

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 185

**Senator Landis
Cosponsor: Senator Cirino**

A BILL

To amend sections 149.43, 149.45, and 319.28 of the
Revised Code to exempt redaction request forms,
affidavits, and the records of the work
schedules of designated public service workers
from disclosure under public records law.

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

Section 1. That sections 149.43, 149.45, and 319.28 of the
Revised Code be amended to read as follows:

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

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

(a) Medical records;

(b) Records pertaining to probation and parole 18
proceedings, to proceedings related to the imposition of 19
community control sanctions and post-release control sanctions, 20
or to proceedings related to determinations under section 21
2967.271 of the Revised Code regarding the release or maintained 22
incarceration of an offender to whom that section applies; 23

(c) Records pertaining to actions under section 2151.85 24
and division (C) of section 2919.121 of the Revised Code and to 25
appeals of actions arising under those sections; 26

(d) Records pertaining to adoption proceedings, including 27
the contents of an adoption file maintained by the department of 28
health under sections 3705.12 to 3705.124 of the Revised Code; 29

(e) Information in a record contained in the putative 30
father registry established by section 3107.062 of the Revised 31
Code, regardless of whether the information is held by the 32
department of job and family services or, pursuant to section 33
3111.69 of the Revised Code, the office of child support in the 34
department or a child support enforcement agency; 35

(f) Records specified in division (A) of section 3107.52 36
of the Revised Code; 37

(g) Trial preparation records; 38

(h) Confidential law enforcement investigatory records; 39

(i) Records containing information that is confidential 40
under section 2710.03 or 4112.05 of the Revised Code; 41

(j) DNA records stored in the DNA database pursuant to 42
section 109.573 of the Revised Code; 43

(k) Inmate records released by the department of 44
rehabilitation and correction to the department of youth 45

services or a court of record pursuant to division (E) of 46
section 5120.21 of the Revised Code; 47

(l) Records maintained by the department of youth services 48
pertaining to children in its custody released by the department 49
of youth services to the department of rehabilitation and 50
correction pursuant to section 5139.05 of the Revised Code; 51

(m) Intellectual property records; 52

(n) Donor profile records; 53

(o) Records maintained by the department of job and family 54
services pursuant to section 3121.894 of the Revised Code; 55

(p) Designated public service worker residential and 56
familial information; 57

(q) In the case of a county hospital operated pursuant to 58
Chapter 339. of the Revised Code or a municipal hospital 59
operated pursuant to Chapter 749. of the Revised Code, 60
information that constitutes a trade secret, as defined in 61
section 1333.61 of the Revised Code; 62

(r) Information pertaining to the recreational activities 63
of a person under the age of eighteen; 64

(s) In the case of a child fatality review board acting 65
under sections 307.621 to 307.629 of the Revised Code or a 66
review conducted pursuant to guidelines established by the 67
director of health under section 3701.70 of the Revised Code, 68
records provided to the board or director, statements made by 69
board members during meetings of the board or by persons 70
participating in the director's review, and all work products of 71
the board or director, and in the case of a child fatality 72
review board, child fatality review data submitted by the board 73

to the department of health or a national child death review 74
database, other than the report prepared pursuant to division 75
(A) of section 307.626 of the Revised Code; 76

(t) Records provided to and statements made by the 77
executive director of a public children services agency or a 78
prosecuting attorney acting pursuant to section 5153.171 of the 79
Revised Code other than the information released under that 80
section; 81

(u) Test materials, examinations, or evaluation tools used 82
in an examination for licensure as a nursing home administrator 83
that the board of executives of long-term services and supports 84
administers under section 4751.15 of the Revised Code or 85
contracts under that section with a private or government entity 86
to administer; 87

(v) Records the release of which is prohibited by state or 88
federal law; 89

(w) Proprietary information of or relating to any person 90
that is submitted to or compiled by the Ohio venture capital 91
authority created under section 150.01 of the Revised Code; 92

(x) Financial statements and data any person submits for 93
any purpose to the Ohio housing finance agency or the 94
controlling board in connection with applying for, receiving, or 95
accounting for financial assistance from the agency, and 96
information that identifies any individual who benefits directly 97
or indirectly from financial assistance from the agency; 98

(y) Records listed in section 5101.29 of the Revised Code; 99

(z) Discharges recorded with a county recorder under 100
section 317.24 of the Revised Code, as specified in division (B) 101
(2) of that section; 102

(aa) Usage information including names and addresses of 103
specific residential and commercial customers of a municipally 104
owned or operated public utility; 105

(bb) Records described in division (C) of section 187.04 106
of the Revised Code that are not designated to be made available 107
to the public as provided in that division; 108

(cc) Information and records that are made confidential, 109
privileged, and not subject to disclosure under divisions (B) 110
and (C) of section 2949.221 of the Revised Code; 111

(dd) Personal information, as defined in section 149.45 of 112
the Revised Code; 113

(ee) The confidential name, address, and other personally 114
identifiable information of a program participant in the address 115
confidentiality program established under sections 111.41 to 116
111.47 of the Revised Code, including the contents of any 117
application for absent voter's ballots, absent voter's ballot 118
identification envelope statement of voter, or provisional 119
ballot affirmation completed by a program participant who has a 120
confidential voter registration record; records or portions of 121
records pertaining to that program that identify the number of 122
program participants that reside within a precinct, ward, 123
township, municipal corporation, county, or any other geographic 124
area smaller than the state; and any real property 125
confidentiality notice filed under section 111.431 of the 126
Revised Code and the information described in division (C) of 127
that section. As used in this division, "confidential address" 128
and "program participant" have the meaning defined in section 129
111.41 of the Revised Code. 130

(ff) Orders for active military service of an individual 131

serving or with previous service in the armed forces of the 132
United States, including a reserve component, or the Ohio 133
organized militia, except that, such order becomes a public 134
record on the day that is fifteen years after the published date 135
or effective date of the call to order; 136

(gg) The name, address, contact information, or other 137
personal information of an individual who is less than eighteen 138
years of age that is included in any record related to a traffic 139
accident involving a school vehicle in which the individual was 140
an occupant at the time of the accident; 141

(hh) Protected health information, as defined in 45 C.F.R. 142
160.103, that is in a claim for payment for a health care 143
product, service, or procedure, as well as any other health 144
claims data in another document that reveals the identity of an 145
individual who is the subject of the data or could be used to 146
reveal that individual's identity; 147

(ii) Any depiction by photograph, film, videotape, or 148
printed or digital image under either of the following 149
circumstances: 150

(i) The depiction is that of a victim of an offense the 151
release of which would be, to a reasonable person of ordinary 152
sensibilities, an offensive and objectionable intrusion into the 153
victim's expectation of bodily privacy and integrity. 154

(ii) The depiction captures or depicts the victim of a 155
sexually oriented offense, as defined in section 2950.01 of the 156
Revised Code, at the actual occurrence of that offense. 157

(jj) Restricted portions of a body-worn camera or 158
dashboard camera recording; 159

