



White Paper

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Rewriting the Rules of Access

What House Bill 314 Would Change in Ohio's Public Records Law

A descriptive analysis of Substitute House Bill 314 (136th Ohio General Assembly), as passed by the House, and its amendments to R.C. 149.43.

Status current through July 30, 2026

Prepared by the Ohio Common Ground Research Center

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Executive Summary

House Bill 314 amends a single statute — R.C. 149.43, Ohio's Public Records Law — but that statute is the operative mechanism through which Ohioans obtain records from their governments. The bill's formal title states two purposes: to “restrict harassing or disruptive public records requests” and to “permit private contractors to respond to voluminous public records requests.” Its operative text does both of those things and more.

Read against current law, the Legislative Service Commission's bill analysis identifies four principal policy changes. It (1) creates a court process by which a public office may sue to limit or deny requests it believes are intended to harass or disrupt; (2) authorizes political subdivisions to charge an alternative, hours-based fee for records requests, in place of the current “at cost” standard; (3) authorizes public offices to use private contractors for qualifying voluminous requests and, subject to applicable limits and exemptions, to include contractor costs in the amount charged to the requester; and (4) exempts student and parent email addresses held by schools from disclosure. The operative text also establishes a documentary-evidence process specific to public-defender requesters and makes related definitional, remedial, renumbering, and conforming changes. Of the four principal changes, the two purposes expressly named in the long title are the court process and the private-contractor authorization; the alternative fee structure and the student-email exemption are not named in the long title.

This report classifies each change by its principal legal mechanism, drawn from the operative statutory text and the LSC analysis, independent of the bill's title or sponsor framing. It documents where the two diverge — most notably that the alternative fee structure applies to any qualifying request to a political subdivision, keyed to labor hours rather than to a finding of harassment. A legislative title summarizes rather than catalogs a bill, so that omission is a matter of practical scope, not legal defect.

The bill passed the House on June 9, 2026, by a vote of 78–18 — not unanimous — after being reported as a substitute by the House Judiciary Committee on June 8, 2026 (committee vote 11–1). It was introduced in the Senate on June 11, 2026, and remained pending there as of the status date. This report also documents an apparent internal cross-reference inconsistency in the as-passed text concerning the public-defender evidence mechanism and summarizes the LSC fiscal note and the proponent and opponent positions placed on the record in the House Judiciary Committee.

This report does not evaluate whether House Bill 314, if enacted, would be sufficient, appropriate, or advisable. It documents what the bill's text does, how far it has advanced, and where its framing and its operative provisions diverge.

Key Findings

- **The long title names two mechanisms; the LSC analysis identifies four principal changes.** The long title names the harassing/disruptive-request court process and private contractors for voluminous requests. The LSC bill analysis identifies four principal policy changes, adding the alternative fee structure and the student-email exemption; the operative text also includes a public-defender

documentary-evidence process and related conforming changes. A long title summarizes rather than catalogs a bill, so the omission is a matter of practical scope, not legal defect.

- **The alternative fee structure is general in application, not harassment-gated.** New R.C. 149.43(B)(1)(b) lets a political subdivision charge a per-request fee based on “hours to produce”: no charge for 1–10 hours, up to \$25 for 11–20, up to \$50 for 21–30, up to \$100 for 31–40, and up to \$200 for more than 40 hours. It applies to any qualifying request to a political subdivision regardless of whether the request is harassing. State agencies are not covered and remain on the “at cost” standard.
- **The court mechanism suspends the response duty while litigation is pending.** Under new R.C. 149.43(B)(2)(c), an office may sue in common pleas to limit or deny requests it believes are intended to harass or disrupt; while the action and any appeal are pending, the office's duty to respond is tolled. A court may bar future requests from the requester for up to five years and may fine anonymous circumvention up to \$100 per violation; if the court finds the requests were not harassing, it may award the requester attorney's fees. The special action does not provide a reciprocal award of fees to the office when it prevails.
- **The substitute softened the harassment remedy and added the fee structure.** Per the LSC Comparative Synopsis, the As Introduced version allowed a court to deny a person's ability to request records indefinitely; the substitute changed that to up to five years, added the extension-and-fine provisions, and added the requester's fee-recovery option. The entire alternative fee structure, the fee-estimate and prepayment procedures, and the reasonable-period contractor provision were added at the substitute stage.
- **Contractor cost is bounded by the fee ceiling.** An office may fold a private contractor's cost into the amount charged, but where the alternative fee structure applies, that inclusion may not push the fee above the highest tier (\$200). Contractors must dispose of copies, return originals, not use records for outside profit, and not disclose redacted information.
- **An internal cross-reference appears inconsistent.** The public-defender documentary-evidence mechanism is enacted at division (B)(12), but the bill's cross-references to it — in (A)(1)(ccc) and (B)(2)(c)(vii) — point to (B)(11), the division occupied by the pre-existing victim video-fee waiver. This reads as a technical drafting error of the kind a conforming amendment would correct.
- **The fiscal note is qualitative and points in two directions.** The LSC fiscal note projects possible administrative savings if harassing requests are curtailed, offset by reduced fee revenue and by attorney's fees recoverable by successful defendants; it notes that for requests completable in one to ten hours, adopting the fee schedule could produce a revenue loss relative to current at-cost charging, while for larger requests it authorizes fees current law does not.
- **Prior public-records legislation is confirmed.** Proponent testimony's references to earlier reforms check out against the enrolled bills: H.B. 315 (135th G.A.) amended R.C. 149.43 and added the video-record fee provision (\$75 per hour of video), and H.B. 265 (135th G.A.) amended R.C. 149.43 and R.C. 2323.52 to revise the Public Records Law.

