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# OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 265  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Wiggam and Hall

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### SUMMARY

- Exempts the records, of the work schedules of designated public service workers, from disclosure under Public Records Law.
- Exempts redaction request forms from disclosure under Public Records Law.
- Exempts an affidavit submitted to a county auditor, by a designated public service worker or the spouse of such a worker, requesting the county auditor to remove the name of the individual from certain publicly available documents, from disclosure under Public Records Law.
- Allows a former designated public service worker to request that a public office redact the former worker's address from any record made available to the general public on the internet.

### DETAILED ANALYSIS

#### Public record exemptions

The bill exempts certain records from the definition of a "public record" that may be obtainable under Ohio's Public Records Law. Continuing law requires that, upon request by any person, all public records responsive to the request must be promptly prepared and made available for inspection and copying. If a public record contains information that is exempt from this duty, the public office must make available all of the information within the public record that is not exempt. If a document is a public record and is not exempt from the definition of a public record, the public office generally must permit its inspection or copying.<sup>1</sup>

<sup>1</sup> R.C. 149.43(B).

The bill exempts the following records from disclosure under Public Records Law:

1. Records of the past, current, and future work schedule of a designated public service worker;<sup>2</sup>
2. A request form submitted to a public office by an individual asking the office to redact personal information of that individual from any record made available to the general public on the internet;<sup>3</sup>
3. An affidavit submitted to a county auditor, by a designated public service worker or the spouse of such a worker, requesting the county auditor to remove the name of the individual filing the affidavit from any record made available to the general public on the internet or a publicly accessible database, and from the general tax list and duplicate of real and public utility property, and to instead insert the individual's initials on the record;<sup>4</sup>
4. A request form submitted to a public office (other than a county auditor) by a current or former designated public service worker asking the office to redact the designated public service worker's address from any record made available to the general public on the internet.<sup>5</sup> (See "**Current and former designated public service worker**," below).

## **Current and former designated public service worker**

The bill expands, to former designated public service workers, the ability to request that a public office, other than a county auditor, redact the designated public service worker's address from any record made available to the general public on the internet. Current law allows acting designated public service workers to make such a request.<sup>6</sup>

## **Definitions**

The following current law definitions are unchanged by, but relevant to, the bill:

"Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio National Guard member, protective services worker, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, emergency service telecommunicator,

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<sup>2</sup> R.C. 149.43(A)(1)(tt).

<sup>3</sup> R.C. 149.43(A)(1)(uu) and 149.45(C) and (F).

<sup>4</sup> R.C. 149.43(A)(1)(vv) and 319.28(B) and (C).

<sup>5</sup> R.C. 149.43(A)(1)(uu) and 149.45(D) and (F).

<sup>6</sup> R.C. 149.45.

forensic mental health provider, mental health evaluation provider, regional psychiatric hospital employee, judge, magistrate, or federal law enforcement officer.<sup>7</sup>

“Personal information” means any of the following: (a) an individual’s social security number, (b) an individual’s state or federal tax identification number, (c) an individual’s driver’s license number or state identification number, (d) an individual’s checking account number, savings account number, credit card number, or debit card number, (e) an individual’s demand deposit account number, money market account number, mutual fund account number, or any other financial or medical account number.<sup>8</sup>

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## HISTORY

Action	Date
Introduced	09-12-23

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<sup>7</sup> R.C. 149.43(A)(7).

<sup>8</sup> R.C. 149.45(A).