(kk) In the case of a fetal-infant mortality review board 160

acting under sections 3707.70 to 3707.77 of the Revised Code, 161
records, documents, reports, or other information presented to 162
the board or a person abstracting such materials on the board's 163
behalf, statements made by review board members during board 164
meetings, all work products of the board, and data submitted by 165
the board to the department of health or a national infant death 166
review database, other than the report prepared pursuant to 167
section 3707.77 of the Revised Code. 168

(ll) Records, documents, reports, or other information 169
presented to the pregnancy-associated mortality review board 170
established under section 3738.01 of the Revised Code, 171
statements made by board members during board meetings, all work 172
products of the board, and data submitted by the board to the 173
department of health, other than the biennial reports prepared 174
under section 3738.08 of the Revised Code; 175

(mm) Except as otherwise provided in division (A) (1) (oo) 176
of this section, telephone numbers for a victim, as defined in 177
section 2930.01 of the Revised Code or a witness to a crime that 178
are listed on any law enforcement record or report. 179

(nn) A preneed funeral contract, as defined in section 180
4717.01 of the Revised Code, and contract terms and personally 181
identifying information of a preneed funeral contract, that is 182
contained in a report submitted by or for a funeral home to the 183
board of embalmers and funeral directors under division (C) of 184
section 4717.13, division (J) of section 4717.31, or section 185
4717.41 of the Revised Code. 186

(oo) Telephone numbers for a party to a motor vehicle 187
accident subject to the requirements of section 5502.11 of the 188
Revised Code that are listed on any law enforcement record or 189
report, except that the telephone numbers described in this 190

division are not excluded from the definition of "public record" 191
under this division on and after the thirtieth day after the 192
occurrence of the motor vehicle accident. 193

(pp) Records pertaining to individuals who complete 194
training under section 5502.703 of the Revised Code to be 195
permitted by a school district board of education or governing 196
body of a community school established under Chapter 3314. of 197
the Revised Code, a STEM school established under Chapter 3326. 198
of the Revised Code, or a chartered nonpublic school to convey 199
deadly weapons or dangerous ordnance into a school safety zone; 200

(qq) Records, documents, reports, or other information 201
presented to a domestic violence fatality review board 202
established under section 307.651 of the Revised Code, 203
statements made by board members during board meetings, all work 204
products of the board, and data submitted by the board to the 205
department of health, other than a report prepared pursuant to 206
section 307.656 of the Revised Code; 207

(rr) Records, documents, and information the release of 208
which is prohibited under sections 2930.04 and 2930.07 of the 209
Revised Code; 210

(ss) Records of an existing qualified nonprofit 211
corporation that creates a special improvement district under 212
Chapter 1710. of the Revised Code that do not pertain to a 213
purpose for which the district is created; 214

(tt) Records of the past, current, and future work 215
schedule of a designated public service worker; 216

(uu) A request form submitted to a public office under 217
section 149.45 of the Revised Code; 218

(vv) An affidavit submitted under section 319.28 of the 219

Revised Code. 220

A record that is not a public record under division (A) (1) 221
of this section and that, under law, is permanently retained 222
becomes a public record on the day that is seventy-five years 223
after the day on which the record was created, except for any 224
record protected by the attorney-client privilege, a trial 225
preparation record as defined in this section, a statement 226
prohibiting the release of identifying information signed under 227
section 3107.083 of the Revised Code, a denial of release form 228
filed pursuant to section 3107.46 of the Revised Code, or any 229
record that is exempt from release or disclosure under section 230
149.433 of the Revised Code. If the record is a birth 231
certificate and a biological parent's name redaction request 232
form has been accepted under section 3107.391 of the Revised 233
Code, the name of that parent shall be redacted from the birth 234
certificate before it is released under this paragraph. If any 235
other section of the Revised Code establishes a time period for 236
disclosure of a record that conflicts with the time period 237
specified in this section, the time period in the other section 238
prevails. 239

(2) "Confidential law enforcement investigatory record" 240
means any record that pertains to a law enforcement matter of a 241
criminal, quasi-criminal, civil, or administrative nature, but 242
only to the extent that the release of the record would create a 243
high probability of disclosure of any of the following: 244

(a) The identity of a suspect who has not been charged 245
with the offense to which the record pertains, or of an 246
information source or witness to whom confidentiality has been 247
reasonably promised; 248

(b) Information provided by an information source or 249

witness to whom confidentiality has been reasonably promised, 250
which information would reasonably tend to disclose the source's 251
or witness's identity; 252

(c) Specific confidential investigatory techniques or 253
procedures or specific investigatory work product; 254

(d) Information that would endanger the life or physical 255
safety of law enforcement personnel, a crime victim, a witness, 256
or a confidential information source. 257

(3) "Medical record" means any document or combination of 258
documents, except births, deaths, and the fact of admission to 259
or discharge from a hospital, that pertains to the medical 260
history, diagnosis, prognosis, or medical condition of a patient 261
and that is generated and maintained in the process of medical 262
treatment. 263

(4) "Trial preparation record" means any record that 264
contains information that is specifically compiled in reasonable 265
anticipation of, or in defense of, a civil or criminal action or 266
proceeding, including the independent thought processes and 267
personal trial preparation of an attorney. 268

(5) "Intellectual property record" means a record, other 269
than a financial or administrative record, that is produced or 270
collected by or for faculty or staff of a state institution of 271
higher learning in the conduct of or as a result of study or 272
research on an educational, commercial, scientific, artistic, 273
technical, or scholarly issue, regardless of whether the study 274
or research was sponsored by the institution alone or in 275
conjunction with a governmental body or private concern, and 276
that has not been publicly released, published, or patented. 277

(6) "Donor profile record" means all records about donors 278

or potential donors to a public institution of higher education 279
except the names and reported addresses of the actual donors and 280
the date, amount, and conditions of the actual donation. 281

(7) "Designated public service worker" means a peace 282
officer, parole officer, probation officer, bailiff, prosecuting 283
attorney, assistant prosecuting attorney, correctional employee, 284
county or multicounty corrections officer, community-based 285
correctional facility employee, designated Ohio national guard 286
member, protective services worker, youth services employee, 287
firefighter, EMT, medical director or member of a cooperating 288
physician advisory board of an emergency medical service 289
organization, state board of pharmacy employee, investigator of 290
the bureau of criminal identification and investigation, 291
emergency service telecommunicator, forensic mental health 292
provider, mental health evaluation provider, regional 293
psychiatric hospital employee, judge, magistrate, or federal law 294
enforcement officer. 295

(8) "Designated public service worker residential and 296
familial information" means any information that discloses any 297
of the following about a designated public service worker: 298

(a) The address of the actual personal residence of a 299
designated public service worker, except for the following 300
information: 301

(i) The address of the actual personal residence of a 302
prosecuting attorney or judge; and 303

(ii) The state or political subdivision in which a 304
designated public service worker resides. 305

(b) Information compiled from referral to or participation 306
in an employee assistance program; 307

