

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 514**

**Representatives Kelly, Ghanbari**

**Cosponsors: Representatives Boggs, Brent, Skindell, Galonski, Leland, Miller, J.,  
Russo, Patterson, Lightbody, Ingram, Crossman, Lepore-Hagan, Plummer,  
Crawley, Denson, Stephens, West, Sweeney**

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**A BILL**

To amend sections 145.07, 742.07, 3307.09, 3309.09, 1  
and 5505.04 of the Revised Code to require the 2  
state retirement systems to publicly broadcast 3  
board meetings. 4

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

**Section 1.** That sections 145.07, 742.07, 3307.09, 3309.09, 5  
and 5505.04 of the Revised Code be amended to read as follows: 6

**Sec. 145.07. (A)** Each member of the public employees 7  
retirement board, upon assuming office, shall take an oath that 8  
the member will support the constitution of the United States 9  
and the constitution of the state, and that the member will 10  
diligently and honestly administer the affairs of the board and 11  
that the member will not knowingly violate or willfully permit 12  
to be violated any provision of this chapter. Such oath shall be 13  
subscribed to by the member making it, and certified by the 14  
officer before whom it is taken, and shall be immediately filed 15  
in the office of the secretary of state. 16

(B) A majority of the members of the board constitutes a 17  
quorum.~~All~~ 18

(C) Except as otherwise provided in division (D) of this 19  
section, all meetings of the board shall be open to the public 20  
except executive. Each meeting shall be publicly broadcast at 21  
the time it is conducted and archived on the web site of the 22  
public employees retirement system for future public access and 23  
use. 24

(D) Executive sessions as set forth in division (G) of 25  
section 121.22 of the Revised Code, and any portions of any 26  
sessions discussing medical records or the degree of disability 27  
of a member excluded from public inspection by section 145.27 of 28  
the Revised Code are not subject to division (C) of this 29  
section. 30

**Sec. 742.07.** (A) Within three months after all of the 31  
first appointed members of the board of trustees of the Ohio 32  
police and fire pension fund have been appointed and qualified, 33  
the governor shall call the first meeting of the board, and 34  
thereafter meetings of the board shall be called in such manner 35  
and at such times as the board prescribes, provided, that the 36  
board shall meet at least four times annually. ~~All~~ 37

(B) Except as otherwise provided in division (C) of this 38  
section, all meetings of the board shall be open to the public 39  
except executive. Each meeting shall be publicly broadcast at 40  
the time it is conducted and archived on the web site of the 41  
Ohio police and fire pension fund for future public access and 42  
use. 43

(C) Executive sessions as set forth in division (G) of 44  
section 121.22 of the Revised Code, and any portions of any 45

sessions discussing medical records or the degree of disability 46  
of a member excluded from public inspection by section 742.41 of 47  
the Revised Code are not subject to division (B) of this 48  
section. 49

(D) At its first meeting the board shall organize by 50  
electing from its membership a chairperson and a vice- 51  
chairperson who shall serve for a term of one year. Annually 52  
thereafter the board shall elect from its membership a 53  
chairperson and a vice-chairperson for a term of one year. 54

(E) A majority of the full membership of the board shall 55  
constitute a quorum. 56

**Sec. 3307.09.** (A) A majority of the members of the state 57  
teachers retirement board constitutes a quorum for the 58  
transaction of any business. ~~All~~ 59

(B) Except as otherwise provided in division (C) of this 60  
section, all meetings of the board shall be open to the public 61  
except executive. Each meeting shall be publicly broadcast at 62  
the time it is conducted and archived on the web site of the 63  
state teachers retirement system for future public access and 64  
use. 65

(C) Executive sessions as set forth in division (G) of 66  
section 121.22 of the Revised Code, and any portions of any 67  
sessions discussing medical records or the degree of disability 68  
of a member excluded from public inspection by section 3307.20 69  
of the Revised Code are not subject to division (B) of this 70  
section. 71

**Sec. 3309.09.** (A) A majority of the members of the school 72  
employees retirement board constitutes a quorum for the 73  
transaction of any business. Any action taken by the board shall 74

be approved by a majority of the members of the board. ~~All~~ 75

(B) Except as otherwise provided in division (C) of this 76  
section, all meetings of the board shall be open to the public 77  
~~except executive~~. Each meeting shall be publicly broadcast at 78  
the time it is conducted and archived on the web site of the 79  
school employees retirement system for future public access and 80  
use. 81

(C) Executive sessions as set forth in division (G) of 82  
section 121.22 of the Revised Code, and any portions of any 83  
sessions discussing medical records or the degree of disability 84  
of a member excluded from public inspection by section 3309.22 85  
of the Revised Code are not subject to division (B) of this 86  
section. 87

**Sec. 5505.04.** (A) (1) The general administration and 88  
management of the state highway patrol retirement system and the 89  
making effective of this chapter are hereby vested in the state 90  
highway patrol retirement board. The board may sue and be sued, 91  
plead and be impleaded, contract and be contracted with, and do 92  
all things necessary to carry out this chapter. 93

The board shall consist of the following members: 94

(a) The superintendent of the state highway patrol; 95

(b) Two retirant members who reside in this state; 96

(c) Five employee-members; 97

(d) One member, known as the treasurer of state's 98  
investment designee, who shall be appointed by the treasurer of 99  
state for a term of four years and who shall have the following 100  
qualifications: 101

