As Introduced

132nd General Assembly Regular Session 2017-2018

H. B. No. 678

Representative Barnes

A BILL

| То | amend section 103.13 and to enact sections | 1 |
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| | 103.171 and 103.26 of the Revised Code to permit | 2 |
| | staff of the Ohio Legislative Service Commission | 3 |
| | to request public records on behalf of members | 4 |
| | of the General Assembly, and to permit the | 5 |
| | Commission to issue subpoenas for public records | 6 |
| | at the request of a General Assembly member. | 7 |

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

| Section 1. That section 103.13 be amended and sections | 8 |
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| 103.171 and 103.26 of the Revised Code be enacted to read as | 9 |
| follows: | 10 |
| Sec. 103.13. The Ohio legislative service commission | 11 |
| shall: | 12 |
| (A) Conduct research, make investigations, and secure | 13 |
| information or data on any subject and make reports thereon to | 14 |
| the general assembly; | 15 |
| (B) Ascertain facts and make reports concerning the state | 16 |
| budget, the revenues and expenditures of the state, and of the | 17 |
| organization and functions of the state, its departments, | 18 |
| subdivisions, and agencies; | |

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| (C) Make surveys, investigations, and studies, and compile | 20 |
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| data, information, and records on any question which may be | 21 |
| referred to it by either house of the general assembly or any | 22 |
| standing committee of the general assembly; | 23 |
| (D) Assist and cooperate with any interim legislative | 24 |
| committee or other agency created by the general assembly; | 25 |
| (E) Prepare or advise in the preparation of any bill or | 26 |
| resolution, when requested by any member of the general | 27 |
| assembly; | 28 |
| (F) Collect, classify, and index the documents of the | 29 |
| state which shall include executive and legislative documents | 30 |
| and departmental reports and keep on file all bills, | 31 |
| resolutions, and official journals printed by order of either | 32 |
| house of the general assembly; | 33 |
| (G) Provide members of the general assembly with impartial | 34 |
| and accurate information and reports concerning legislative | 35 |
| problems in accordance with rules prescribed by the commission; | 36 |
| (H) Annually collect the reports required by section | 37 |
| 4743.01 of the Revised Code and prepare a report evaluating the | 38 |
| extent to which state boards and commissions which regulate | 39 |
| occupations are financially self-supporting. The report shall be | 40 |
| presented to the speaker and the minority leader of the house of | 41 |
| representatives, the president and the minority leader of the | 42 |
| senate, and the chairperson and ranking minority member of the | 43 |
| finance committees of both houses, on or before the thirty-first | 44 |
| day of December each year. | 45 |
| (I) Codify the rules of administrative agencies of the | 46 |
| state in accordance with the provisions of section 103.05 of the | 47 |
| Revised Code; | 48 |

| (J) Publish the register of Ohio under section 103.051 of | 49 |
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| the Revised Code; | 50 |
| (K) Operate the electronic rule-filing system under | 51 |
| section 103.0511 of the Revised Code; | 52 |
| section 103.0311 of the Kevised Code, | 52 |
| (L) Request public records for members of the general | 53 |
| assembly under section 103.26 of the Revised Code. | 54 |
| Sec. 103.171. At the request of a member of the general | 55 |
| assembly, the Ohio legislative service commission may issue a | 56 |
| subpoena to a public office to compel that office to produce | 57 |
| public records requested under section 103.26 of the Revised | 58 |
| Code if the requested records have not been produced in a | 59 |
| reasonable period of time. If a public office fails to comply | 60 |
| with a subpoena issued on behalf of the commission, it shall be | 61 |
| the duty of the county prosecutor in any county, on application | 62 |
| of the commission, to bring a proceeding for contempt. The | 63 |
| remedy provided for in this section is in addition to any other | 64 |
| remedies provided by law. | 65 |
| Sec. 103.26. (A) As used in this section: | 66 |
| (1) "Legislative staff" means the staff of the Ohio | 67 |
| legislative service commission. | 68 |
| (2) "Public record" has the meaning defined in section | 69 |
| 149.43 of the Revised Code. | 70 |
| 119.15 Of the Nevisea Code. | , 0 |
| (B) If a member of the general assembly desires to obtain | 71 |
| any public record, the member may instruct legislative staff to | 72 |
| request the public record on the member's behalf. The public | 73 |
| office shall comply with the request as required by section | 74 |
| 149.43 of the Revised Code. | 75 |
| (C) No public record obtained under this section by | 76 |

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| legislative staff shall be deemed a public record kept by the | 77 |
| legislative service commission, legislative staff, or a member | 78 |
| of the general assembly for purposes of section 149.43 of the | 79 |
| Revised Code, but shall be a confidential record for the use | 80 |
| only of legislative staff and the member of the general assembly | 81 |
| requesting the public record. | 82 |
| Section 2. That existing section 103.13 of the Revised | 83 |
| Code is hereby repealed. | 84 |