(c) The social security number, the residential telephone 308
number, any bank account, debit card, charge card, or credit 309
card number, or the emergency telephone number of, or any 310
medical information pertaining to, a designated public service 311
worker; 312

(d) The name of any beneficiary of employment benefits, 313
including, but not limited to, life insurance benefits, provided 314
to a designated public service worker by the designated public 315
service worker's employer; 316

(e) The identity and amount of any charitable or 317
employment benefit deduction made by the designated public 318
service worker's employer from the designated public service 319
worker's compensation, unless the amount of the deduction is 320
required by state or federal law; 321

(f) The name, the residential address, the name of the 322
employer, the address of the employer, the social security 323
number, the residential telephone number, any bank account, 324
debit card, charge card, or credit card number, or the emergency 325
telephone number of the spouse, a former spouse, or any child of 326
a designated public service worker; 327

(g) A photograph of a peace officer who holds a position 328
or has an assignment that may include undercover or plain 329
clothes positions or assignments as determined by the peace 330
officer's appointing authority. 331

(9) As used in divisions (A) (7) and (15) to (17) of this 332
section: 333

"Peace officer" has the meaning defined in section 109.71 334
of the Revised Code and also includes the superintendent and 335
troopers of the state highway patrol; it does not include the 336

sheriff of a county or a supervisory employee who, in the 337
absence of the sheriff, is authorized to stand in for, exercise 338
the authority of, and perform the duties of the sheriff. 339

"Correctional employee" means any employee of the 340
department of rehabilitation and correction who in the course of 341
performing the employee's job duties has or has had contact with 342
inmates and persons under supervision. 343

"County or multicounty corrections officer" means any 344
corrections officer employed by any county or multicounty 345
correctional facility. 346

"Designated Ohio national guard member" means a member of 347
the Ohio national guard who is participating in duties related 348
to remotely piloted aircraft, including, but not limited to, 349
pilots, sensor operators, and mission intelligence personnel, 350
duties related to special forces operations, or duties related 351
to cybersecurity, and is designated by the adjutant general as a 352
designated public service worker for those purposes. 353

"Protective services worker" means any employee of a 354
county agency who is responsible for child protective services, 355
child support services, or adult protective services. 356

"Youth services employee" means any employee of the 357
department of youth services who in the course of performing the 358
employee's job duties has or has had contact with children 359
committed to the custody of the department of youth services. 360

"Firefighter" means any regular, paid or volunteer, member 361
of a lawfully constituted fire department of a municipal 362
corporation, township, fire district, or village. 363

"EMT" means EMTs-basic, EMTs-I, and paramedics that 364
provide emergency medical services for a public emergency 365

medical service organization. "Emergency medical service 366
organization," "EMT-basic," "EMT-I," and "paramedic" have the 367
meanings defined in section 4765.01 of the Revised Code. 368

"Investigator of the bureau of criminal identification and 369
investigation" has the meaning defined in section 2903.11 of the 370
Revised Code. 371

"Emergency service telecommunicator" means an individual 372
employed by an emergency service provider as defined under 373
section 128.01 of the Revised Code, whose primary responsibility 374
is to be an operator for the receipt or processing of calls for 375
emergency services made by telephone, radio, or other electronic 376
means. 377

"Forensic mental health provider" means any employee of a 378
community mental health service provider or local alcohol, drug 379
addiction, and mental health services board who, in the course 380
of the employee's duties, has contact with persons committed to 381
a local alcohol, drug addiction, and mental health services 382
board by a court order pursuant to section 2945.38, 2945.39, 383
2945.40, or 2945.402 of the Revised Code. 384

"Mental health evaluation provider" means an individual 385
who, under Chapter 5122. of the Revised Code, examines a 386
respondent who is alleged to be a mentally ill person subject to 387
court order, as defined in section 5122.01 of the Revised Code, 388
and reports to the probate court the respondent's mental 389
condition. 390

"Regional psychiatric hospital employee" means any 391
employee of the department of mental health and addiction 392
services who, in the course of performing the employee's duties, 393
has contact with patients committed to the department of mental 394

health and addiction services by a court order pursuant to 395
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 396
Code. 397

"Federal law enforcement officer" has the meaning defined 398
in section 9.88 of the Revised Code. 399

(10) "Information pertaining to the recreational 400
activities of a person under the age of eighteen" means 401
information that is kept in the ordinary course of business by a 402
public office, that pertains to the recreational activities of a 403
person under the age of eighteen years, and that discloses any 404
of the following: 405

(a) The address or telephone number of a person under the 406
age of eighteen or the address or telephone number of that 407
person's parent, guardian, custodian, or emergency contact 408
person; 409

(b) The social security number, birth date, or 410
photographic image of a person under the age of eighteen; 411

(c) Any medical record, history, or information pertaining 412
to a person under the age of eighteen; 413

(d) Any additional information sought or required about a 414
person under the age of eighteen for the purpose of allowing 415
that person to participate in any recreational activity 416
conducted or sponsored by a public office or to use or obtain 417
admission privileges to any recreational facility owned or 418
operated by a public office. 419

(11) "Community control sanction" has the meaning defined 420
in section 2929.01 of the Revised Code. 421

(12) "Post-release control sanction" has the meaning 422

defined in section 2967.01 of the Revised Code. 423

(13) "Redaction" means obscuring or deleting any 424
information that is exempt from the duty to permit public 425
inspection or copying from an item that otherwise meets the 426
definition of a "record" in section 149.011 of the Revised Code. 427

(14) "Designee," "elected official," and "future official" 428
have the meanings defined in section 109.43 of the Revised Code. 429

(15) "Body-worn camera" means a visual and audio recording 430
device worn on the person of a correctional employee, youth 431
services employee, or peace officer while the correctional 432
employee, youth services employee, or peace officer is engaged 433
in the performance of official duties. 434

(16) "Dashboard camera" means a visual and audio recording 435
device mounted on a peace officer's vehicle or vessel that is 436
used while the peace officer is engaged in the performance of 437
the peace officer's duties. 438

(17) "Restricted portions of a body-worn camera or 439
dashboard camera recording" means any visual or audio portion of 440
a body-worn camera or dashboard camera recording that shows, 441
communicates, or discloses any of the following: 442

(a) The image or identity of a child or information that 443
could lead to the identification of a child who is a primary 444
subject of the recording when the department of rehabilitation 445
and correction, department of youth services, or the law 446
enforcement agency knows or has reason to know the person is a 447
child based on the department's or law enforcement agency's 448
records or the content of the recording; 449

(b) The death of a person or a deceased person's body, 450
unless the death was caused by a correctional employee, youth 451

services employee, or peace officer or, subject to division (H) 452
(1) of this section, the consent of the decedent's executor or 453
administrator has been obtained; 454

(c) The death of a correctional employee, youth services 455
employee, peace officer, firefighter, paramedic, or other first 456
responder, occurring while the decedent was engaged in the 457
performance of official duties, unless, subject to division (H) 458
(1) of this section, the consent of the decedent's executor or 459
administrator has been obtained; 460

