

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 257**

**Representatives Hoops, Claggett**

**Cosponsors: Representatives Klopfenstein, Robb Blasdel, Abdullahi, Brennan, Callender, Dobos, Forhan, Hillyer, Humphrey, Jones, Lightbody, Liston, Mathews, Miller, A., Miller, J., Mohamed, Seitz, Somani, Thomas, C., Williams, Willis**

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**A BILL**

To amend sections 305.02, 715.693, 924.12, 5505.04, 1  
and 5543.06 and to enact sections 121.221, 2  
145.071, 742.071, and 3309.091 of the Revised 3  
Code to authorize certain public bodies to meet 4  
virtually. 5

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

**Section 1.** That sections 305.02, 715.693, 924.12, 5505.04, 6  
and 5543.06 be amended and sections 121.221, 145.071, 742.071, 7  
and 3309.091 of the Revised Code be enacted to read as follows: 8

**Sec. 121.221.** (A) As used in this section: 9

"Hearing" means an administrative hearing, hearing as 10  
defined in section 119.01 of the Revised Code, or other hearing 11  
at which a person may present written or oral testimony on a 12  
matter before the public body. 13

"Meeting" has the same meaning as in section 121.22 of the 14  
Revised Code. 15

"Public body" has the same meaning as in division (B) (1) 16

<u>of section 121.22 of the Revised Code, except it does not</u>	17
<u>include the following:</u>	18
<u>(1) The general assembly, or any of its committees or</u>	19
<u>subcommittees;</u>	20
<u>(2) Any court, including a mayor's court;</u>	21
<u>(3) The state board of education;</u>	22
<u>(4) The board of directors of the bureau of workers'</u>	23
<u>compensation;</u>	24
<u>(5) The Ohio elections commission;</u>	25
<u>(6) A board of county commissioners;</u>	26
<u>(7) A board of township trustees;</u>	27
<u>(8) The legislative authority of a municipal corporation</u>	28
<u>or charter county;</u>	29
<u>(9) A city, local, or exempted village board of education;</u>	30
<u>(10) A board of elections.</u>	31
<u>(B) Except as otherwise provided in the Revised Code,</u>	32
<u>members of a public body may hold and attend meetings and may</u>	33
<u>conduct and attend hearings by means of video conference or any</u>	34
<u>other similar electronic technology, and all of the following</u>	35
<u>apply:</u>	36
<u>(1) Any resolution, rule, or formal action of any kind has</u>	37
<u>the same effect as if it occurred during an open meeting or</u>	38
<u>hearing of the public body.</u>	39
<u>(2) Notwithstanding division (C) of section 121.22 of the</u>	40
<u>Revised Code, members of a public body who attend meetings or</u>	41
<u>hearings by means of video conference or any other similar</u>	42

electronic technology shall be considered present as if in 43  
person at the meeting or hearing, shall be permitted to vote, 44  
and shall be counted for purposes of determining whether a 45  
quorum is present at the meeting or hearing. 46

(3) The public body shall not hold hearings or meetings by 47  
means of video conference or any other similar electronic 48  
technology until the public body has adopted a policy that 49  
specifies at least all of the following: 50

(a) The public body shall provide notification of meetings 51  
and hearings held under this section to the public, to the media 52  
that have requested notification of a meeting, and to the 53  
parties required to be notified of a hearing at least seventy- 54  
two hours in advance of the meeting or hearing by reasonable 55  
methods by which any person may determine the time, location, 56  
agenda of the meeting or hearing, and the manner by which the 57  
meeting or hearing will be conducted, except in the event of an 58  
emergency requiring immediate official action, as defined by the 59  
policy. In the event of an emergency, the public body shall 60  
immediately notify the news media that have requested 61  
notification or the parties required to be notified of a hearing 62  
of the time, place, and purpose of the meeting or hearing. 63

