



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [Am. H.B. 321 of the 130th G.A.](#)

**Date:** May 29, 2014

**Status:** As Reported by House State and Local Government

**Sponsor:** Reps. Duffey and Hagan

**Local Impact Statement Procedure Required:** Yes

**Contents:** Establishes specific formatting standards for public records and data sets posted to the Internet by public offices and creates the DataOhio Board

### State and Local Fiscal Highlights

- The bill requires public records and data posted on a public website by a public office to meet certain formatting standards. Public offices could incur costs to reformat data if necessary to meet those standards. The costs would depend on the amount of data and the technological and labor resources needed to reformat this information.
- The bill requires public offices to include in their public records policy a statement of which public records, if any, the public office posts in accordance with the bill's formatting requirements. Public offices could incur negligible costs to amend their public records policies in this regard.

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### Detailed Fiscal Analysis

The bill establishes formatting standards for public records and data sets posted to a public website by a public office, including state agencies and political subdivisions. More specifically, the bill requires public records and data sets that are posted on a public website to be in an open format such that it is capable of being searched, viewed, and downloaded by the public and in a format that is machine readable. Additionally, the bill creates the DataOhio Board to facilitate the public's ability to easily find, download, and use data held by public offices. The fiscal effects of the bill are discussed in more detail under the headings below.

#### Formatting standards for public records and data sets

The bill requires public records and data sets that are posted by a public office to a public website to be in a format that is capable of being searched, viewed, and downloaded by the public and to be machine readable. However, the bill makes no requirement for public offices to post public records online. Instead, the bill specifically

grants public offices discretion to determine which public records will be posted in accordance with the bill's standards. Under the bill, a statement of which public records will be posted in accordance with the bill's standards must be included in public offices' public records policies. Alternatively, a public office could choose to not post any public records in accordance with the bill's standards so long as the public office's public records policies includes a statement indicating this decision. In any case, the bill requires a public office to submit changes to its public records policy in regard to which public records are posted, or that no public records are posted, to the DataOhio Board (discussed below). Ultimately, public offices that choose to post public records and data sets to public web pages in accordance with the bill's standards could incur costs to comply with the requirements. The costs involved with posting data online in the form required by the bill would hinge on the amount of any data that would require reformatting, and any computer hardware, software, or labor that might be needed to accomplish the task. These costs might vary quite considerably. Additionally, public offices could incur negligible costs to amend their public records policies to reflect which public records, if any, will be posted online in accordance with the bill's standards.

### **DataOhio Board**

The bill establishes the state DataOhio Board for the purpose of recommending the types of public records and data that should be available online and standards for those records and data to ensure they are posted in an open format and comparable across governmental units. The bill requires the Board to produce a report of its recommendations within one year of the bill's effective date, and by March 31st each year thereafter. Membership of the Board is to consist of the Governor and the four other statewide elected officials, the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, the Chancellor of the Ohio Board of Regents, the State Librarian, one member who represents data consumers, three members representing local governments, and one or more nonvoting ex officio appointees. Members of the Board are to serve without compensation, but would be reimbursed for actual and necessary expenses incurred in performance of their duties as members of the Board. The bill does not specify what entity is to provide administrative support to the Board, but does require the State Library of Ohio to provide meeting space for the Board.