

As Passed by the House

135th General Assembly

Regular Session

2023-2024

Sub. H. B. No. 257

Representatives Hoops, Claggett

Cosponsors: Representatives Klopfenstein, Robb Blasdel, Abdullahi, Brennan, Callender, Dobos, Forhan, Hillyer, Humphrey, Jones, Lightbody, Liston, Mathews, Miller, A., Miller, J., Mohamed, Seitz, Somani, Thomas, C., Williams, Willis

A BILL

To amend sections 305.02, 715.693, 924.12, 5505.04, 1
and 5543.06 and to enact sections 121.221, 2
145.071, 742.071, and 3309.091 of the Revised 3
Code to authorize certain public bodies to meet 4
virtually. 5

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

Section 1. That sections 305.02, 715.693, 924.12, 5505.04, 6
and 5543.06 be amended and sections 121.221, 145.071, 742.071, 7
and 3309.091 of the Revised Code be enacted to read as follows: 8

Sec. 121.221. (A) As used in this section: 9

"Hearing" means an administrative hearing, hearing as 10
defined in section 119.01 of the Revised Code, or other hearing 11
at which a person may present written or oral testimony on a 12
matter before the public body. 13

"Meeting" has the same meaning as in section 121.22 of the 14
Revised Code. 15

"Public body" has the same meaning as in division (B) (1) 16

<u>of section 121.22 of the Revised Code, except it does not</u>	17
<u>include the following:</u>	18
<u>(1) The general assembly, or any of its committees or</u>	19
<u>subcommittees;</u>	20
<u>(2) Any court, including a mayor's court;</u>	21
<u>(3) The state board of education;</u>	22
<u>(4) The board of directors of the bureau of workers'</u>	23
<u>compensation;</u>	24
<u>(5) The Ohio elections commission;</u>	25
<u>(6) A board of county commissioners;</u>	26
<u>(7) A board of township trustees;</u>	27
<u>(8) The legislative authority of a municipal corporation</u>	28
<u>or charter county;</u>	29
<u>(9) A city, local, or exempted village board of education;</u>	30
<u>(10) A board of elections.</u>	31
<u>(B) Except as otherwise provided in the Revised Code,</u>	32
<u>members of a public body may hold and attend meetings and may</u>	33
<u>conduct and attend hearings by means of video conference or any</u>	34
<u>other similar electronic technology, and all of the following</u>	35
<u>apply:</u>	36
<u>(1) Any resolution, rule, or formal action of any kind has</u>	37
<u>the same effect as if it occurred during an open meeting or</u>	38
<u>hearing of the public body.</u>	39
<u>(2) Notwithstanding division (C) of section 121.22 of the</u>	40
<u>Revised Code, members of a public body who attend meetings or</u>	41
<u>hearings by means of video conference or any other similar</u>	42

electronic technology shall be considered present as if in 43
person at the meeting or hearing, shall be permitted to vote, 44
and shall be counted for purposes of determining whether a 45
quorum is present at the meeting or hearing. 46

(3) The public body shall not hold hearings or meetings by 47
means of video conference or any other similar electronic 48
technology until the public body has adopted a policy that 49
specifies at least all of the following: 50

(a) The public body shall provide notification of meetings 51
and hearings held under this section to the public, to the media 52
that have requested notification of a meeting, and to the 53
parties required to be notified of a hearing at least seventy- 54
two hours in advance of the meeting or hearing by reasonable 55
methods by which any person may determine the time, location, 56
agenda of the meeting or hearing, and the manner by which the 57
meeting or hearing will be conducted, except in the event of an 58
emergency requiring immediate official action, as defined by the 59
policy. In the event of an emergency, the public body shall 60
immediately notify the news media that have requested 61
notification or the parties required to be notified of a hearing 62
of the time, place, and purpose of the meeting or hearing. 63

(b) The public body shall provide the public access to a 64
meeting held under this section, and to any hearing held under 65
this section that the public would otherwise be entitled to 66
attend, commensurate with the method in which the meeting or 67
hearing is being conducted, including for example, livestreaming 68
by means of the internet, television, cable, or public access 69
channels, or by means of any other similar electronic 70
technology. The public body shall ensure that the public can 71
observe and hear the discussions and deliberations of all the 72

members of the public body, whether the member is participating 73
in person or electronically. Members of the public body shall 74
have a sufficient internet or other electronic connection to 75
allow the member to be seen and heard clearly, and shall be 76
visible at all times. 77