- **The bill drew organized support and organized opposition.** Proponents in the House Judiciary Committee included the sponsors and statewide local-government and law-enforcement associations; opponents included civil-liberties, employee-rights, and wrongful-conviction organizations and individual citizens. Several opponents' central concern — that the fee and suit mechanisms reach beyond “vexatious” requesters to ordinary ones — tracks the same breadth-of-application point the operative text reflects.

Legislative Stage and Votes

Date	Chamber	Action
6-3-2025	House	Introduced (Reps. Isaacsohn and Ray; cosponsors Abrams, Brennan, Miller J., Russo, Schmidt, Young)
6-4-2025	House	Referred to committee — Judiciary
6-8-2026	House	Reported (Substitute) — Judiciary (committee vote 11–1, “Favorable Passage”)
6-9-2026	House	Passed (78–18)
6-11-2026	Senate	Introduced (first reading)

The House Judiciary Committee held five hearings before reporting the substitute: February 18, February 25, March 4, May 27, and June 3, 2026. Sponsor testimony was heard at the first hearing (February 18), proponent testimony at the second (February 25), and opponent testimony at the third (March 4); the committee record lists no witnesses for the fourth and fifth hearings.

Version basis for this report: Substitute House Bill 314 (drafting version I_136_3295-2), as passed by the House. As of the status date, the bill had been introduced in the Senate (June 11, 2026) and had no further Senate action; the Senate had not referred it to a committee, and the bill's Committee Activity page reflects House committee activity only. The bill had passed the House but had not passed the Senate or been presented to the Governor; it was therefore not enacted and had no effective date.

Why This Report Matters

Access to public records is the mechanism by which citizens, journalists, and organizations verify what their governments do — how money is spent, how officials act, and whether the law is followed. R.C. 149.43 is Ohio's principal generally applicable public-records statute and establishes many of the rules governing access, charges, exemptions, duties, and remedies, subject to other state and federal law. House Bill 314 would change several of those terms at once. Because the bill amends this central statute rather than a single agency-specific program, it has potentially statewide consequences: some provisions apply broadly to public offices, while others apply only to political subdivisions, schools, specified requesters, or particular types of requests. This report documents, in one place, what the bill's text would change relative to current law, so that Ohioans can see the operative provisions as distinct from the bill's title and framing.

Data and Methodology

Descriptions and classifications in this report are drawn from the operative text of Substitute House Bill 314 as passed by the House (R.C. 149.43 as amended); the Ohio Legislative Service Commission's Bill Analysis (As Passed by the House, June 10, 2026), Comparative Synopsis (Sub. H.B. 314, House Judiciary), and Fiscal Note & Local Impact Statement (As Passed by the House, June 9, 2026); the bill's official Status, Votes, and Committee Activity pages; the current text of R.C. 149.43; and proponent, opponent, and interested-party testimony submitted to the House Judiciary Committee.

The current-law baseline is the version of R.C. 149.43 effective September 30, 2025 (as amended by H.B. 96 of the 136th General Assembly). A separate amendment (H.B. 31 of the 136th General Assembly) takes effect September 7, 2026; it revises certain probation, parole, and victim-record exemptions and does not affect the fee, contractor, harassment, or exemption mechanisms House Bill 314 would change.