(d) Grievous bodily harm, unless the injury was effected 461
by a correctional employee, youth services employee, or peace 462
officer or, subject to division (H) (1) of this section, the 463
consent of the injured person or the injured person's guardian 464
has been obtained; 465

(e) An act of severe violence against a person that 466
results in serious physical harm to the person, unless the act 467
and injury was effected by a correctional employee, youth 468
services employee, or peace officer or, subject to division (H) 469
(1) of this section, the consent of the injured person or the 470
injured person's guardian has been obtained; 471

(f) Grievous bodily harm to a correctional employee, youth 472
services employee, peace officer, firefighter, paramedic, or 473
other first responder, occurring while the injured person was 474
engaged in the performance of official duties, unless, subject 475
to division (H) (1) of this section, the consent of the injured 476
person or the injured person's guardian has been obtained; 477

(g) An act of severe violence resulting in serious 478
physical harm against a correctional employee, youth services 479
employee, peace officer, firefighter, paramedic, or other first 480

responder, occurring while the injured person was engaged in the 481
performance of official duties, unless, subject to division (H) 482
(1) of this section, the consent of the injured person or the 483
injured person's guardian has been obtained; 484

(h) A person's nude body, unless, subject to division (H) 485
(1) of this section, the person's consent has been obtained; 486

(i) Protected health information, the identity of a person 487
in a health care facility who is not the subject of a 488
correctional, youth services, or law enforcement encounter, or 489
any other information in a health care facility that could 490
identify a person who is not the subject of a correctional, 491
youth services, or law enforcement encounter; 492

(j) Information that could identify the alleged victim of 493
a sex offense, menacing by stalking, or domestic violence; 494

(k) Information, that does not constitute a confidential 495
law enforcement investigatory record, that could identify a 496
person who provides sensitive or confidential information to the 497
department of rehabilitation and correction, the department of 498
youth services, or a law enforcement agency when the disclosure 499
of the person's identity or the information provided could 500
reasonably be expected to threaten or endanger the safety or 501
property of the person or another person; 502

(l) Personal information of a person who is not arrested, 503
cited, charged, or issued a written warning by a peace officer; 504

(m) Proprietary correctional, youth services, or police 505
contingency plans or tactics that are intended to prevent crime 506
and maintain public order and safety; 507

(n) A personal conversation unrelated to work between 508
correctional employees, youth services employees, or peace 509

officers or between a correctional employee, youth services 510
employee, or peace officer and an employee of a law enforcement 511
agency; 512

(o) A conversation between a correctional employee, youth 513
services employee, or peace officer and a member of the public 514
that does not concern correctional, youth services, or law 515
enforcement activities; 516

(p) The interior of a residence, unless the interior of a 517
residence is the location of an adversarial encounter with, or a 518
use of force by, a correctional employee, youth services 519
employee, or peace officer; 520

(q) Any portion of the interior of a private business that 521
is not open to the public, unless an adversarial encounter with, 522
or a use of force by, a correctional employee, youth services 523
employee, or peace officer occurs in that location. 524

As used in division (A) (17) of this section: 525

"Grievous bodily harm" has the same meaning as in section 526
5924.120 of the Revised Code. 527

"Health care facility" has the same meaning as in section 528
1337.11 of the Revised Code. 529

"Protected health information" has the same meaning as in 530
45 C.F.R. 160.103. 531

"Law enforcement agency" means a government entity that 532
employs peace officers to perform law enforcement duties. 533

"Personal information" means any government-issued 534
identification number, date of birth, address, financial 535
information, or criminal justice information from the law 536
enforcement automated data system or similar databases. 537

"Sex offense" has the same meaning as in section 2907.10 538
of the Revised Code. 539

"Firefighter," "paramedic," and "first responder" have the 540
same meanings as in section 4765.01 of the Revised Code. 541

(B) (1) Upon request by any person and subject to division 542
(B) (8) of this section, all public records responsive to the 543
request shall be promptly prepared and made available for 544
inspection to the requester at all reasonable times during 545
regular business hours. Subject to division (B) (8) of this 546
section, upon request by any person, a public office or person 547
responsible for public records shall make copies of the 548
requested public record available to the requester at cost and 549
within a reasonable period of time. If a public record contains 550
information that is exempt from the duty to permit public 551
inspection or to copy the public record, the public office or 552
the person responsible for the public record shall make 553
available all of the information within the public record that 554
is not exempt. When making that public record available for 555
public inspection or copying that public record, the public 556
office or the person responsible for the public record shall 557
notify the requester of any redaction or make the redaction 558
plainly visible. A redaction shall be deemed a denial of a 559
request to inspect or copy the redacted information, except if 560
federal or state law authorizes or requires a public office to 561
make the redaction. When the auditor of state receives a request 562
to inspect or to make a copy of a record that was provided to 563
the auditor of state for purposes of an audit, but the original 564
public office has asserted to the auditor of state that the 565
record is not a public record, the auditor of state may handle 566
the requests by directing the requestor to the original public 567
office that provided the record to the auditor of state. 568

(2) To facilitate broader access to public records, a 569
public office or the person responsible for public records shall 570
organize and maintain public records in a manner that they can 571
be made available for inspection or copying in accordance with 572
division (B) of this section. A public office also shall have 573
available a copy of its current records retention schedule at a 574
location readily available to the public. If a requester makes 575
an ambiguous or overly broad request or has difficulty in making 576
a request for copies or inspection of public records under this 577
section such that the public office or the person responsible 578
for the requested public record cannot reasonably identify what 579
public records are being requested, the public office or the 580
person responsible for the requested public record may deny the 581
request but shall provide the requester with an opportunity to 582
revise the request by informing the requester of the manner in 583
which records are maintained by the public office and accessed 584
in the ordinary course of the public office's or person's 585
duties. 586

(3) If a request is ultimately denied, in part or in 587
whole, the public office or the person responsible for the 588
requested public record shall provide the requester with an 589
explanation, including legal authority, setting forth why the 590
request was denied. If the initial request was provided in 591
writing, the explanation also shall be provided to the requester 592
in writing. The explanation shall not preclude the public office 593
or the person responsible for the requested public record from 594
relying upon additional reasons or legal authority in defending 595
an action commenced under division (C) of this section. 596

(4) Unless specifically required or authorized by state or 597
federal law or in accordance with division (B) of this section, 598
no public office or person responsible for public records may 599

limit or condition the availability of public records by 600
requiring disclosure of the requester's identity or the intended 601
use of the requested public record. Any requirement that the 602
requester disclose the requester's identity or the intended use 603
of the requested public record constitutes a denial of the 604
request. 605