(b) The public body shall provide the public access to a 64  
meeting held under this section, and to any hearing held under 65  
this section that the public would otherwise be entitled to 66  
attend, commensurate with the method in which the meeting or 67  
hearing is being conducted, including for example, livestreaming 68  
by means of the internet, television, cable, or public access 69  
channels, or by means of any other similar electronic 70  
technology. The public body shall ensure that the public can 71  
observe and hear the discussions and deliberations of all the 72

members of the public body, whether the member is participating 73  
in person or electronically. Members of the public body shall 74  
have a sufficient internet or other electronic connection to 75  
allow the member to be seen and heard clearly, and shall be 76  
visible at all times. 77

(c) All votes taken in the meeting or hearing shall be 78  
taken by roll call vote unless there is a motion for unanimous 79  
consent, and the motion is not objected to by a member of the 80  
public body. If a vote is taken unanimously, the public body 81  
shall provide the public with information on how the members of 82  
the public body voted, including any members who abstained from 83  
voting. 84

(d) Any member of the public body who intends to attend a 85  
meeting by means of video conference or other similar electronic 86  
technology shall notify the chairperson of that intent not less 87  
than forty-eight hours before the meeting, except in the case of 88  
an emergency as defined in the policy. 89

(e) No public body may hold, and no member of a public 90  
body may attend meetings or conduct and attend hearings by means 91  
of video conference or other similar electronic technology if 92  
the meeting or hearing involves a vote to approve a major 93  
nonroutine expenditure as defined in the policy adopted by the 94  
public body under this section, or a significant hiring decision 95  
as defined by that policy, or a vote to support a tax issue or 96  
tax increase. 97

(f) If, upon the notification of an upcoming meeting of a 98  
public body, and not later than forty-eight hours before the 99  
meeting, the greater of at least ten per cent of the members of 100  
the public body or two members of the public body, notifies the 101  
chairperson of the public body that an item in the agenda must 102

be acted upon at a meeting conducted fully in person, upon the 103  
chairperson's acknowledgment of receipt of the notification, the 104  
public body shall take action on the item of the agenda only at 105  
a meeting conducted fully in person. 106

(4) A public body shall not hold a hearing, and members of 107  
a public body shall not attend a hearing, by means of video 108  
conference or other similar electronic technology without the 109  
consent of all parties to the hearing. 110

(C) When members of a public body conduct a meeting or 111  
hearing by means of video conference or any other similar 112  
electronic technology, the public body shall establish a means, 113  
through the use of electronic equipment that is widely available 114  
to the general public, to converse with witnesses, receive 115  
documentary testimony and physical evidence, and permit public 116  
comment, if applicable. 117

(D) The authority granted in this section applies 118  
notwithstanding any conflicting provision of the Revised Code. 119  
Nothing in this section shall be construed to negate any 120  
provision of section 121.22 of the Revised Code, Chapter 119. of 121  
the Revised Code, or other section of the Revised Code that is 122  
not in conflict with this section. If a section of the Revised 123  
Code permits a particular public body to meet or hold hearings 124  
by means of teleconference, video conference, or any other 125  
similar electronic technology, that section prevails over the 126  
provisions of this section with respect to that particular 127  
public body. This section is not intended to eliminate, or 128  
otherwise affect, any requirements under federal law. 129

**Sec. 145.071.** (A) Notwithstanding division (C) of section 130  
121.22 of the Revised Code, the public employees retirement 131  
board may adopt a policy that allows a board member to attend a 132

meeting of the board by means of video conference. The board 133  
shall include in the policy, if adopted, both of the following: 134

(1) The number of regular meetings at which each board 135  
member shall be present in person, provided that number is not 136  
less than one-half of the regular meetings of the board 137  
annually; 138

(2) All of the following requirements with respect to a 139  
meeting in which a member attends by means of video conference: 140

(a) That at least one-third of the board members attending 141  
the meeting shall be present in person at the physical location 142  
where the meeting is conducted; 143