Each change is classified by its principal legal mechanism — what the operative statutory text requires, prohibits, authorizes, or creates — drawn from the bill text and the LSC analysis, independent of the bill's title or sponsor-provided framing. Where a bill's title or public description differs materially from its operative mechanism, this report states both and cites the relevant Revised Code division. Because the bill has a reported substitute version, that substitute — not the introduced version — controls the description; the comparison between the two is reported separately under “From Introduced to Passed.”

Committee testimony is reported as attributed positions, not adjudicated. Where a witness asserts a fact, this report attributes the assertion to that witness; the two prior-legislation references in proponent testimony were independently confirmed against the enrolled bills. Status date: July 30, 2026.

LSC analyses are authoritative legislative research aids but are not enacted law and do not bind courts. This report's descriptions of how provisions would operate are textual readings of the bill and statute, not predictions of how a particular court or public office would apply them.

Definitions

Public record (baseline). Under current R.C. 149.43, every public office must, on request, promptly prepare public records and make them available for inspection, and provide copies “at cost,” which ordinarily excludes the office's routine employee labor but may include copying media, delivery or transmission expenses, and other costs expressly authorized by statute. The statute lists numerous categories that are not public records. House Bill 314 adds to that list and modifies the request-and-fee process around it.

Principal legal mechanism. What a bill's operative statutory text actually requires, prohibits, authorizes, or creates, as distinct from its title, name, or sponsor framing.

Political subdivision (new definition). A municipal corporation, township, county, school district, or other body corporate and politic responsible for governmental activities in an area smaller than the state. Determines the scope of the alternative fee structure. (R.C. 149.43(A)(22).)

Hours to produce (new definition). The total number of hours, rounded to the nearest full hour, worked by office employees or, if applicable, a private contractor, in compiling and redacting records for production; it does not include time spent seeking or creating legal advice. This is the metering unit for the alternative fee structure. (R.C. 149.43(A)(23).)

Alternative fee structure. The optional, hours-based per-request fee schedule that a political subdivision may adopt in place of “at cost.” (R.C. 149.43(B)(1)(b).)

Tolling. The suspension, while a court action is pending, of a public office's duty to respond to the requests at issue. (R.C. 149.43(B)(2)(c)(ii).)

The Bill's Operative Provisions

This section describes each mechanism against its current-law baseline. Provision citations are to R.C. 149.43 as amended by the as-passed substitute.

1. Court process to limit or deny harassing or disruptive requests — (B)(2)(c)

Baseline. Current law does not contain a comparable office-initiated civil-action procedure authorizing a public office to obtain prospective restrictions based on a pattern of requests it alleges is intended to harass the office or disrupt its essential functions. Current law does contain other request-specific limitations and procedures — including the treatment of overly broad or ambiguous requests, special rules for certain requesters and records, and remedies associated with frivolous litigation.

Change. Where a requester submits multiple requests to the same office and based on volume or repeated nature, the office has reason to believe the requests are intended to harass the office or disrupt its essential functions, the office may bring a civil action in common pleas to limit or deny them. The action proceeds as any civil action; the requester receives notice and a hearing. While the action and any appeal are pending, the office's duty to respond is tolled. If the court finds by a preponderance that the requests are intended to harass or disrupt, it may limit or deny them; if it finds the requester likely to submit future harassing requests, it may bar future requests for up to five years, extend that period on violation, and fine anonymous circumvention up to \$100 per violation. If the court finds the requests were not harassing or disruptive, it may award the requester reasonable attorney's fees and litigation expenses; the procedure does not provide a reciprocal award of fees to the office when it prevails. (R.C. 149.43(B)(2)(c)(i)–(iv).)

Exceptions. The action may not be brought against a journalist (as defined in R.C. 149.43(B)(9)(c)); a pro se litigant seeking records in that person's own litigation; or a state agency (including a public college or university) or the staff or agents of a public defender or government attorney. No court may restrict a listed requester's access. An office may not bring the action against a known or suspected public defender unless the public defender fails to provide the documentary evidence described below within five business days. (R.C. 149.43(B)(2)(c)(v)–(vii).)

Classification. Civil action to limit or deny requests, with response-duty tolling, a prospective bar, and potential attorney-fee recovery by a requester who successfully defends against the action.