(c) All votes taken in the meeting or hearing shall be 78
taken by roll call vote unless there is a motion for unanimous 79
consent, and the motion is not objected to by a member of the 80
public body. If a vote is taken unanimously, the public body 81
shall provide the public with information on how the members of 82
the public body voted, including any members who abstained from 83
voting. 84

(d) Any member of the public body who intends to attend a 85
meeting by means of video conference or other similar electronic 86
technology shall notify the chairperson of that intent not less 87
than forty-eight hours before the meeting, except in the case of 88
an emergency as defined in the policy. 89

(e) No public body may hold, and no member of a public 90
body may attend meetings or conduct and attend hearings by means 91
of video conference or other similar electronic technology if 92
the meeting or hearing involves a vote to approve a major 93
nonroutine expenditure as defined in the policy adopted by the 94
public body under this section, or a significant hiring decision 95
as defined by that policy, or a vote to support a tax issue or 96
tax increase. 97

(f) If, upon the notification of an upcoming meeting of a 98
public body, and not later than forty-eight hours before the 99
meeting, the greater of at least ten per cent of the members of 100
the public body or two members of the public body, notifies the 101
chairperson of the public body that an item in the agenda must 102

be acted upon at a meeting conducted fully in person, upon the 103
chairperson's acknowledgment of receipt of the notification, the 104
public body shall take action on the item of the agenda only at 105
a meeting conducted fully in person. 106

(4) A public body shall not hold a hearing, and members of 107
a public body shall not attend a hearing, by means of video 108
conference or other similar electronic technology without the 109
consent of all parties to the hearing. 110

(C) When members of a public body conduct a meeting or 111
hearing by means of video conference or any other similar 112
electronic technology, the public body shall establish a means, 113
through the use of electronic equipment that is widely available 114
to the general public, to converse with witnesses, receive 115
documentary testimony and physical evidence, and permit public 116
comment, if applicable. 117

(D) The authority granted in this section applies 118
notwithstanding any conflicting provision of the Revised Code. 119
Nothing in this section shall be construed to negate any 120
provision of section 121.22 of the Revised Code, Chapter 119. of 121
the Revised Code, or other section of the Revised Code that is 122
not in conflict with this section. If a section of the Revised 123
Code permits a particular public body to meet or hold hearings 124
by means of teleconference, video conference, or any other 125
similar electronic technology, that section prevails over the 126
provisions of this section with respect to that particular 127
public body. This section is not intended to eliminate, or 128
otherwise affect, any requirements under federal law. 129

Sec. 145.071. (A) Notwithstanding division (C) of section 130
121.22 of the Revised Code, the public employees retirement 131
board may adopt a policy that allows a board member to attend a 132

meeting of the board by means of video conference. The board 133
shall include in the policy, if adopted, both of the following: 134

(1) The number of regular meetings at which each board 135
member shall be present in person, provided that number is not 136
less than one-half of the regular meetings of the board 137
annually; 138

(2) All of the following requirements with respect to a 139
meeting in which a member attends by means of video conference: 140

(a) That at least one-third of the board members attending 141
the meeting shall be present in person at the physical location 142
where the meeting is conducted; 143

(b) That all votes taken at the meeting shall be taken by 144
roll call vote; 145

(c) That a board member who intends to attend a meeting by 146
means of video conference shall notify the chairperson of that 147
intent not less than forty-eight hours before the meeting, 148
except in the case of an emergency as defined in the policy. 149

(B) Notwithstanding division (C) of section 121.22 of the 150
Revised Code, a board member who attends a meeting by means of 151
video conference is considered present in person at the meeting, 152
may vote at the meeting, and is counted for purposes of 153
determining whether a quorum is present at the meeting. 154

(C) At any meeting in which a board member attends by 155
means of video conference, the board shall ensure that the 156
public can hear and observe the discussions and deliberations of 157
all the members of the board, whether the member is 158
participating in person or electronically. 159