(5) A public office or person responsible for public 606
records may ask a requester to make the request in writing, may 607
ask for the requester's identity, and may inquire about the 608
intended use of the information requested, but may do so only 609
after disclosing to the requester that a written request is not 610
mandatory, that the requester may decline to reveal the 611
requester's identity or the intended use, and when a written 612
request or disclosure of the identity or intended use would 613
benefit the requester by enhancing the ability of the public 614
office or person responsible for public records to identify, 615
locate, or deliver the public records sought by the requester. 616

(6) If any person requests a copy of a public record in 617
accordance with division (B) of this section, the public office 618
or person responsible for the public record may require the 619
requester to pay in advance the cost involved in providing the 620
copy of the public record in accordance with the choice made by 621
the requester under this division. The public office or the 622
person responsible for the public record shall permit the 623
requester to choose to have the public record duplicated upon 624
paper, upon the same medium upon which the public office or 625
person responsible for the public record keeps it, or upon any 626
other medium upon which the public office or person responsible 627
for the public record determines that it reasonably can be 628
duplicated as an integral part of the normal operations of the 629
public office or person responsible for the public record. When 630

the requester makes a choice under this division, the public 631
office or person responsible for the public record shall provide 632
a copy of it in accordance with the choice made by the 633
requester. Nothing in this section requires a public office or 634
person responsible for the public record to allow the requester 635
of a copy of the public record to make the copies of the public 636
record. 637

(7) (a) Upon a request made in accordance with division (B) 638
of this section and subject to division (B) (6) of this section, 639
a public office or person responsible for public records shall 640
transmit a copy of a public record to any person by United 641
States mail or by any other means of delivery or transmission 642
within a reasonable period of time after receiving the request 643
for the copy. The public office or person responsible for the 644
public record may require the person making the request to pay 645
in advance the cost of postage if the copy is transmitted by 646
United States mail or the cost of delivery if the copy is 647
transmitted other than by United States mail, and to pay in 648
advance the costs incurred for other supplies used in the 649
mailing, delivery, or transmission. 650

(b) Any public office may adopt a policy and procedures 651
that it will follow in transmitting, within a reasonable period 652
of time after receiving a request, copies of public records by 653
United States mail or by any other means of delivery or 654
transmission pursuant to division (B) (7) of this section. A 655
public office that adopts a policy and procedures under division 656
(B) (7) of this section shall comply with them in performing its 657
duties under that division. 658

(c) In any policy and procedures adopted under division 659
(B) (7) of this section: 660

(i) A public office may limit the number of records 661
requested by a person that the office will physically deliver by 662
United States mail or by another delivery service to ten per 663
month, unless the person certifies to the office in writing that 664
the person does not intend to use or forward the requested 665
records, or the information contained in them, for commercial 666
purposes; 667

(ii) A public office that chooses to provide some or all 668
of its public records on a web site that is fully accessible to 669
and searchable by members of the public at all times, other than 670
during acts of God outside the public office's control or 671
maintenance, and that charges no fee to search, access, 672
download, or otherwise receive records provided on the web site, 673
may limit to ten per month the number of records requested by a 674
person that the office will deliver in a digital format, unless 675
the requested records are not provided on the web site and 676
unless the person certifies to the office in writing that the 677
person does not intend to use or forward the requested records, 678
or the information contained in them, for commercial purposes. 679

(iii) For purposes of division (B)(7) of this section, 680
"commercial" shall be narrowly construed and does not include 681
reporting or gathering news, reporting or gathering information 682
to assist citizen oversight or understanding of the operation or 683
activities of government, or nonprofit educational research. 684

(8) A public office or person responsible for public 685
records is not required to permit a person who is incarcerated 686
pursuant to a criminal conviction or a juvenile adjudication to 687
inspect or to obtain a copy of any public record concerning a 688
criminal investigation or prosecution or concerning what would 689
be a criminal investigation or prosecution if the subject of the 690

investigation or prosecution were an adult, unless the request 691
to inspect or to obtain a copy of the record is for the purpose 692
of acquiring information that is subject to release as a public 693
record under this section and the judge who imposed the sentence 694
or made the adjudication with respect to the person, or the 695
judge's successor in office, finds that the information sought 696
in the public record is necessary to support what appears to be 697
a justiciable claim of the person. 698

(9) (a) Upon written request made and signed by a 699
journalist, a public office, or person responsible for public 700
records, having custody of the records of the agency employing a 701
specified designated public service worker shall disclose to the 702
journalist the address of the actual personal residence of the 703
designated public service worker and, if the designated public 704
service worker's spouse, former spouse, or child is employed by 705
a public office, the name and address of the employer of the 706
designated public service worker's spouse, former spouse, or 707
child. The request shall include the journalist's name and title 708
and the name and address of the journalist's employer and shall 709
state that disclosure of the information sought would be in the 710
public interest. 711

(b) Division (B) (9) (a) of this section also applies to 712
journalist requests for: 713

(i) Customer information maintained by a municipally owned 714
or operated public utility, other than social security numbers 715
and any private financial information such as credit reports, 716
payment methods, credit card numbers, and bank account 717
information; 718

(ii) Information about minors involved in a school vehicle 719
accident as provided in division (A) (1) (gg) of this section, 720

other than personal information as defined in section 149.45 of 721
the Revised Code. 722

(c) As used in division (B) (9) of this section, 723
"journalist" means a person engaged in, connected with, or 724
employed by any news medium, including a newspaper, magazine, 725
press association, news agency, or wire service, a radio or 726
television station, or a similar medium, for the purpose of 727
gathering, processing, transmitting, compiling, editing, or 728
disseminating information for the general public. 729

(10) Upon a request made by a victim, victim's attorney, 730
or victim's representative, as that term is used in section 731
2930.02 of the Revised Code, a public office or person 732
responsible for public records shall transmit a copy of a 733
depiction of the victim as described in division (A) (1) (ii) of 734
this section to the victim, victim's attorney, or victim's 735
representative. 736

(C) (1) If a person allegedly is aggrieved by the failure 737
of a public office or the person responsible for public records 738
to promptly prepare a public record and to make it available to 739
the person for inspection in accordance with division (B) of 740
this section or by any other failure of a public office or the 741
person responsible for public records to comply with an 742
obligation in accordance with division (B) of this section, the 743
person allegedly aggrieved may do only one of the following, and 744
not both: 745

(a) File a complaint with the clerk of the court of claims 746
or the clerk of the court of common pleas under section 2743.75 747
of the Revised Code; 748

(b) Commence a mandamus action to obtain a judgment that 749

orders the public office or the person responsible for the 750
public record to comply with division (B) of this section, that 751
awards court costs and reasonable attorney's fees to the person 752
that instituted the mandamus action, and, if applicable, that 753
includes an order fixing statutory damages under division (C) (2) 754
of this section. The mandamus action may be commenced in the 755
court of common pleas of the county in which division (B) of 756
this section allegedly was not complied with, in the supreme 757
court pursuant to its original jurisdiction under Section 2 of 758
Article IV, Ohio Constitution, or in the court of appeals for 759
the appellate district in which division (B) of this section 760
allegedly was not complied with pursuant to its original 761
jurisdiction under Section 3 of Article IV, Ohio Constitution. 762

