



Ohio Legislative Service Commission

Adam Wefler

Fiscal Note & Local Impact Statement

Bill: H.B. 504 of the 131st G.A.

Date: April 25, 2016

Status: As Introduced

Sponsor: Rep. Schuring

Local Impact Statement Procedure Required: No

Contents: Protects private, nonprofit colleges from liability for any claims resulting from disclosure of public records

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- This bill provides liability protection to private, nonprofit institutions of higher education when these institutions respond to public records requests. The bill may create a savings effect for local courts, as it could reduce the time and effort spent adjudicating certain civil actions.

Detailed Fiscal Analysis

This bill protects private, nonprofit institutions of higher education that have been certified by the Chancellor of Higher Education from any claims, including breach of confidentiality claims, that arise from an institution disclosing information in response to a public records request. The bill is in reaction to a May 2015 Ohio Supreme Court ruling that the police departments of private colleges or universities are public offices and therefore, must comply with public records requests.¹ As a result of the bill's immunity, it is possible that some cases may not get filed in local courts, or if filed disposed of more quickly. Arguably, either outcome creates a savings effect, as it reduces the time and effort that a court might otherwise have expended on adjudicating such civil cases.

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¹ *State ex. rel. Schiffbauer v. Banaszak*, 142 Ohio St.3d 535, 2015-Ohio-1854.