(D) Except as provided in this section, no person shall do 160

<u>any of the following:</u>	161
<u>(1) Limit the number of board members who may attend a meeting by means of video conference;</u>	162 163
<u>(2) Limit the total number of meetings that the board may allow members to attend by means of video conference;</u>	164 165
<u>(3) Limit the number of meetings at which any one board member may attend by means of video conference;</u>	166 167
<u>(4) Impose other limits or obligations on a board member because the board member attends a meeting by means of video conference.</u>	168 169 170
Sec. 305.02. (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than forty days before the next general election for state and county officers, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election.	171 172 173 174 175 176 177 178
In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified.	179 180 181
(B) If a vacancy occurs from any cause in any of the offices named in division (A) of this section, then not later than forty-five days after the vacancy occurs, a person shall be appointed to hold the office and to perform the duties thereof until a successor is elected and has qualified. The appointment shall be made as follows:	182 183 184 185 186 187
(1) If the last occupant of the office was elected as a	188

partisan candidate, the county central committee of the 189
political party that nominated the last occupant of the office 190
for the current term shall make the appointment. However, if 191
such vacancy occurs because of the death, resignation, or 192
inability to take the office of an officer-elect whose term has 193
not yet begun, and the officer-elect was elected as a partisan 194
candidate, an appointment to take such office at the beginning 195
of the term shall be made by the central committee of the 196
political party that nominated the officer-elect as a candidate 197
for that office for that term. 198

A county central committee that makes an appointment under 199
division (B) (1) of this section shall meet for that purpose not 200
less than five nor more than forty-five days after the vacancy 201
occurs. Not less than four days before the date of such meeting 202
the chairperson or secretary of such central committee shall 203
send by first class mail to every member of such central 204
committee a written notice which shall state the time and place 205
of such meeting and the purpose thereof. A majority of the 206
members of the central committee present at such meeting may 207
make the appointment. The central committee may use a secret 208
ballot process to make the appointment under division (B) (1) of 209
this section. 210

(2) If the last occupant of the office or the officer- 211
elect was elected to serve the current term as an independent 212
candidate, the board of county commissioners shall make the 213
appointment, except where the vacancy is in the office of county 214
commissioner, in which case the prosecuting attorney and the 215
remaining commissioners or a majority of them shall make the 216
appointment. 217

(C) Appointments made under this section shall be 218

certified by the appointing county central committee or by the 219
board of county commissioners to the county board of elections 220
and to the secretary of state, and the persons so appointed and 221
certified shall be entitled to all remuneration provided by law 222
for the offices to which they are appointed. 223

(D) The board of county commissioners may appoint a person 224
to hold any of the offices named in division (A) of this section 225
as an acting officer and to perform the duties thereof between 226
the occurrence of the vacancy and the time when the officer 227
appointed under division (B) of this section qualifies and takes 228
the office. 229

(E) A person appointed prosecuting attorney or assistant 230
prosecuting attorney shall give bond and take the oath of office 231
prescribed by section 309.03 of the Revised Code for the 232
prosecuting attorney. 233

Sec. 715.693. (A) The requirement in division (C) of 234
section 121.22 of the Revised Code that a member of a public 235
body be present in person at a meeting open to the public in 236
order to be part of a quorum or to vote does not apply to a 237
board of directors of a joint economic development zone created 238
under section 715.691 of the Revised Code, ~~or~~ a joint economic 239
development review council created under section 715.692 of the 240
Revised Code, or a board of directors of a joint economic 241
development district created under section 715.72 of the Revised 242
Code, if the board or council holds the meeting by interactive 243
video conference or by teleconference in the following manner: 244

(1) The board or council establishes a primary meeting 245
location that is open and accessible to the public. 246

(2) Meeting-related materials that are available before 247

the meeting are sent via electronic mail, facsimile, hand- 248
delivery, or United States postal service to each member. 249

(3) In the case of an interactive video conference, the 250
board or council causes a clear video and audio connection to be 251
established that enables all meeting participants at the primary 252
meeting location to see and hear each member. 253

(4) In the case of a teleconference, the board or the 254
council causes a clear audio connection to be established that 255
enables all meeting participants at the primary meeting location 256
to hear each member. 257

(5) All board or council members have the capability to 258
receive meeting-related materials that are distributed during a 259
meeting. 260

(6) A roll call voice vote is recorded for each vote 261
taken. 262

(7) The minutes of the board or council meeting identify 263
which members remotely attended the meeting by interactive video 264
conference or teleconference. 265

