



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

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Sub. S.B. 321

131st General Assembly
(H. Government Accountability & Oversight)

Generally allows a public office that provides public records for free on a website to limit the number of digital format records provided to a requestor to ten per month.

Retains current law that allows a court to award reasonable attorney's fees to the relator in a mandamus action if the court renders judgment ordering the public office or person responsible for the public records to comply with the Public Records Law.

In the court's determination of awarding attorney's fees to the relator in a mandamus action, precludes discovery to be conducted on the issue of the alleged bad faith of the public office or responsible person when it voluntarily made the public records available to the relator for the first time after the action was commenced but before the court issued its order.

In an appellate court's determination of awarding attorney's fees to an aggrieved person in an appeal by the public office or responsible person from the Court of Claims' order, precludes discovery to be conducted on the issue of the appeal being made with the alleged intent to delay compliance with the order for no reasonable cause or to unduly harass the aggrieved person.

Specifies that the bills' provisions on alleged bad faith or alleged intent as described in the two preceding clauses do not create a presumption of such bad faith or intent.

Requires the defendant or the defendant's counsel or agent to serve on the prosecuting attorney, director of law, or other chief legal officer prosecuting the action, a copy of the request in a criminal action that public records be made available for discovery purposes.

Permits an aggrieved person who files a complaint in the Court of Claims to voluntarily dismiss the complaint.

* This synopsis does not address amendments that may have been adopted on the House Floor.

Provides that mediation may be conducted by teleconference, telephone, or other electronic means, and removes the provision that a written and signed agreement must be drafted if an agreement is reached at mediation.

Specifies "business" days in all of the timelines in the procedures in the Court of Claims.

Requires that filing fees collected by a clerk of the court of common pleas be deposited into the county general fund, instead of the computerization fund for the court and clerk's office.

Protects private, nonprofit institutions of higher education from any claims, including breach of confidentiality claims, that arise from the institution disclosing information in response to a public records request.