(2) If a requester transmits a written request by hand 763
delivery, electronic submission, or certified mail to inspect or 764
receive copies of any public record in a manner that fairly 765
describes the public record or class of public records to the 766
public office or person responsible for the requested public 767
records, except as otherwise provided in this section, the 768
requester shall be entitled to recover the amount of statutory 769
damages set forth in this division if a court determines that 770
the public office or the person responsible for public records 771
failed to comply with an obligation in accordance with division 772
(B) of this section. 773

The amount of statutory damages shall be fixed at one 774
hundred dollars for each business day during which the public 775
office or person responsible for the requested public records 776
failed to comply with an obligation in accordance with division 777
(B) of this section, beginning with the day on which the 778
requester files a mandamus action to recover statutory damages, 779
up to a maximum of one thousand dollars. The award of statutory 780

damages shall not be construed as a penalty, but as compensation 781
for injury arising from lost use of the requested information. 782
The existence of this injury shall be conclusively presumed. The 783
award of statutory damages shall be in addition to all other 784
remedies authorized by this section. 785

The court may reduce an award of statutory damages or not 786
award statutory damages if the court determines both of the 787
following: 788

(a) That, based on the ordinary application of statutory 789
law and case law as it existed at the time of the conduct or 790
threatened conduct of the public office or person responsible 791
for the requested public records that allegedly constitutes a 792
failure to comply with an obligation in accordance with division 793
(B) of this section and that was the basis of the mandamus 794
action, a well-informed public office or person responsible for 795
the requested public records reasonably would believe that the 796
conduct or threatened conduct of the public office or person 797
responsible for the requested public records did not constitute 798
a failure to comply with an obligation in accordance with 799
division (B) of this section; 800

(b) That a well-informed public office or person 801
responsible for the requested public records reasonably would 802
believe that the conduct or threatened conduct of the public 803
office or person responsible for the requested public records 804
would serve the public policy that underlies the authority that 805
is asserted as permitting that conduct or threatened conduct. 806

(3) In a mandamus action filed under division (C) (1) of 807
this section, the following apply: 808

(a) (i) If the court orders the public office or the person 809

responsible for the public record to comply with division (B) of 810
this section, the court shall determine and award to the relator 811
all court costs, which shall be construed as remedial and not 812
punitive. 813

(ii) If the court makes a determination described in 814
division (C) (3) (b) (iii) of this section, the court shall 815
determine and award to the relator all court costs, which shall 816
be construed as remedial and not punitive. 817

(b) If the court renders a judgment that orders the public 818
office or the person responsible for the public record to comply 819
with division (B) of this section or if the court determines any 820
of the following, the court may award reasonable attorney's fees 821
to the relator, subject to division (C) (4) of this section: 822

(i) The public office or the person responsible for the 823
public records failed to respond affirmatively or negatively to 824
the public records request in accordance with the time allowed 825
under division (B) of this section. 826

(ii) The public office or the person responsible for the 827
public records promised to permit the relator to inspect or 828
receive copies of the public records requested within a 829
specified period of time but failed to fulfill that promise 830
within that specified period of time. 831

(iii) The public office or the person responsible for the 832
public records acted in bad faith when the office or person 833
voluntarily made the public records available to the relator for 834
the first time after the relator commenced the mandamus action, 835
but before the court issued any order concluding whether or not 836
the public office or person was required to comply with division 837
(B) of this section. No discovery may be conducted on the issue 838

of the alleged bad faith of the public office or person 839
responsible for the public records. This division shall not be 840
construed as creating a presumption that the public office or 841
the person responsible for the public records acted in bad faith 842
when the office or person voluntarily made the public records 843
available to the relator for the first time after the relator 844
commenced the mandamus action, but before the court issued any 845
order described in this division. 846

(c) The court shall not award attorney's fees to the 847
relator if the court determines both of the following: 848

(i) That, based on the ordinary application of statutory 849
law and case law as it existed at the time of the conduct or 850
threatened conduct of the public office or person responsible 851
for the requested public records that allegedly constitutes a 852
failure to comply with an obligation in accordance with division 853
(B) of this section and that was the basis of the mandamus 854
action, a well-informed public office or person responsible for 855
the requested public records reasonably would believe that the 856
conduct or threatened conduct of the public office or person 857
responsible for the requested public records did not constitute 858
a failure to comply with an obligation in accordance with 859
division (B) of this section; 860

(ii) That a well-informed public office or person 861
responsible for the requested public records reasonably would 862
believe that the conduct or threatened conduct of the public 863
office or person responsible for the requested public records 864
would serve the public policy that underlies the authority that 865
is asserted as permitting that conduct or threatened conduct. 866

(4) All of the following apply to any award of reasonable 867
attorney's fees awarded under division (C) (3) (b) of this 868

section: 869

(a) The fees shall be construed as remedial and not 870
punitive. 871

(b) The fees awarded shall not exceed the total of the 872
reasonable attorney's fees incurred before the public record was 873
made available to the relator and the fees described in division 874
(C) (4) (c) of this section. 875

(c) Reasonable attorney's fees shall include reasonable 876
fees incurred to produce proof of the reasonableness and amount 877
of the fees and to otherwise litigate entitlement to the fees. 878

(d) The court may reduce the amount of fees awarded if the 879
court determines that, given the factual circumstances involved 880
with the specific public records request, an alternative means 881
should have been pursued to more effectively and efficiently 882
resolve the dispute that was subject to the mandamus action 883
filed under division (C) (1) of this section. 884

(5) If the court does not issue a writ of mandamus under 885
division (C) of this section and the court determines at that 886
time that the bringing of the mandamus action was frivolous 887
conduct as defined in division (A) of section 2323.51 of the 888
Revised Code, the court may award to the public office all court 889
costs, expenses, and reasonable attorney's fees, as determined 890
by the court. 891

(D) Chapter 1347. of the Revised Code does not limit the 892
provisions of this section. 893

(E) (1) To ensure that all employees of public offices are 894
appropriately educated about a public office's obligations under 895
division (B) of this section, all elected officials or their 896
appropriate designees shall attend training approved by the 897

attorney general as provided in section 109.43 of the Revised 898
Code. A future official may satisfy the requirements of this 899
division by attending the training before taking office, 900
provided that the future official may not send a designee in the 901
future official's place. 902

(2) All public offices shall adopt a public records policy 903
in compliance with this section for responding to public records 904
requests. In adopting a public records policy under this 905
division, a public office may obtain guidance from the model 906
public records policy developed and provided to the public 907
office by the attorney general under section 109.43 of the 908
Revised Code. Except as otherwise provided in this section, the 909
policy may not limit the number of public records that the 910
public office will make available to a single person, may not 911
limit the number of public records that it will make available 912
during a fixed period of time, and may not establish a fixed 913
period of time before it will respond to a request for 914
inspection or copying of public records, unless that period is 915
less than eight hours. 916