If the board or council proceeds under this section, use 266
of an interactive video conference is preferred, but nothing in 267
this section prohibits the council from conducting its meetings 268
by teleconference or by a combination of interactive video 269
conference and teleconference at the same meeting. 270

(B) A board of directors ~~or of~~ a joint economic 271
development review council or a joint economic development 272
district shall adopt rules necessary to implement this section. 273
At a minimum, the rules shall do all of the following: 274

(1) Authorize members to remotely attend a meeting by 275

interactive video conference or teleconference, or by a 276
combination thereof, in lieu of attending the meeting in person; 277

(2) Establish a minimum number of members that must be 278
physically present in person at the primary meeting location if 279
the board or council conducts a meeting by interactive video 280
conference or teleconference; 281

(3) Require that not more than one member remotely 282
attending a meeting by teleconference is permitted to be 283
physically present at the same remote location; 284

(4) Establish geographic restrictions for participation in 285
meetings by interactive video conference and by teleconference; 286

(5) Establish a policy for distributing and circulating 287
meeting-related materials to members, the public, and the media 288
in advance of or during a meeting at which members are permitted 289
to attend by interactive video conference or teleconference; 290

(6) Establish a method for verifying the identity of a 291
member who remotely attends a meeting by teleconference. 292

Sec. 742.071. (A) Notwithstanding division (C) of section 293
121.22 of the Revised Code, the board of trustees of the Ohio 294
police and fire pension fund may adopt a policy that allows a 295
board member to attend a meeting of the board by means of video 296
conference. The board shall include in the policy, if adopted, 297
both of the following: 298

(1) The number of regular meetings at which each board 299
member shall be present in person, provided that number is not 300
less than one-half of the regular meetings of the board 301
annually; 302

(2) All of the following requirements with respect to a 303

meeting in which a member attends by means of video conference: 304

(a) That at least one-third of the board members attending 305
the meeting shall be present in person at the physical location 306
where the meeting is conducted; 307

(b) That all votes taken at the meeting shall be taken by 308
roll call vote; 309

(c) That a board member who intends to attend a meeting by 310
means of video conference shall notify the chairperson of that 311
intent not less than forty-eight hours before the meeting, 312
except in the case of an emergency as defined in the policy. 313

(B) Notwithstanding division (C) of section 121.22 of the 314
Revised Code, a board member who attends a meeting by means of 315
video conference is considered present in person at the meeting, 316
may vote at the meeting, and is counted for purposes of 317
determining whether a quorum is present at the meeting. 318

(C) At any meeting in which a board member attends by 319
means of video conference, the board shall ensure that the 320
public can hear and observe the discussions and deliberations of 321
all the members of the board, whether the member is 322
participating in person or electronically. 323

(D) Except as provided in this section, no person shall do 324
any of the following: 325

(1) Limit the number of board members who may attend a 326
meeting by means of video conference; 327

(2) Limit the total number of meetings that the board may 328
allow members to attend by means of video conference; 329

(3) Limit the number of meetings at which any one board 330
member may attend by means of video conference; 331

(4) Impose other limits or obligations on a board member 332
because the board member attends a meeting by means of video 333
conference. 334

Sec. 924.12. (A) The director of agriculture may 335
temporarily suspend the operation of a marketing program, or any 336
part thereof, for any reason, upon recommendation by the 337
operating committee for the program, for a period of not more 338
than twelve consecutive months. 339

(B) At least once in each five years of operation, or at 340
any time upon written petition by the lesser of twenty per cent 341
or one thousand of the producers affected by a marketing 342
program, the director shall give public notice by analogy to 343
division (A) of and conduct a hearing under division (C) of 344
section 119.03 of the Revised Code to consider the continuation 345
of the program. The director may conduct the hearing by means of 346
video conference or any other similar electronic technology in 347
accordance with section 121.221 of the Revised Code. The 348
director shall file a copy of the public notice with the 349
director of the legislative service commission for purposes of 350
publishing the public notice in the register of Ohio. 351

(C) Within thirty days after the close of any hearing to 352
consider the continuation of a marketing program, the director 353
of agriculture shall recommend continuation or termination of 354
the program, and shall give public notice of the recommendation 355
by publication in the register of Ohio. The director also shall 356
provide notice of the recommendation to any person who, in 357
writing, has requested notification and may give whatever other 358
notice the director reasonably considers necessary to ensure 359
that notice is constructively given to all persons who are 360
affected by the program. 361