(b) That all votes taken at the meeting shall be taken by 144  
roll call vote; 145

(c) That a board member who intends to attend a meeting by 146  
means of video conference shall notify the chairperson of that 147  
intent not less than forty-eight hours before the meeting, 148  
except in the case of an emergency as defined in the policy. 149

(B) Notwithstanding division (C) of section 121.22 of the 150  
Revised Code, a board member who attends a meeting by means of 151  
video conference is considered present in person at the meeting, 152  
may vote at the meeting, and is counted for purposes of 153  
determining whether a quorum is present at the meeting. 154

(C) At any meeting in which a board member attends by 155  
means of video conference, the board shall ensure that the 156  
public can hear and observe the discussions and deliberations of 157  
all the members of the board, whether the member is 158  
participating in person or electronically. 159

(D) Except as provided in this section, no person shall do 160

<u>any of the following:</u>	161
<u>(1) Limit the number of board members who may attend a meeting by means of video conference;</u>	162 163
<u>(2) Limit the total number of meetings that the board may allow members to attend by means of video conference;</u>	164 165
<u>(3) Limit the number of meetings at which any one board member may attend by means of video conference;</u>	166 167
<u>(4) Impose other limits or obligations on a board member because the board member attends a meeting by means of video conference.</u>	168 169 170
<b>Sec. 305.02.</b> (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than forty days before the next general election for state and county officers, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election.	171 172 173 174 175 176 177 178
In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified.	179 180 181
(B) If a vacancy occurs from any cause in any of the offices named in division (A) of this section, then not later than forty-five days after the vacancy occurs, a person shall be appointed to hold the office and to perform the duties thereof until a successor is elected and has qualified. The appointment shall be made as follows:	182 183 184 185 186 187
(1) If the last occupant of the office was elected as a	188

partisan candidate, the county central committee of the 189  
political party that nominated the last occupant of the office 190  
for the current term shall make the appointment. However, if 191  
such vacancy occurs because of the death, resignation, or 192  
inability to take the office of an officer-elect whose term has 193  
not yet begun, and the officer-elect was elected as a partisan 194  
candidate, an appointment to take such office at the beginning 195  
of the term shall be made by the central committee of the 196  
political party that nominated the officer-elect as a candidate 197  
for that office for that term. 198

A county central committee that makes an appointment under 199  
division (B) (1) of this section shall meet for that purpose not 200  
less than five nor more than forty-five days after the vacancy 201  
occurs. Not less than four days before the date of such meeting 202  
the chairperson or secretary of such central committee shall 203  
send by first class mail to every member of such central 204  
committee a written notice which shall state the time and place 205  
of such meeting and the purpose thereof. A majority of the 206  
members of the central committee present at such meeting may 207  
make the appointment. The central committee may use a secret 208  
ballot process to make the appointment under division (B) (1) of 209  
this section. 210

(2) If the last occupant of the office or the officer- 211  
elect was elected to serve the current term as an independent 212  
candidate, the board of county commissioners shall make the 213  
appointment, except where the vacancy is in the office of county 214  
commissioner, in which case the prosecuting attorney and the 215  
remaining commissioners or a majority of them shall make the 216  
appointment. 217

(C) Appointments made under this section shall be 218



certified by the appointing county central committee or by the 219  
board of county commissioners to the county board of elections 220  
and to the secretary of state, and the persons so appointed and 221  
certified shall be entitled to all remuneration provided by law 222  
for the offices to which they are appointed. 223

(D) The board of county commissioners may appoint a person 224  
to hold any of the offices named in division (A) of this section 225  
as an acting officer and to perform the duties thereof between 226  
the occurrence of the vacancy and the time when the officer 227  
appointed under division (B) of this section qualifies and takes 228  
the office. 229

(E) A person appointed prosecuting attorney or assistant 230  
prosecuting attorney shall give bond and take the oath of office 231  
prescribed by section 309.03 of the Revised Code for the 232  
prosecuting attorney. 233

