county, all transfers of property, 1726
showing the lot or parcel of land transferred, the name of the 1727
grantee, and the date of the transfer so that such maps shall 1728
furnish the county auditor, for entering on the tax duplicate, a 1729
correct and proper description of each lot or parcel of land 1730
offered for transfer. Such maps shall be for the use of the 1731
county board of revision and the auditor, and shall be kept in 1732
the office of the auditor. 1733

(B) For any property that is subject to a real property 1734
confidentiality notice under section 149.452 of the Revised 1735
Code, any version of the tax maps that is available to the 1736
public shall include the current owner's initials or fictitious 1737
name, as indicated on the notice, instead of the person's name. 1738

Section 2. That existing sections 149.43, 149.45, 315.25, 1739
317.13, 319.28, 319.54, 2303.12, and 5713.09 of the Revised Code 1740
are hereby repealed. 1741

Section 3. (A) As soon as practicable after the effective 1742
date of this section, for each tract, lot, or parcel of real 1743
property concerning which a county auditor has redacted the name 1744
of an owner under division (B) of section 319.28 of the Revised 1745
Code, as it existed before the effective date of this section, 1746
the county auditor shall do all of the following: 1747

(1) Create a real property confidentiality notice 1748
concerning the tract, lot, or parcel, on a form prescribed by 1749
the Attorney General, that includes as much of the information 1750
described in division (B) (2) of section 149.451 of the Revised 1751
Code, as enacted by this act, as is reasonably available to the 1752
county auditor; 1753

(2) If the county auditor intends to assign fictitious 1754
names to individuals under division (B) (1) of section 149.452 of 1755
the Revised Code, as enacted by this act, assign a fictitious 1756
name to each individual whose name was redacted from the 1757
property record, to be used for internal indexing purposes; add 1758
the fictitious name or names to the notice; and replace each 1759
individual's initials in the county auditor's redacted records 1760
with the individual's assigned fictitious name; 1761

(3) Transmit copies of the notice to the county recorder, 1762
treasurer, and engineer. 1763

(B) (1) The county recorder, auditor, treasurer, and 1764
engineer shall treat the notice created by the county auditor 1765
under division (A) (3) of this section as a valid notice 1766
submitted by an applicant under section 149.452 of the Revised 1767
Code, as enacted by this act. 1768

(2) Notwithstanding division (C) (2) of section 149.452 of 1769
the Revised Code, as enacted by this act, the county recorder, 1770
treasurer, and engineer shall redact the information in any 1771
existing publicly available records or databases with respect to 1772
the notice as soon as practicable after receiving it. 1773