(D) When the director recommends termination of a 362
marketing program, the director shall, within forty-five days, 363
conduct a referendum to determine whether the affected producers 364
favor the proposed termination. The affected producers favor the 365
termination of the program if a majority of the producers who 366
vote in the referendum vote in favor of termination of the 367
program. 368

Sec. 3309.091. (A) Notwithstanding division (C) of section 369
121.22 of the Revised Code, the school employees retirement 370
board may adopt a policy that allows a board member to attend a 371
meeting of the board by means of video conference. The board 372
shall include in the policy, if adopted, both of the following: 373

(1) The number of regular meetings at which each board 374
member shall be present in person, provided that number is not 375
less than one-half of the regular meetings of the board 376
annually; 377

(2) All of the following requirements with respect to a 378
meeting in which a member attends by means of video conference: 379

(a) That at least one-third of the board members attending 380
the meeting shall be present in person at the physical location 381
where the meeting is conducted; 382

(b) That all votes taken at the meeting shall be taken by 383
roll call vote; 384

(c) That a board member who intends to attend a meeting by 385
means of video conference shall notify the chairperson of that 386
intent not less than forty-eight hours before the meeting, 387
except in the case of an emergency as defined in the policy. 388

(B) Notwithstanding division (C) of section 121.22 of the 389
Revised Code, a board member who attends a meeting by means of 390

video conference is considered present in person at the meeting, 391
may vote at the meeting, and is counted for purposes of 392
determining whether a quorum is present at the meeting. 393

(C) At any meeting in which a board member attends by 394
means of video conference, the board shall ensure that the 395
public can hear and observe the discussions and deliberations of 396
all the members of the board, whether the member is 397
participating in person or electronically. 398

(D) Except as provided in this section, no person shall do 399
any of the following: 400

(1) Limit the number of board members who may attend a 401
meeting by means of video conference; 402

(2) Limit the total number of meetings that the board may 403
allow members to attend by means of video conference; 404

(3) Limit the number of meetings at which any one board 405
member may attend by means of video conference; 406

(4) Impose other limits or obligations on a board member 407
because the board member attends a meeting by means of video 408
conference. 409

Sec. 5505.04. (A) (1) The general administration and 410
management of the state highway patrol retirement system and the 411
making effective of this chapter are hereby vested in the state 412
highway patrol retirement board. The board may sue and be sued, 413
plead and be impleaded, contract and be contracted with, and do 414
all things necessary to carry out this chapter. 415

The board shall consist of the following members: 416

(a) The superintendent of the state highway patrol; 417

(b) Two retirant members who reside in this state;	418
(c) Five employee-members;	419
(d) One member, known as the treasurer of state's	420
investment designee, who shall be appointed by the treasurer of	421
state for a term of four years and who shall have the following	422
qualifications:	423
(i) The member is a resident of this state.	424
(ii) Within the three years immediately preceding the	425
appointment, the member has not been employed by the public	426
employees retirement system, police and fire pension fund, state	427
teachers retirement system, school employees retirement system,	428
or state highway patrol retirement system or by any person,	429
partnership, or corporation that has provided to one of those	430
retirement systems services of a financial or investment nature,	431
including the management, analysis, supervision, or investment	432
of assets.	433
(iii) The member has direct experience in the management,	434
analysis, supervision, or investment of assets.	435
(iv) The member is not currently employed by the state or	436
a political subdivision of the state.	437
(e) Two investment expert members, who shall be appointed	438
to four-year terms. One investment expert member shall be	439
appointed by the governor, and one investment expert member	440
shall be jointly appointed by the speaker of the house of	441
representatives and the president of the senate. Each investment	442
expert member shall have the following qualifications:	443
(i) Each investment expert member shall be a resident of	444
this state.	445

(ii) Within the three years immediately preceding the 446
appointment, each investment expert member shall not have been 447
employed by the public employees retirement system, police and 448
fire pension fund, state teachers retirement system, school 449
employees retirement system, or state highway patrol retirement 450
system or by any person, partnership, or corporation that has 451
provided to one of those retirement systems services of a 452
financial or investment nature, including the management, 453
analysis, supervision, or investment of assets. 454

(iii) Each investment expert member shall have direct 455
experience in the management, analysis, supervision, or 456
investment of assets. 457