**Sec. 715.693.** (A) The requirement in division (C) of 234  
section 121.22 of the Revised Code that a member of a public 235  
body be present in person at a meeting open to the public in 236  
order to be part of a quorum or to vote does not apply to a 237  
board of directors of a joint economic development zone created 238  
under section 715.691 of the Revised Code, ~~or~~ a joint economic 239  
development review council created under section 715.692 of the 240  
Revised Code, or a board of directors of a joint economic 241  
development district created under section 715.72 of the Revised 242  
Code, if the board or council holds the meeting by interactive 243  
video conference or by teleconference in the following manner: 244

(1) The board or council establishes a primary meeting 245  
location that is open and accessible to the public. 246

(2) Meeting-related materials that are available before 247

the meeting are sent via electronic mail, facsimile, hand-	248
delivery, or United States postal service to each member.	249
(3) In the case of an interactive video conference, the	250
board or council causes a clear video and audio connection to be	251
established that enables all meeting participants at the primary	252
meeting location to see and hear each member.	253
(4) In the case of a teleconference, the board or the	254
council causes a clear audio connection to be established that	255
enables all meeting participants at the primary meeting location	256
to hear each member.	257
(5) All board or council members have the capability to	258
receive meeting-related materials that are distributed during a	259
meeting.	260
(6) A roll call voice vote is recorded for each vote	261
taken.	262
(7) The minutes of the board or council meeting identify	263
which members remotely attended the meeting by interactive video	264
conference or teleconference.	265
If the board or council proceeds under this section, use	266
of an interactive video conference is preferred, but nothing in	267
this section prohibits the council from conducting its meetings	268
by teleconference or by a combination of interactive video	269
conference and teleconference at the same meeting.	270
(B) A board of directors <del>or of</del> a joint economic	271
development review council <u>or a joint economic development</u>	272
<u>district</u> shall adopt rules necessary to implement this section.	273
At a minimum, the rules shall do all of the following:	274
(1) Authorize members to remotely attend a meeting by	275

interactive video conference or teleconference, or by a	276
combination thereof, in lieu of attending the meeting in person;	277
(2) Establish a minimum number of members that must be	278
physically present in person at the primary meeting location if	279
the board or council conducts a meeting by interactive video	280
conference or teleconference;	281
(3) Require that not more than one member remotely	282
attending a meeting by teleconference is permitted to be	283
physically present at the same remote location;	284
(4) Establish geographic restrictions for participation in	285
meetings by interactive video conference and by teleconference;	286
(5) Establish a policy for distributing and circulating	287
meeting-related materials to members, the public, and the media	288
in advance of or during a meeting at which members are permitted	289
to attend by interactive video conference or teleconference;	290
(6) Establish a method for verifying the identity of a	291
member who remotely attends a meeting by teleconference.	292
<u>Sec. 742.071. (A) Notwithstanding division (C) of section</u>	293
<u>121.22 of the Revised Code, the board of trustees of the Ohio</u>	294
<u>police and fire pension fund may adopt a policy that allows a</u>	295
<u>board member to attend a meeting of the board by means of video</u>	296
<u>conference. The board shall include in the policy, if adopted,</u>	297
<u>both of the following:</u>	298
<u>(1) The number of regular meetings at which each board</u>	299
<u>member shall be present in person, provided that number is not</u>	300
<u>less than one-half of the regular meetings of the board</u>	301
<u>annually;</u>	302
<u>(2) All of the following requirements with respect to a</u>	303

meeting in which a member attends by means of video conference: 304

(a) That at least one-third of the board members attending 305  
the meeting shall be present in person at the physical location 306  
where the meeting is conducted; 307

(b) That all votes taken at the meeting shall be taken by 308  
roll call vote; 309

(c) That a board member who intends to attend a meeting by 310  
means of video conference shall notify the chairperson of that 311  
intent not less than forty-eight hours before the meeting, 312  
except in the case of an emergency as defined in the policy. 313

