



OHIO LEGISLATIVE SERVICE COMMISSION

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Fiscal Note & Local Impact Statement

Bill: H.B. 451 of the 132nd G.A.

Status: As Reported by Senate Judiciary

Sponsor: Rep. Retherford

Local Impact Statement Procedure Required: No

Subject: Public Records Law exclusions

State & Local Fiscal Highlights

- The bill may increase the annual costs that state and local public offices incur: (1) to train staff in public records policy, and (2) for staff to expend additional time and effort to ensure that exempted information is not disclosed. It appears that such public offices generally can absorb these costs with existing staffing levels and appropriated funds.

Detailed Fiscal Analysis

The bill exempts from the Public Records Law a depiction of a crime victim under certain specified circumstances. Thus, if a person, other than the victim or the victim's attorney or representative, requests a record from a public office that contains such a depiction, the office would either withhold or redact the objectionable part of the record. The bill also excludes from the definition of public record specified residential and familial information regarding county or multicounty corrections officers.

Depictions of certain crime victims

The bill's victims of crime provision will affect state and local criminal justice offices (police departments, prosecutors, public defenders, and state law enforcement agencies) in responding to public records requests and may increase, to some degree, the cost that such an office incurs to ensure that exempted portions of a record are not disclosed.

It is uncertain whether a given office will experience an increase in workload related to ensuring that exempted information is not disclosed, as the volume of requests for these records varies by office. However, as requests for these records appear to be infrequent, any increase in administrative work, including additional time and effort to comply with the exemption, will be minimal.

Presumably, staff responsible for complying with public records requests will require additional training related to the disclosure exemption. It appears that criminal justice offices generally can absorb these public records training and response costs with existing staffing levels and appropriated funds.

Residential and familial information

The bill adds county and multicounty corrections officers to the list of professions whose residential and familial information is exempted from disclosure under the Public Records Law. The bill further allows these individuals to request that their address be redacted from any record of a public office that is publicly available on the Internet in which their residential and familial information appears, except for the records of the county auditor. Finally, as it applies to publicly available records stored by the county auditor, the bill allows the officers to request that the county auditor replace the officer's name with their initials.

As noted, this exclusion already applies to certain listed professions under current law. In essence, the bill simply adds to this list. Because of this, public offices have procedures in place for the removal or redaction of personal information of these employees. Thus, the addition of county and multicounty correction officers protected under this exemption would appear to be work that public officers generally can absorb with existing staffing levels and appropriated funds.