~~(2)~~ (2)(a) The board shall annually elect a chairperson and 458
vice-chairperson from among its members. The vice-chairperson 459
shall act as chairperson in the absence of the chairperson. A 460
majority of the members of the board shall constitute a quorum. 461
The board shall meet not less than once each year, upon 462
sufficient notice to the members. All meetings of the board 463
shall be open to the public except executive sessions as set 464
forth in division (G) of section 121.22 of the Revised Code, and 465
any portions of any sessions discussing medical records or the 466
degree of disability of a member excluded from public inspection 467
by this section. 468

(b) Notwithstanding division (C) of section 121.22 of the 469
Revised Code, the board may adopt a policy that allows a board 470
member to attend a meeting of the board by means of video 471
conference. The board shall include in the policy, if adopted, 472
the following: 473

(i) The number of regular meetings at which each board 474
member shall be present in person, provided that number is not 475

less than one-half of the regular meetings of the board 476
annually; 477

(ii) That at least one-third of the board members 478
attending the meeting shall be present in person at the physical 479
location where the meeting is conducted; 480

(iii) That all votes taken at the meeting shall be taken 481
by roll call vote; 482

(iv) That a board member who intends to attend a meeting 483
by means of video conference shall notify the chairperson of 484
that intent not less than forty-eight hours before the meeting, 485
except in the case of an emergency as defined in the policy. 486

(c) Notwithstanding division (C) of section 121.22 of the 487
Revised Code, a board member who attends a meeting by means of 488
video conference is considered present in person at the meeting, 489
may vote at the meeting, and is counted for purposes of 490
determining whether a quorum is present at the meeting. 491

(d) At any meeting in which a board member attends by 492
means of video conference, the board shall ensure that the 493
public can hear and observe the discussions and deliberations of 494
all the members of the board, whether the member is 495
participating in person or electronically. 496

(e) Except as provided in this section, no person shall do 497
any of the following: 498

(i) Limit the number of board members who may attend a 499
meeting by means of video conference; 500

(ii) Limit the total number of meetings that the board may 501
allow members to attend by means of video conference; 502

(iii) Limit the number of meetings at which any one board 503

member may attend by means of video conference; 504

(iv) Impose other limits or obligations on a board member 505
because the board member attends a meeting by means of video 506
conference. 507

(3) Any member appointed under this section shall hold 508
office until the end of the member's term or, if later, the date 509
the member's successor takes office. 510

(B) The attorney general shall prescribe procedures for 511
the adoption of rules authorized under this chapter, consistent 512
with the provision of section 111.15 of the Revised Code under 513
which all rules shall be filed in order to be effective. Such 514
procedures shall establish methods by which notice of proposed 515
rules are given to interested parties and rules adopted by the 516
board published and otherwise made available. When it files a 517
rule with the joint committee on agency rule review pursuant to 518
section 111.15 of the Revised Code, the board shall submit to 519
the Ohio retirement study council a copy of the full text of the 520
rule, and if applicable, a copy of the rule summary and fiscal 521
analysis required by division (B) of section 106.024 of the 522
Revised Code. 523

(C) (1) As used in this division, "personal history record" 524
means information maintained by the board on an individual who 525
is a member, former member, retirant, or beneficiary that 526
includes the address, electronic mail address, telephone number, 527
social security number, record of contributions, correspondence 528
with the system, and other information the board determines to 529
be confidential. 530

(2) The records of the board shall be open to public 531
inspection and may be made available in printed or electronic 532

format, except for the following which shall be excluded: the 533
member's, former member's, retirant's, or beneficiary's personal 534
history record and the amount of a monthly allowance or benefit 535
paid to a retirant, beneficiary, or survivor, except with the 536
written authorization of the individual concerned. 537

(D) All medical reports and recommendations are privileged 538
except as follows: 539

(1) Copies of such medical reports or recommendations 540
shall be made available to the individual's personal physician, 541
attorney, or authorized agent upon written release received from 542
such individual or such individual's agent, or when necessary 543
for the proper administration of the fund to the board-assigned 544
physician. 545

(2) Documentation required by section 2929.193 of the 546
Revised Code shall be provided to a court holding a hearing 547
under that section. 548

(E) Notwithstanding the exceptions to public inspection in 549
division (C)(2) of this section, the board may furnish the 550
following information: 551