(B) Notwithstanding division (C) of section 121.22 of the 314  
Revised Code, a board member who attends a meeting by means of 315  
video conference is considered present in person at the meeting, 316  
may vote at the meeting, and is counted for purposes of 317  
determining whether a quorum is present at the meeting. 318

(C) At any meeting in which a board member attends by 319  
means of video conference, the board shall ensure that the 320  
public can hear and observe the discussions and deliberations of 321  
all the members of the board, whether the member is 322  
participating in person or electronically. 323

(D) Except as provided in this section, no person shall do 324  
any of the following: 325

(1) Limit the number of board members who may attend a 326  
meeting by means of video conference; 327

(2) Limit the total number of meetings that the board may 328  
allow members to attend by means of video conference; 329

(3) Limit the number of meetings at which any one board 330  
member may attend by means of video conference; 331

(4) Impose other limits or obligations on a board member 332  
because the board member attends a meeting by means of video 333  
conference. 334

**Sec. 924.12.** (A) The director of agriculture may 335  
temporarily suspend the operation of a marketing program, or any 336  
part thereof, for any reason, upon recommendation by the 337  
operating committee for the program, for a period of not more 338  
than twelve consecutive months. 339

(B) At least once in each five years of operation, or at 340  
any time upon written petition by the lesser of twenty per cent 341  
or one thousand of the producers affected by a marketing 342  
program, the director shall give public notice by analogy to 343  
division (A) of and conduct a hearing under division (C) of 344  
section 119.03 of the Revised Code to consider the continuation 345  
of the program. The director may conduct the hearing by means of 346  
video conference or any other similar electronic technology in 347  
accordance with section 121.221 of the Revised Code. The 348  
director shall file a copy of the public notice with the 349  
director of the legislative service commission for purposes of 350  
publishing the public notice in the register of Ohio. 351

(C) Within thirty days after the close of any hearing to 352  
consider the continuation of a marketing program, the director 353  
of agriculture shall recommend continuation or termination of 354  
the program, and shall give public notice of the recommendation 355  
by publication in the register of Ohio. The director also shall 356  
provide notice of the recommendation to any person who, in 357  
writing, has requested notification and may give whatever other 358  
notice the director reasonably considers necessary to ensure 359  
that notice is constructively given to all persons who are 360  
affected by the program. 361

(D) When the director recommends termination of a marketing program, the director shall, within forty-five days, conduct a referendum to determine whether the affected producers favor the proposed termination. The affected producers favor the termination of the program if a majority of the producers who vote in the referendum vote in favor of termination of the program.

Sec. 3309.091. (A) Notwithstanding division (C) of section 121.22 of the Revised Code, the school employees retirement board may adopt a policy that allows a board member to attend a meeting of the board by means of video conference. The board shall include in the policy, if adopted, both of the following:

(1) The number of regular meetings at which each board member shall be present in person, provided that number is not less than one-half of the regular meetings of the board annually;

(2) All of the following requirements with respect to a meeting in which a member attends by means of video conference:

(a) That at least one-third of the board members attending the meeting shall be present in person at the physical location where the meeting is conducted;

(b) That all votes taken at the meeting shall be taken by roll call vote;

(c) That a board member who intends to attend a meeting by means of video conference shall notify the chairperson of that intent not less than forty-eight hours before the meeting, except in the case of an emergency as defined in the policy.