2. Alternative fee structure for political subdivisions — (B)(1)(b)–(e)

Baseline. Current law generally requires copies “at cost,” which ordinarily excludes routine employee labor but may include copying media, delivery or transmission expenses, and other statutorily authorized costs; it does not authorize a per-hour labor fee of the kind the bill would permit.

Change. Instead of charging at cost, a political subdivision may adopt the following per-request schedule based on hours to produce:

Hours required to fulfill request	Fee
1–10	No charge
11–20	Up to \$25
21–30	Up to \$50
31–40	Up to \$100
More than 40	Up to \$200

These are per-request ceilings and are not additive across requests. If an office reasonably suspects a requester split related records into multiple requests to avoid the fee, it may combine the requests' cost to produce in calculating the fee. An office using the schedule must provide a fee estimate and a chance to amend or cancel and must require payment before releasing records; a requester who cancels after preparation or fails to pay has no subsequent requests fulfilled until payment is made. The fee is not charged to the requesters listed in exception category (v) above, except anonymous requesters (current law generally permits a requester to decline to identify themselves). A local law-enforcement agency or prosecutor may not count time spent preparing or producing video records in the hours-to-produce calculation. (R.C. 149.43(B)(1)(b)–(e); (A)(23).)

Classification. Fee-authorization schedule (general application to political subdivisions), with fee-estimate, prepayment, and cutoff procedures and a fee exemption for listed requesters.

3. Private contractors for voluminous requests — (B)(6)(b); (B)(1)(a)

Baseline. Current law contains no authorization to engage a private contractor to respond to requests; existing references to private contractors appear only in the Bureau of Motor Vehicles bulk-extraction cost definitions.

Change. If a request is voluminous and it is therefore reasonable to do so, an office may engage a private contractor to respond, including making redactions, and may include the contractor's cost in the amount charged; where the alternative fee structure applies, that inclusion may not push the fee above the highest tier. A contractor must dispose of copies, return originals, not use records for outside profit, and not disclose redacted information. Separately, when a court assesses whether an office produced records within a reasonable period of time, it may not consider whether engaging a contractor would have produced records faster. (R.C. 149.43(B)(6)(b)(i)–(ii); (B)(1)(a).)

Classification. Contractor authorization with contractor duties and a reasonable-period evidentiary limit.

4. Student and parent email exemption — (A)(1)(ddd)

Baseline. Current law does not exempt student or parent email addresses.

Change. The email address of any current or former student — or that student's parent or legal guardian — kept by a public school (as defined in R.C. 3301.0711, which includes school districts, educational service centers, community schools, STEM schools, and college-preparatory boarding schools) is not a public record. (R.C. 149.43(A)(1)(ddd).)

Classification. New records exemption.

5. Public-defender documentary-evidence process — (B)(12); (A)(1)(ccc)

Baseline. Current law contains no requester-verification process specific to public defenders.

Change. An office may require a requester it knows or has reason to believe is a public defender to provide documentary evidence sufficient to prove the requested records relate to a matter within the scope of the requester's employment or appointment under R.C. 120.33; it may not require, or condition access on, materials protected by attorney-client or attorney-work-product privilege. The evidence a public defender submits is itself exempt from disclosure. (R.C. 149.43(B)(12); (A)(1)(ccc).) See “An Internal Cross-Reference Question” regarding the numbering of this provision.

Classification. Requester-verification process (public defenders), paired with a records exemption for the submitted evidence.

6. Conforming and technical changes

The bill redesignates several divisions to accommodate the new provisions, adds a basis on which a requester may bring a complaint or mandamus — an office's “unreasonable combination” of requests for the purpose of calculating a fee — and updates one agency reference within a definition (replacing “department of mental health and addiction services” with “behavioral health” in the “regional psychiatric hospital employee” definition). (R.C. 149.43(C)(1); (A)(9); and renumbering throughout.)

Title vs. Operative Scope

The bill's long title expressly identifies two mechanisms: restricting harassing or disruptive requests and permitting private contractors for voluminous requests. Both are present in the operative text. The two mechanisms the long title does not name are the alternative fee structure and the student-email exemption. The LSC bill analysis is a useful objective anchor here: it identifies four principal policy changes — the student-email exemption, the court process, private contractors, and the alternative fee structure — two of which the long title does not mention.