(1) If a member, former member, or retirant is subject to 552
an order issued under section 2907.15 of the Revised Code or an 553
order issued under division (A) or (B) of section 2929.192 of 554
the Revised Code or is convicted of or pleads guilty to a 555
violation of section 2921.41 of the Revised Code, on written 556
request of a prosecutor as defined in section 2935.01 of the 557
Revised Code, the board shall furnish to the prosecutor the 558
information requested from the individual's personal history 559
record. 560

(2) Pursuant to a court order issued under Chapters 3119., 561

3121., and 3123. of the Revised Code, the board shall furnish to 562
a court or child support enforcement agency the information 563
required under those chapters. 564

(3) At the written request of any nonprofit organization 565
or association providing services to retirement system members, 566
retirants, or beneficiaries, the board shall provide to the 567
organization or association a list of the names and addresses of 568
members, former members, retirants, or beneficiaries if the 569
organization or association agrees to use such information 570
solely in accordance with its stated purpose of providing 571
services to such individuals and not for the benefit of other 572
persons, organizations, or associations. The costs of compiling, 573
copying, and mailing the list shall be paid by such entity. 574

(4) Within fourteen days after receiving from the director 575
of job and family services a list of the names and social 576
security numbers of recipients of public assistance pursuant to 577
section 5101.181 of the Revised Code, the board shall inform the 578
auditor of state of the name, current or most recent employer 579
address, and social security number of each member whose name 580
and social security number are the same as those of a person 581
whose name or social security number was submitted by the 582
director. The board and its employees, except for purposes of 583
furnishing the auditor of state with information required by 584
this section, shall preserve the confidentiality of recipients 585
of public assistance in compliance with section 5101.181 of the 586
Revised Code. 587

(5) The system shall comply with orders issued under 588
section 3105.87 of the Revised Code. 589

On the written request of an alternate payee, as defined 590
in section 3105.80 of the Revised Code, the system shall furnish 591

to the alternate payee information on the amount and status of 592
any amounts payable to the alternate payee under an order issued 593
under section 3105.171 or 3105.65 of the Revised Code. 594

(6) At the request of any person, the board shall make 595
available to the person copies of all documents, including 596
resumes, in the board's possession regarding filling a vacancy 597
of an employee member or retirant member of the board. The 598
person who made the request shall pay the cost of compiling, 599
copying, and mailing the documents. The information described in 600
this division is a public record. 601

(7) The system shall provide the notice required by 602
section 5505.263 of the Revised Code to the prosecutor assigned 603
to the case. 604

(8) The system may provide information requested by the 605
United States social security administration, United States 606
centers for medicare and medicaid, public employees retirement 607
system, Ohio public employees deferred compensation program, 608
Ohio police and fire pension fund, school employees retirement 609
system, state teachers retirement system, or Cincinnati 610
retirement system. 611

(F) A statement that contains information obtained from 612
the system's records that is certified and signed by an officer 613
of the retirement system and to which the system's official seal 614
is affixed, or copies of the system's records to which the 615
signature and seal are attached, shall be received as true 616
copies of the system's records in any court or before any 617
officer of this state. 618

(G) The board may maintain records in printed or 619
electronic format. 620

Sec. 5543.06. The county engineer shall annually call a 621
meeting, within the county, at a time and place approved by the 622
board of county commissioners, of all the township and county 623
authorities having directly to do with the construction and 624
repair of roads and bridges within the county. At such meeting, 625
which shall be open to the general public, the engineer, or ~~his~~ 626
the engineer's designee, shall instruct the proper authorities 627
as to the best and most economical methods for repairing and 628
maintaining the roads and bridges of the county, so as to 629
provide a uniform system of highway work for such county. Each 630
official attending such meeting shall receive ~~his~~ the official's 631
actual and necessary expenses, in addition to ~~his~~ the official's 632
regular per diem or salary, which shall be paid by the county 633
treasurer from the road fund of the county on itemized vouchers 634
approved by the engineer. 635

The county engineer may conduct a meeting under this 636
section through means of video conference or any other similar 637
electronic technology in accordance with section 121.221 of the 638
Revised Code. 639

Section 2. That existing sections 305.02, 715.693, 924.12, 640
5505.04, and 5543.06 of the Revised Code are hereby repealed. 641