(B) Notwithstanding division (C) of section 121.22 of the Revised Code, a board member who attends a meeting by means of

video conference is considered present in person at the meeting, 391  
may vote at the meeting, and is counted for purposes of 392  
determining whether a quorum is present at the meeting. 393

(C) At any meeting in which a board member attends by 394  
means of video conference, the board shall ensure that the 395  
public can hear and observe the discussions and deliberations of 396  
all the members of the board, whether the member is 397  
participating in person or electronically. 398

(D) Except as provided in this section, no person shall do 399  
any of the following: 400

(1) Limit the number of board members who may attend a 401  
meeting by means of video conference; 402

(2) Limit the total number of meetings that the board may 403  
allow members to attend by means of video conference; 404

(3) Limit the number of meetings at which any one board 405  
member may attend by means of video conference; 406

(4) Impose other limits or obligations on a board member 407  
because the board member attends a meeting by means of video 408  
conference. 409

**Sec. 5505.04.** (A) (1) The general administration and 410  
management of the state highway patrol retirement system and the 411  
making effective of this chapter are hereby vested in the state 412  
highway patrol retirement board. The board may sue and be sued, 413  
plead and be impleaded, contract and be contracted with, and do 414  
all things necessary to carry out this chapter. 415

The board shall consist of the following members: 416

(a) The superintendent of the state highway patrol; 417

- (b) Two retirant members who reside in this state; 418
- (c) Five employee-members; 419
- (d) One member, known as the treasurer of state's 420  
investment designee, who shall be appointed by the treasurer of 421  
state for a term of four years and who shall have the following 422  
qualifications: 423
- (i) The member is a resident of this state. 424
- (ii) Within the three years immediately preceding the 425  
appointment, the member has not been employed by the public 426  
employees retirement system, police and fire pension fund, state 427  
teachers retirement system, school employees retirement system, 428  
or state highway patrol retirement system or by any person, 429  
partnership, or corporation that has provided to one of those 430  
retirement systems services of a financial or investment nature, 431  
including the management, analysis, supervision, or investment 432  
of assets. 433
- (iii) The member has direct experience in the management, 434  
analysis, supervision, or investment of assets. 435
- (iv) The member is not currently employed by the state or 436  
a political subdivision of the state. 437
- (e) Two investment expert members, who shall be appointed 438  
to four-year terms. One investment expert member shall be 439  
appointed by the governor, and one investment expert member 440  
shall be jointly appointed by the speaker of the house of 441  
representatives and the president of the senate. Each investment 442  
expert member shall have the following qualifications: 443
- (i) Each investment expert member shall be a resident of 444  
this state. 445



(ii) Within the three years immediately preceding the 446  
appointment, each investment expert member shall not have been 447  
employed by the public employees retirement system, police and 448  
fire pension fund, state teachers retirement system, school 449  
employees retirement system, or state highway patrol retirement 450  
system or by any person, partnership, or corporation that has 451  
provided to one of those retirement systems services of a 452  
financial or investment nature, including the management, 453  
analysis, supervision, or investment of assets. 454

(iii) Each investment expert member shall have direct 455  
experience in the management, analysis, supervision, or 456  
investment of assets. 457

~~(2)~~ (2)(a) The board shall annually elect a chairperson and 458  
vice-chairperson from among its members. The vice-chairperson 459  
shall act as chairperson in the absence of the chairperson. A 460  
majority of the members of the board shall constitute a quorum. 461  
The board shall meet not less than once each year, upon 462  
sufficient notice to the members. All meetings of the board 463  
shall be open to the public except executive sessions as set 464  
forth in division (G) of section 121.22 of the Revised Code, and 465  
any portions of any sessions discussing medical records or the 466  
degree of disability of a member excluded from public inspection 467  
by this section. 468

(b) Notwithstanding division (C) of section 121.22 of the 469  
Revised Code, the board may adopt a policy that allows a board 470  
member to attend a meeting of the board by means of video 471  
conference. The board shall include in the policy, if adopted, 472  
the following: 473

(i) The number of regular meetings at which each board 474  
member shall be present in person, provided that number is not 475

less than one-half of the regular meetings of the board 476  
annually; 477

(ii) That at least one-third of the board members 478  
attending the meeting shall be present in person at the physical 479  
location where the meeting is conducted; 480

(iii) That all votes taken at the meeting shall be taken 481  
by roll call vote; 482