A legislative long title is a summary description, not ordinarily an exhaustive inventory of every statutory amendment. The omission of a mechanism from the long title does not by itself establish concealment, legal defect, or improper legislative procedure. The relevance here is practical rather than legal, and it is one of application rather than intent. The court process and the private-contractor provision are keyed, on their face, to “harassing or disruptive” and “voluminous” requests respectively. The alternative fee

structure is keyed to “hours to produce” for any qualifying request to a political subdivision; it is not conditioned on a finding that a request is harassing, so a single good-faith request that takes more than ten hours to produce can trigger a fee under the schedule. A reader relying on the stated purposes alone would not necessarily anticipate that generally applicable fee option. This is a descriptive observation about the operative scope of the text; it is not a judgment about whether that scope is appropriate or intended.

From Introduced to Passed: What the Substitute Changed

Per the LSC Comparative Synopsis, the substitute reported by House Judiciary differs from the As Introduced version on several points:

- **Harassing-requestor remedy.** The introduced version permitted a court to deny a person's ability to request records indefinitely. The substitute changed this to a suspension of up to five years, added authority to extend the period if the person violates the order, and added the up-to-\$100 fine for anonymous circumvention.
- **Requester fee recovery.** The substitute added the provision allowing a requester, upon a successful defense, to recover reasonable attorney's fees and costs.
- **Alternative fee structure.** The introduced version had no fee structure. The substitute added the fee schedule and the fee-estimate procedure (including payment before release and the no-subsequent-requests-until-paid rule).
- **Reasonable period of time.** The substitute added the provision barring a court from considering whether a contractor would have produced records faster.
- **Private contractors.** The introduced version already permitted contractors and cost inclusion; the substitute added the contractor duties and tied cost inclusion to the new fee structure.
- **Student and parent email addresses.** Added in the substitute.

The synopsis addresses only topics on which the two versions differ substantively; provisions it does not list (including the public-defender documentary-evidence process) were either unchanged between versions or not flagged, and this report does not treat them as substitute-new.

Fiscal Note Summary

The LSC fiscal note (Robert Meeker, Senior Budget Analyst, June 9, 2026) is qualitative; it does not project dollar totals beyond the fee-schedule ceilings, and no local impact statement procedure was required. Its principal observations:

- **Public-records keepers.** To the extent harassing or disruptive requests are curtailed, state and local agencies may see reduced administrative expense, offset in part by reduced fee revenue and by attorney's fees and costs recoverable by successful defendants in the new civil action.

- **Fees.** Under current law, records are made available at cost. The fiscal effect of the schedule depends on how an entity currently calculates cost: for requests completable in one to ten hours, the schedule (which charges nothing in that band) could mean a revenue loss for each such request, while for larger requests it authorizes fees current law does not. The stated fee limits also apply to work done by private contractors.
- **Private contractors.** Contractor use could increase direct expenditures, though some or all of those costs may be passed to requesters subject to the bill's applicable fee ceilings and exemptions; the fiscal note also notes possible administrative efficiency if contractor use frees staff for other work.
- **Civil case filings.** Courts of common pleas may see a “minimal at most” increase in filings, absorbed with existing resources and offset in part by court costs and fees.

Because the fee tiers are per-request ceilings, this report does not aggregate them into any statewide total; the fiscal note itself offers none.

Positions on the Record

The following positions were submitted to the House Judiciary Committee. They are reported as attributed positions, not adjudicated by this report.

Sponsors (proponent). At the committee's first hearing (February 18, 2026), the sponsors testified. Rep. Dani Isaacsohn framed the bill as a bipartisan compromise that protects the public's right to transparency while safeguarding offices against a small number of requesters whose high-volume requests appear designed to overwhelm limited resources. Rep. Sharon Ray described local governments as frequently subject to requests made to harass, wasting staff time and money.

Proponent organizations. The following testified as proponents at the second hearing (February 25, 2026). The Ohio Municipal League (Kent Scarrett), representing 730+ cities and villages, supported a “measured and judicially supervised remedy,” noting strain felt most acutely in smaller communities. The Ohio Prosecuting Attorneys Association (Louis Tobin) supported the court mechanism and contractor provisions and characterized the bill as one that promotes transparency, citing recent public-records legislation in the 135th General Assembly (video-record fees in H.B. 315 and a vexatious-litigator provision in H.B. 265 amending R.C. 2323.52 — both confirmed against the enrolled bills). The County Commissioners Association of Ohio (Adam Schwiebert) supported a structured judicial review of overly burdensome requests. The Ohio Association of School Business Officials (Katie Johnson) supported the bill, emphasizing small and rural districts where the treasurer serves multiple roles. The Ohio Association of Chiefs of Police (Chief Robert Butler) supported the bill and specifically endorsed the tolling provision and the contractor cost-shift, while raising a concern that electronic requests are not “instant” for agencies lacking automated redaction software. Evelyn Breedlove, a municipal official from the City of London, submitted proponent testimony describing a personal experience of records being used, in that witness's account, to enable a targeted harassment campaign.