The public office shall distribute the public records 917
policy adopted by the public office under this division to the 918
employee of the public office who is the records custodian or 919
records manager or otherwise has custody of the records of that 920
office. The public office shall require that employee to 921
acknowledge receipt of the copy of the public records policy. 922
The public office shall create a poster that describes its 923
public records policy and shall post the poster in a conspicuous 924
place in the public office and in all locations where the public 925
office has branch offices. The public office may post its public 926
records policy on the internet web site of the public office if 927
the public office maintains an internet web site. A public 928

office that has established a manual or handbook of its general 929
policies and procedures for all employees of the public office 930
shall include the public records policy of the public office in 931
the manual or handbook. 932

(F) (1) The bureau of motor vehicles may adopt rules 933
pursuant to Chapter 119. of the Revised Code to reasonably limit 934
the number of bulk commercial special extraction requests made 935
by a person for the same records or for updated records during a 936
calendar year. The rules may include provisions for charges to 937
be made for bulk commercial special extraction requests for the 938
actual cost of the bureau, plus special extraction costs, plus 939
ten per cent. The bureau may charge for expenses for redacting 940
information, the release of which is prohibited by law. 941

(2) As used in division (F) (1) of this section: 942

(a) "Actual cost" means the cost of depleted supplies, 943
records storage media costs, actual mailing and alternative 944
delivery costs, or other transmitting costs, and any direct 945
equipment operating and maintenance costs, including actual 946
costs paid to private contractors for copying services. 947

(b) "Bulk commercial special extraction request" means a 948
request for copies of a record for information in a format other 949
than the format already available, or information that cannot be 950
extracted without examination of all items in a records series, 951
class of records, or database by a person who intends to use or 952
forward the copies for surveys, marketing, solicitation, or 953
resale for commercial purposes. "Bulk commercial special 954
extraction request" does not include a request by a person who 955
gives assurance to the bureau that the person making the request 956
does not intend to use or forward the requested copies for 957
surveys, marketing, solicitation, or resale for commercial 958

purposes. 959

(c) "Commercial" means profit-seeking production, buying, 960
or selling of any good, service, or other product. 961

(d) "Special extraction costs" means the cost of the time 962
spent by the lowest paid employee competent to perform the task, 963
the actual amount paid to outside private contractors employed 964
by the bureau, or the actual cost incurred to create computer 965
programs to make the special extraction. "Special extraction 966
costs" include any charges paid to a public agency for computer 967
or records services. 968

(3) For purposes of divisions (F) (1) and (2) of this 969
section, "surveys, marketing, solicitation, or resale for 970
commercial purposes" shall be narrowly construed and does not 971
include reporting or gathering news, reporting or gathering 972
information to assist citizen oversight or understanding of the 973
operation or activities of government, or nonprofit educational 974
research. 975

(G) A request by a defendant, counsel of a defendant, or 976
any agent of a defendant in a criminal action that public 977
records related to that action be made available under this 978
section shall be considered a demand for discovery pursuant to 979
the Criminal Rules, except to the extent that the Criminal Rules 980
plainly indicate a contrary intent. The defendant, counsel of 981
the defendant, or agent of the defendant making a request under 982
this division shall serve a copy of the request on the 983
prosecuting attorney, director of law, or other chief legal 984
officer responsible for prosecuting the action. 985

(H) (1) Any portion of a body-worn camera or dashboard 986
camera recording described in divisions (A) (17) (b) to (h) of 987

this section may be released by consent of the subject of the 988
recording or a representative of that person, as specified in 989
those divisions, only if either of the following applies: 990

(a) The recording will not be used in connection with any 991
probable or pending criminal proceedings; 992

(b) The recording has been used in connection with a 993
criminal proceeding that was dismissed or for which a judgment 994
has been entered pursuant to Rule 32 of the Rules of Criminal 995
Procedure, and will not be used again in connection with any 996
probable or pending criminal proceedings. 997

(2) If a public office denies a request to release a 998
restricted portion of a body-worn camera or dashboard camera 999
recording, as defined in division (A)(17) of this section, any 1000
person may file a mandamus action pursuant to this section or a 1001
complaint with the clerk of the court of claims pursuant to 1002
section 2743.75 of the Revised Code, requesting the court to 1003
order the release of all or portions of the recording. If the 1004
court considering the request determines that the filing 1005
articulates by clear and convincing evidence that the public 1006
interest in the recording substantially outweighs privacy 1007
interests and other interests asserted to deny release, the 1008
court shall order the public office to release the recording. 1009

Sec. 149.45. (A) As used in this section: 1010

(1) "Personal information" means any of the following: 1011

(a) An individual's social security number; 1012

(b) An individual's state or federal tax identification 1013
number; 1014

(c) An individual's driver's license number or state 1015

identification number; 1016

(d) An individual's checking account number, savings 1017
account number, credit card number, or debit card number; 1018

(e) An individual's demand deposit account number, money 1019
market account number, mutual fund account number, or any other 1020
financial or medical account number. 1021

(2) "Public record," "designated public service worker," 1022
and "designated public service worker residential and familial 1023
information" have the meanings defined in section 149.43 of the 1024
Revised Code. 1025

(3) "Truncate" means to redact all but the last four 1026
digits of an individual's social security number. 1027

(B) (1) No public office or person responsible for a public 1028
office's public records shall make available to the general 1029
public on the internet any document that contains an 1030
individual's social security number without otherwise redacting, 1031
encrypting, or truncating the social security number. 1032

(2) A public office or person responsible for a public 1033
office's public records that, prior to October 17, 2011, made 1034
available to the general public on the internet any document 1035
that contains an individual's social security number shall 1036
redact, encrypt, or truncate the social security number from 1037
that document. 1038

(3) Divisions (B) (1) and (2) of this section do not apply 1039
to documents that are only accessible through the internet with 1040
a password. 1041

(C) (1) An individual may request that a public office or a 1042
person responsible for a public office's public records redact 1043

personal information of that individual from any record made 1044
available to the general public on the internet. An individual 1045
who makes a request for redaction pursuant to this division 1046
shall make the request in writing on a form developed by the 1047
attorney general and shall specify the personal information to 1048
be redacted and provide any information that identifies the 1049
location of that personal information within a document that 1050
contains that personal information. 1051

(2) Upon receiving a request for a redaction pursuant to 1052
division (C)(1) of this section, a public office or a person 1053
responsible for a public office's public records shall act 1054
within five business days in accordance with the request to 1055
redact the personal information of the individual from any 1056
record made available to the general public on the internet, if 1057
practicable. If a redaction is not practicable, the public 1058
office or person responsible for the public office's public 1059
records shall verbally or in writing within five business days 1060
after receiving the written request explain to the individual 1061
why the redaction is impracticable. 1062

(3) The attorney general shall develop a form to be used 1063
by an individual to request a redaction pursuant to division (C) 1064
(1) of this section. The form shall include a place to provide 1065
any information that identifies the location of the personal 1066
information to be redacted. 1067