(iv) That a board member who intends to attend a meeting 483  
by means of video conference shall notify the chairperson of 484  
that intent not less than forty-eight hours before the meeting, 485  
except in the case of an emergency as defined in the policy. 486

(c) Notwithstanding division (C) of section 121.22 of the 487  
Revised Code, a board member who attends a meeting by means of 488  
video conference is considered present in person at the meeting, 489  
may vote at the meeting, and is counted for purposes of 490  
determining whether a quorum is present at the meeting. 491

(d) At any meeting in which a board member attends by 492  
means of video conference, the board shall ensure that the 493  
public can hear and observe the discussions and deliberations of 494  
all the members of the board, whether the member is 495  
participating in person or electronically. 496

(e) Except as provided in this section, no person shall do 497  
any of the following: 498

(i) Limit the number of board members who may attend a 499  
meeting by means of video conference; 500

(ii) Limit the total number of meetings that the board may 501  
allow members to attend by means of video conference; 502

(iii) Limit the number of meetings at which any one board 503

member may attend by means of video conference; 504

(iv) Impose other limits or obligations on a board member 505  
because the board member attends a meeting by means of video 506  
conference. 507

(3) Any member appointed under this section shall hold 508  
office until the end of the member's term or, if later, the date 509  
the member's successor takes office. 510

(B) The attorney general shall prescribe procedures for 511  
the adoption of rules authorized under this chapter, consistent 512  
with the provision of section 111.15 of the Revised Code under 513  
which all rules shall be filed in order to be effective. Such 514  
procedures shall establish methods by which notice of proposed 515  
rules are given to interested parties and rules adopted by the 516  
board published and otherwise made available. When it files a 517  
rule with the joint committee on agency rule review pursuant to 518  
section 111.15 of the Revised Code, the board shall submit to 519  
the Ohio retirement study council a copy of the full text of the 520  
rule, and if applicable, a copy of the rule summary and fiscal 521  
analysis required by division (B) of section 106.024 of the 522  
Revised Code. 523

(C) (1) As used in this division, "personal history record" 524  
means information maintained by the board on an individual who 525  
is a member, former member, retirant, or beneficiary that 526  
includes the address, electronic mail address, telephone number, 527  
social security number, record of contributions, correspondence 528  
with the system, and other information the board determines to 529  
be confidential. 530

(2) The records of the board shall be open to public 531  
inspection and may be made available in printed or electronic 532

format, except for the following which shall be excluded: the 533  
member's, former member's, retirant's, or beneficiary's personal 534  
history record and the amount of a monthly allowance or benefit 535  
paid to a retirant, beneficiary, or survivor, except with the 536  
written authorization of the individual concerned. 537

(D) All medical reports and recommendations are privileged 538  
except as follows: 539

(1) Copies of such medical reports or recommendations 540  
shall be made available to the individual's personal physician, 541  
attorney, or authorized agent upon written release received from 542  
such individual or such individual's agent, or when necessary 543  
for the proper administration of the fund to the board-assigned 544  
physician. 545

(2) Documentation required by section 2929.193 of the 546  
Revised Code shall be provided to a court holding a hearing 547  
under that section. 548

(E) Notwithstanding the exceptions to public inspection in 549  
division (C)(2) of this section, the board may furnish the 550  
following information: 551

(1) If a member, former member, or retirant is subject to 552  
an order issued under section 2907.15 of the Revised Code or an 553  
order issued under division (A) or (B) of section 2929.192 of 554  
the Revised Code or is convicted of or pleads guilty to a 555  
violation of section 2921.41 of the Revised Code, on written 556  
request of a prosecutor as defined in section 2935.01 of the 557  
Revised Code, the board shall furnish to the prosecutor the 558  
information requested from the individual's personal history 559  
record. 560