Local-government (Medina Township) proponents. Three Medina Township trustees — Chuck Johnson, Bruce Christopher, and Doug Eastwood — testified as proponents at the February 25 hearing. Trustee

Eastwood reported that the township had received approximately 862 public records requests since early 2023, a majority originating from only three individuals, and stated the township was evaluating converting two part-time employees to full-time — an increase the testimony estimated at more than \$32,000 annually in additional health-insurance costs. Related township testimony described roughly 40 hours per week spent responding to such requests and noted that current law allows recovery only of copying cost, not the staff time that accounts for most of the expense.

Opponent organizations and individuals. Opponents testified at the third hearing (March 4, 2026). The ACLU of Ohio (Gary Daniels) opposed the bill, expressing concern that its reach would extend well beyond “vexatious” requesters and would shrink Ohioans’ ability to learn how their government acts; it opposed both the harass/disrupt court mechanism and the contractor cost-shift, noting it litigates on behalf of wrongfully denied requesters. POWW! Protect Ohio Women at Work (Sarah Cherry, a former House Democratic Caucus legal counsel) opposed the bill, stating that its fee and suit mechanisms would deter ordinary requesters. The Ohio Employment Lawyers Association and Protecting Ohio’s Employees (Fred Gittes) expressed sympathy for the intent but opposed the bill as drafted, citing the outsourcing of records review to private actors without sufficient accountability guardrails and due-process concerns. A policy fellow with the Ohio Innocence Project (Kevin Sullivan) opposed the bill, explaining that innocence investigations rely on multiple public-records requests to law-enforcement and prosecutorial agencies and that the clients involved have no discovery right. A concerned citizen (Kim Georgetown) opposed the bill on constitutional and oath-of-office grounds.

The proponent record is concentrated among statewide local-government and law-enforcement associations and affected officials; the opponent record is concentrated among civil-liberties, employee-rights, and wrongful-conviction organizations and individual citizens. Several opponents’ central concern — that the fee and suit mechanisms reach beyond bad-faith requesters — corresponds to the breadth-of-application observation this report draws from the operative text in “Title vs. Operative Scope.”

An Internal Cross-Reference Question

The public-defender documentary-evidence mechanism is enacted at division (B)(12). The LSC bill analysis places it there. But two provisions that reference this mechanism cite it as (B)(11): the new exemption at (A)(1)(ccc) (“Documentary evidence provided in response to a request for such evidence made under division (B)(11)”) and the anti-suit provision at (B)(2)(c)(vii) (“a request for evidence made pursuant to division (B)(11)”). In the as-passed text, division (B)(11) is the pre-existing victim video-fee waiver, not the evidence-request mechanism.

Division	Textual reference	Apparent result
(B)(12)	Establishes the public-defender documentary-evidence procedure	Operative provision
(A)(1)(ccc)	Refers to “division (B)(11)”	Appears mismatched
(B)(2)(c)(vii)	Refers to “division (B)(11)”	Appears mismatched

This reads as an internal cross-reference inconsistency — the cross-referencing provisions point to (B)(11) where the operative mechanism is at (B)(12) — of the kind a technical or conforming amendment would correct. This report documents the discrepancy descriptively and does not resolve which citation is controlling. It should be confirmed against the enrolled text and any subsequent Senate amendment before this finding is treated as more than a flag.

Interpretive Considerations

- **Scope of application versus stated purpose.** The alternative fee structure applies to qualifying political-subdivision requests generally and is not conditioned on a finding of harassment — the mechanism least visible from the long title's stated purposes. This report states that as a factual observation about scope; it does not assess whether it is intended or appropriate.
- **Passage was bipartisan but not unanimous.** The bill's primary sponsors are from different parties, and it passed the House 78–18. The 18 nay votes and the organized opponent testimony indicate the measure was contested.
- **The substitute moderated one mechanism while adding others.** The harassment remedy moved from indefinite to a five-year cap; at the same stage, the fee structure and several procedural provisions were added. A reader comparing only the title across versions would not see either shift.
- **The record reflects a genuine dispute of application, not only of intent.** Proponents and several opponents agree that truly abusive requests are a real burden; the recorded disagreement is largely about how far the bill's mechanisms would reach beyond such requests. This report reports that disagreement without adjudicating it.
- **State/local asymmetry.** The fee structure reaches only political subdivisions; state agencies remain on the “at cost” standard. Any characterization of the bill's fee effects should specify which offices are covered.