(D)(1) A designated public service worker and a former 1068
designated public service worker may request that a public 1069
office, other than a county auditor, or a person responsible for 1070
the public records of a public office, other than a county 1071
auditor, redact the designated public service worker's or former 1072
designated public service worker's address from any record made 1073

available to the general public on the internet that includes 1074
designated public service worker residential and familial 1075
information of the designated public service worker or former 1076
designated public service worker making the request. A 1077
designated public service worker or former designated public 1078
service worker who makes a request for a redaction pursuant to 1079
this division shall make the request in writing and on a form 1080
developed by the attorney general. 1081

(2) Upon receiving a written request for a redaction 1082
pursuant to division (D)(1) of this section, a public office, 1083
other than a county auditor, or a person responsible for the 1084
public records of a public office, other than a county auditor, 1085
shall act within five business days in accordance with the 1086
request to redact the address of the designated public service 1087
worker or former designated public service worker making the 1088
request from any record made available to the general public on 1089
the internet that includes designated public service worker 1090
residential and familial information of the designated public 1091
service worker or former designated public service worker making 1092
the request, if practicable. If a redaction is not practicable, 1093
the public office or person responsible for the public office's 1094
public records shall verbally or in writing within five business 1095
days after receiving the written request explain to the 1096
designated public service worker or former designated public 1097
service worker why the redaction is impracticable. 1098

(3) Except as provided in this section and section 319.28 1099
of the Revised Code, a public office, other than an employer of 1100
a designated public service worker or former designated public 1101
service worker, or a person responsible for the public records 1102
of the employer, is not required to redact designated public 1103
service worker residential and familial information of the 1104

designated public service worker or former designated public 1105
service worker from other records maintained by the public 1106
office. 1107

(4) The attorney general shall develop a form to be used 1108
by a designated public service worker or former designated 1109
public service worker to request a redaction pursuant to 1110
division (D)(1) of this section. The form shall include a place 1111
to provide any information that identifies the location of the 1112
address of the designated public service worker or former 1113
designated public service worker to be redacted. 1114

(E)(1) If a public office or a person responsible for a 1115
public office's public records becomes aware that an electronic 1116
record of that public office that is made available to the 1117
general public on the internet contains an individual's social 1118
security number that was mistakenly not redacted, encrypted, or 1119
truncated as required by division (B)(1) or (2) of this section, 1120
the public office or person responsible for the public office's 1121
public records shall redact, encrypt, or truncate the 1122
individual's social security number within a reasonable period 1123
of time. 1124

(2) A public office or a person responsible for a public 1125
office's public records is not liable in damages in a civil 1126
action for any harm an individual allegedly sustains as a result 1127
of the inclusion of that individual's personal information on 1128
any record made available to the general public on the internet 1129
or any harm a designated public service worker sustains as a 1130
result of the inclusion of the designated public service 1131
worker's address on any record made available to the general 1132
public on the internet in violation of this section, unless the 1133
public office or person responsible for the public office's 1134

public records acted with malicious purpose, in bad faith, or in 1135
a wanton or reckless manner or unless division (A) (6) (a) or (c) 1136
of section 2744.03 of the Revised Code applies. 1137

(F) An form submitted under division (C) or (D) of this 1138
section is not a public record under division (A) (1) (uu) of 1139
section 149.43 of the Revised Code. 1140

Sec. 319.28. (A) Except as otherwise provided in division 1141
(B) of this section, on or before the first Monday of August, 1142
annually, the county auditor shall compile and make up a general 1143
tax list of real and public utility property in the county, 1144
either in tabular form and alphabetical order, or, with the 1145
consent of the county treasurer, by listing all parcels in a 1146
permanent parcel number sequence to which a separate 1147
alphabetical index is keyed, containing the names of the several 1148
persons, companies, firms, partnerships, associations, and 1149
corporations in whose names real property has been listed in 1150
each township, municipal corporation, special district, or 1151
separate school district, or part of either in the auditor's 1152
county, placing separately, in appropriate columns opposite each 1153
name, the description of each tract, lot, or parcel of real 1154
estate, the value of each tract, lot, or parcel, the value of 1155
the improvements thereon, and of the names of the several public 1156
utilities whose property, subject to taxation on the general tax 1157
list and duplicate, has been apportioned by the department of 1158
taxation to the county, and the amount so apportioned to each 1159
township, municipal corporation, special district, or separate 1160
school district or part of either in the auditor's county, as 1161
shown by the certificates of apportionment of public utility 1162
property. If the name of the owner of any tract, lot, or parcel 1163
of real estate is unknown to the auditor, "unknown" shall be 1164
entered in the column of names opposite said tract, lot, or 1165

parcel. Such lists shall be prepared in duplicate. On or before 1166
the first Monday of September in each year, the auditor shall 1167
correct such lists in accordance with the additions and 1168
deductions ordered by the tax commissioner and by the county 1169
board of revision, and shall certify and on the first day of 1170
October deliver one copy thereof to the county treasurer. The 1171
copies prepared by the auditor shall constitute the auditor's 1172
general tax list and treasurer's general duplicate of real and 1173
public utility property for the current year. 1174

Once a permanent parcel numbering system has been 1175
established in any county as provided by the preceding 1176
paragraph, such system shall remain in effect until otherwise 1177
agreed upon by the county auditor and county treasurer. 1178

(B) (1) An individual, or the spouse of that individual, 1179
whose residential and familial information is not a public 1180
record under divisions (A) (1) (p) and (A) (7) of section 149.43 of 1181
the Revised Code may submit an affidavit to the county auditor 1182
requesting the county auditor to remove the name of the 1183
individual filing the affidavit from any record made available 1184
to the general public on the internet or a publicly accessible 1185
database, and from the general tax list and duplicate of real 1186
and public utility property, and to instead insert the 1187
individual's initials on any such record, and on the general tax 1188
list and duplicate of real and public utility property as the 1189
name of the individual that appears on the deed. 1190

(2) Upon receiving an affidavit described in division (B) 1191
(1) of this section, the county auditor shall act within five 1192
business days in accordance with the request to remove the 1193
individual's name from any record made available to the general 1194
public on the internet or a publicly accessible database, and 1195

from the general tax list and duplicate of real and public 1196
utility property and insert the individual's initials on any 1197
such record and on the general tax list and duplicate of real 1198
and public utility property, if practicable. If the removal and 1199
insertion is not practicable, the county auditor shall verbally 1200
or in writing within five business days after receiving the 1201
affidavit explain to the individual why the removal and 1202
insertion is impracticable. 1203

(C) The county auditor shall keep confidential information 1204
that is subject to a real property confidentiality notice under 1205
section 111.431 of the Revised Code, in accordance with that 1206
section. An affidavit submitted under division (B)(1) of this 1207
section is not a public record under division (A)(1)(vv) of 1208
section 149.43 of the Revised Code. 1209

Section 2. That existing sections 149.43, 149.45, and 1210
319.28 of the Revised Code are hereby repealed. 1211