(2) Pursuant to a court order issued under Chapters 3119., 561

3121., and 3123. of the Revised Code, the board shall furnish to 562  
a court or child support enforcement agency the information 563  
required under those chapters. 564

(3) At the written request of any nonprofit organization 565  
or association providing services to retirement system members, 566  
retirants, or beneficiaries, the board shall provide to the 567  
organization or association a list of the names and addresses of 568  
members, former members, retirants, or beneficiaries if the 569  
organization or association agrees to use such information 570  
solely in accordance with its stated purpose of providing 571  
services to such individuals and not for the benefit of other 572  
persons, organizations, or associations. The costs of compiling, 573  
copying, and mailing the list shall be paid by such entity. 574

(4) Within fourteen days after receiving from the director 575  
of job and family services a list of the names and social 576  
security numbers of recipients of public assistance pursuant to 577  
section 5101.181 of the Revised Code, the board shall inform the 578  
auditor of state of the name, current or most recent employer 579  
address, and social security number of each member whose name 580  
and social security number are the same as those of a person 581  
whose name or social security number was submitted by the 582  
director. The board and its employees, except for purposes of 583  
furnishing the auditor of state with information required by 584  
this section, shall preserve the confidentiality of recipients 585  
of public assistance in compliance with section 5101.181 of the 586  
Revised Code. 587

(5) The system shall comply with orders issued under 588  
section 3105.87 of the Revised Code. 589

On the written request of an alternate payee, as defined 590  
in section 3105.80 of the Revised Code, the system shall furnish 591

to the alternate payee information on the amount and status of 592  
any amounts payable to the alternate payee under an order issued 593  
under section 3105.171 or 3105.65 of the Revised Code. 594

(6) At the request of any person, the board shall make 595  
available to the person copies of all documents, including 596  
resumes, in the board's possession regarding filling a vacancy 597  
of an employee member or retirant member of the board. The 598  
person who made the request shall pay the cost of compiling, 599  
copying, and mailing the documents. The information described in 600  
this division is a public record. 601

(7) The system shall provide the notice required by 602  
section 5505.263 of the Revised Code to the prosecutor assigned 603  
to the case. 604

(8) The system may provide information requested by the 605  
United States social security administration, United States 606  
centers for medicare and medicaid, public employees retirement 607  
system, Ohio public employees deferred compensation program, 608  
Ohio police and fire pension fund, school employees retirement 609  
system, state teachers retirement system, or Cincinnati 610  
retirement system. 611

(F) A statement that contains information obtained from 612  
the system's records that is certified and signed by an officer 613  
of the retirement system and to which the system's official seal 614  
is affixed, or copies of the system's records to which the 615  
signature and seal are attached, shall be received as true 616  
copies of the system's records in any court or before any 617  
officer of this state. 618

(G) The board may maintain records in printed or 619  
electronic format. 620

**Sec. 5543.06.** The county engineer shall annually call a 621  
meeting, within the county, at a time and place approved by the 622  
board of county commissioners, of all the township and county 623  
authorities having directly to do with the construction and 624  
repair of roads and bridges within the county. At such meeting, 625  
which shall be open to the general public, the engineer, or ~~his~~ 626  
the engineer's designee, shall instruct the proper authorities 627  
as to the best and most economical methods for repairing and 628  
maintaining the roads and bridges of the county, so as to 629  
provide a uniform system of highway work for such county. Each 630  
official attending such meeting shall receive ~~his~~ the official's 631  
actual and necessary expenses, in addition to ~~his~~ the official's 632  
regular per diem or salary, which shall be paid by the county 633  
treasurer from the road fund of the county on itemized vouchers 634  
approved by the engineer. 635

The county engineer may conduct a meeting under this 636  
section through means of video conference or any other similar 637  
electronic technology in accordance with section 121.221 of the 638  
Revised Code. 639

**Section 2.** That existing sections 305.02, 715.693, 924.12, 640  
5505.04, and 5543.06 of the Revised Code are hereby repealed. 641