Limitations and What This Report Does Not Claim

- **Descriptive, not evaluative.** This report does not rate, grade, or conclude whether House Bill 314, if enacted, would be sufficient, appropriate, constitutional, or advisable. Its title/mechanism observations state what the text does relative to its framing; they are not judgments about whether any gap is proper or intended.
- **Senate action pending.** As of the status date, HB 314 had been introduced in the Senate (June 11, 2026) with no further Senate action and no Senate committee referral. Senate status is subject to change and should be re-checked at any later use.
- **Cross-reference discrepancy unresolved.** The (B)(11)/(B)(12) inconsistency is documented, not resolved; it awaits confirmation against the enrolled text and any Senate correction.

- **Attributed testimony.** Factual assertions in committee testimony are reported as attributed. The two prior-legislation references in proponent testimony were independently confirmed; the specific incidents and figures described by individual witnesses were not independently audited.
- **Single-bill scope.** This report analyzes one bill's amendments to R.C. 149.43. It is not a comprehensive treatment of Ohio's Public Records Law or of every public-records bill in the 136th General Assembly, and R.C. 149.43 is not the sole source of records-access rules, which are also affected by other statutes, court rules, and constitutional and federal law.

Future Research

- Monitor House Bill 314 for Senate committee referral and hearings (none as of the status date) and for any Senate substitute.
- Confirm the (B)(11)/(B)(12) cross-reference against the enrolled text and monitor for a technical amendment.
- Monitor whether the House Judiciary substitute's five-year cap, fee schedule, or contractor duties are further amended in the Senate.
- If the bill advances, track implementation questions (which political subdivisions adopt the alternative fee structure; how the tolling and prospective-bar provisions are applied) as distinct from enactment.

Sources

- Substitute House Bill 314, 136th General Assembly, As Passed by the House (drafting version I_136_3295-2), operative text of R.C. 149.43 as amended, including the specific divisions cited in this report.
- Ohio Legislative Service Commission, H.B. 314 Bill Analysis (As Passed by the House), June 10, 2026.
- Ohio Legislative Service Commission, Substitute Bill Comparative Synopsis, Sub. H.B. 314, House Judiciary.
- Ohio Legislative Service Commission, H.B. 314 Fiscal Note & Local Impact Statement (As Passed by the House), June 9, 2026.
- Ohio General Assembly, House Bill 314 official Status, Votes, and Committee Activity pages (accessed July 30, 2026), the last confirming five House Judiciary hearings and no Senate committee activity.
- R.C. 149.43, current text effective September 30, 2025 (H.B. 96, 136th G.A.), and the version effective September 7, 2026 (H.B. 31, 136th G.A.); R.C. 3301.0711 and R.C. 120.33 for referenced provisions.
- Enrolled H.B. 315 and H.B. 265, 135th General Assembly, consulted to confirm the prior-legislation references in proponent testimony.
- Proponent, opponent, and interested-party testimony submitted to the House Judiciary Committee: Reps. Isaacsohn and Ray; Ohio Municipal League; Ohio Prosecuting Attorneys Association; County

Commissioners Association of Ohio; Ohio Association of School Business Officials; Ohio Association of Chiefs of Police; Medina Township (Trustees Johnson, Christopher, and Eastwood); Evelyn Breedlove (City of London); ACLU of Ohio; POWW! Protect Ohio Women at Work; Ohio Employment Lawyers Association and Protecting Ohio's Employees; Ohio Innocence Project; and Kim Georgetown.

