



# Ohio Legislative Service Commission

## Bill Analysis

Hannah K. Wann

### H.B. 411

130th General Assembly  
(As Introduced)

Reps. Patmon, Stebelton

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## BILL SUMMARY

- Includes in the definition of a public record records kept by a police department established by a qualified nonprofit corporation or a campus police department established by a private college or university.

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## CONTENT AND OPERATION

### The bill

The bill includes records kept by a police department established by a "qualified nonprofit corporation" (see "**Background**," below) and records kept by the campus police department established by a private nonprofit college or university in the definition of a public record. A public record is a record kept by a public office that documents the operation and activities of that office. Generally, unless an exemption applies, a public office must make its public records available to the public upon request.<sup>1</sup> The bill applies these same public record provisions to the police forces of the specified private charitable and educational nonprofit corporations.

### Background

Under current law, a nonprofit corporation, established under the Nonprofit Corporation Law, may establish its own police department, if all of the following conditions apply:

- (1) The nonprofit corporation is a tax-exempt charitable organization;

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<sup>1</sup> R.C. 149.43.

(2) The nonprofit corporation has other organizations as members, and at least 20 of its members are tax-exempt charitable organizations;

(3) The nonprofit corporation, together with its members, owns, leases, occupies, or uses an area of not less than three hundred acres within which its police department will provide police services; and

(4) The chief of police of each municipal corporation within which the police department of the nonprofit corporation will be eligible to provide police services has given approval for persons who are appointed as police officers of that department to carry out their powers and duties as police officers.<sup>2</sup>

Current law also permits a private nonprofit college or university to establish a police department, which duties include the enforcement of the regulations of the college or university.<sup>3</sup>

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## HISTORY

ACTION	DATE
Introduced	01-21-14

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<sup>2</sup> R.C. 1702.80, not in bill.

<sup>3</sup> R.C. 1713.50, not in the bill.