Conclusion

House Bill 314 would make several material changes to Ohio's Public Records Law. It would create a court process through which a public office could seek restrictions on requests it alleges are intended to harass the office or disrupt its essential functions; permit political subdivisions to adopt an hours-based fee schedule instead of the generally applicable at-cost framework; authorize private contractors for qualifying voluminous requests and permit certain contractor costs to be included in the amount charged to the requester; exempt specified student and parent email addresses; and establish an evidence-verification procedure for certain public-defender requests. The long title expressly identifies the harassment-related court process and the contractor authorization but does not separately name the fee schedule or the student-email exemption. Because a legislative title summarizes rather than catalogs a bill, that omission does not itself establish a legal defect or improper purpose; it is nevertheless material to the bill's practical reach, particularly because the political-subdivision fee schedule turns on production time and is not conditioned on a finding that a request is harassing or disruptive.

The substitute passed the House 78–18 after the House Judiciary Committee recommended favorable passage by an 11–1 vote, having moderated the harassment remedy from an indefinite bar to a five-year cap while adding the fee structure. As of the status date it had passed the House but had not passed the Senate or been enacted, and the as-passed text appears to contain an internal cross-reference inconsistency involving divisions (B)(11) and (B)(12), which should be monitored for correction in any subsequent version. This report describes the bill's text and legislative record; it does not determine whether the proposed changes are necessary, proportionate, constitutional, or advisable.

Revision History

Version 1.0 — July 31, 2026. Initial publication. Prepared from the as-passed substitute text and the Legislative Service Commission's Bill Analysis, Comparative Synopsis, and Fiscal Note; the bill's official Status, Votes, and Committee Activity pages; the current text of R.C. 149.43; the enrolled H.B. 315 and H.B. 265 (135th G.A.); and House Judiciary Committee testimony. Corrections identified in pre-publication review were independently verified against the primary sources cited before adoption.

Appendix A — Provision-to-R.C. Map

Mechanism	R.C. 149.43 division(s)	Applies to
Court action to limit/deny harassing or disruptive requests; tolling; 5-yr bar; fine; requester fee recovery; exceptions	(B)(2)(c)(i)–(vii)	All offices; requesters (except carve-outs)

Mechanism	R.C. 149.43 division(s)	Applies to
Alternative fee structure; combine rule	(B)(1)(b); (A)(23)	Political subdivisions
Fee estimate; prepayment; cancellation cutoff	(B)(1)(c)(i)–(iii)	Political subdivisions adopting the schedule
Fee exemption for listed requesters (not anonymous)	(B)(1)(d); (B)(2)(c)(v)	Political subdivisions
Video-time exclusion from hours-to-produce	(B)(1)(e)	Local law enforcement / prosecutors
Private contractor for voluminous requests; duties; fee-ceiling cap	(B)(6)(b)(i)–(ii)	All offices; contractors
Reasonable-period contractor evidentiary bar	(B)(1)(a)	Courts
Student/parent email exemption	(A)(1)(ddd)	Public schools (R.C. 3301.0711)
Public-defender documentary-evidence process	(B)(12)	Public-defender requesters
Exemption for submitted PD evidence	(A)(1)(ccc) [cross-refs (B)(11) — see anomaly]	All offices
New complaint/mandamus basis: “unreasonable combination” of requests for fee calc	(C)(1)	Requesters
Public-records policy must describe fee schedule	(E)	All offices
Conforming: agency rename (“behavioral health”)	(A)(9)	—
New definitions	(A)(21)–(23)	—

Appendix B — Testimony Index

Party	Role	Position
Rep. Dani Isaacsohn	Primary sponsor	Proponent
Rep. Sharon Ray	Primary sponsor	Proponent
Ohio Municipal League (Kent Scarrett)	Association	Proponent
Ohio Prosecuting Attorneys Association (Louis Tobin)	Association	Proponent
County Commissioners Association of Ohio (Adam Schwiebert)	Association	Proponent
Ohio Association of School Business Officials (Katie Johnson)	Association	Proponent
Ohio Association of Chiefs of Police (Chief Robert Butler)	Association	Proponent (with e-request caveat)
Medina Township — Trustee Doug Eastwood	Local government	Proponent
Medina Township — Trustees Chuck Johnson & Bruce Christopher	Local government	Proponent

Party	Role	Position
Evelyn Breedlove (City of London)	Municipal official	Proponent
ACLU of Ohio (Gary Daniels)	Organization	Opponent
POWW! Protect Ohio Women at Work (Sarah Cherry)	Organization	Opponent
Ohio Employment Lawyers Assn. / Protecting Ohio's Employees (Fred Gittes)	Organization	Opponent
Ohio Innocence Project (Kevin Sullivan)	Organization	Opponent
Kim Georgetown	Individual	Opponent