(i) The member is a resident of this state. 102

(ii) Within the three years immediately preceding the 103  
appointment, the member has not been employed by the public 104  
employees retirement system, police and fire pension fund, state 105  
teachers retirement system, school employees retirement system, 106  
or state highway patrol retirement system or by any person, 107  
partnership, or corporation that has provided to one of those 108  
retirement systems services of a financial or investment nature, 109  
including the management, analysis, supervision, or investment 110  
of assets. 111

(iii) The member has direct experience in the management, 112  
analysis, supervision, or investment of assets. 113

(iv) The member is not currently employed by the state or 114  
a political subdivision of the state. 115

(e) Two investment expert members, who shall be appointed 116  
to four-year terms. One investment expert member shall be 117  
appointed by the governor, and one investment expert member 118  
shall be jointly appointed by the speaker of the house of 119  
representatives and the president of the senate. Each investment 120  
expert member shall have the following qualifications: 121

(i) Each investment expert member shall be a resident of 122  
this state. 123

(ii) Within the three years immediately preceding the 124  
appointment, each investment expert member shall not have been 125  
employed by the public employees retirement system, police and 126  
fire pension fund, state teachers retirement system, school 127  
employees retirement system, or state highway patrol retirement 128  
system or by any person, partnership, or corporation that has 129  
provided to one of those retirement systems services of a 130  
financial or investment nature, including the management, 131

analysis, supervision, or investment of assets. 132

(iii) Each investment expert member shall have direct 133  
experience in the management, analysis, supervision, or 134  
investment of assets. 135

(2) The board shall annually elect a chairperson and vice- 136  
chairperson from among its members. The vice-chairperson shall 137  
act as chairperson in the absence of the chairperson. 138

(3) A majority of the members of the board shall 139  
constitute a quorum. 140

(4) The board shall meet not less than once each year, 141  
upon sufficient notice to the members. ~~All-Except as provided in~~ 142  
~~division (A) (5) of this section, all meetings of the board shall~~ 143  
~~be open to the public-except executive-. Each meeting shall be~~ 144  
~~publicly broadcast at the time it is conducted and archived on~~ 145  
~~the web site of the state highway patrol retirement system for~~ 146  
~~future public access and use.~~ 147

(5) Executive sessions as set forth in division (G) of 148  
section 121.22 of the Revised Code, and any portions of any 149  
sessions discussing medical records or the degree of disability 150  
of a member excluded from public inspection by this section are 151  
not subject to division (A) (4) of this section. 152

~~(3)-(6)~~ (6) Any member appointed under this section shall hold 153  
office until the end of the member's term or, if later, the date 154  
the member's successor takes office. 155

(B) The attorney general shall prescribe procedures for 156  
the adoption of rules authorized under this chapter, consistent 157  
with the provision of section 111.15 of the Revised Code under 158  
which all rules shall be filed in order to be effective. Such 159  
procedures shall establish methods by which notice of proposed 160

rules are given to interested parties and rules adopted by the 161  
board published and otherwise made available. When it files a 162  
rule with the joint committee on agency rule review pursuant to 163  
section 111.15 of the Revised Code, the board shall submit to 164  
the Ohio retirement study council a copy of the full text of the 165  
rule, and if applicable, a copy of the rule summary and fiscal 166  
analysis required by division (B) of section 106.024 of the 167  
Revised Code. 168

(C) (1) As used in this division, "personal history record" 169  
means information maintained by the board on an individual who 170  
is a member, former member, retirant, or beneficiary that 171  
includes the address, electronic mail address, telephone number, 172  
social security number, record of contributions, correspondence 173  
with the system, and other information the board determines to 174  
be confidential. 175

(2) The records of the board shall be open to public 176  
inspection and may be made available in printed or electronic 177  
format, except for the following which shall be excluded: the 178  
member's, former member's, retirant's, or beneficiary's personal 179  
history record and the amount of a monthly allowance or benefit 180  
paid to a retirant, beneficiary, or survivor, except with the 181  
written authorization of the individual concerned. 182

(D) All medical reports and recommendations are privileged 183  
except as follows: 184

(1) Copies of such medical reports or recommendations 185  
shall be made available to the individual's personal physician, 186  
attorney, or authorized agent upon written release received from 187  
such individual or such individual's agent, or when necessary 188  
for the proper administration of the fund to the board-assigned 189  
physician. 190

(2) Documentation required by section 2929.193 of the 191  
Revised Code shall be provided to a court holding a hearing 192  
under that section. 193

(E) Notwithstanding the exceptions to public inspection in 194  
division (C)(2) of this section, the board may furnish the 195  
following information: 196

(1) If a member, former member, or retirant is subject to 197  
an order issued under section 2907.15 of the Revised Code or an 198  
order issued under division (A) or (B) of section 2929.192 of 199  
the Revised Code or is convicted of or pleads guilty to a 200  
violation of section 2921.41 of the Revised Code, on written 201  
request of a prosecutor as defined in section 2935.01 of the 202  
Revised Code, the board shall furnish to the prosecutor the 203  
information requested from the individual's personal history 204  
record. 205

(2) Pursuant to a court order issued under Chapters 3119., 206  
3121., and 3123. of the Revised Code, the board shall furnish to 207  
a court or child support enforcement agency the information 208  
required under those chapters. 209

(3) At the written request of any nonprofit organization 210  
or association providing services to retirement system members, 211  
retirants, or beneficiaries, the board shall provide to the 212  
organization or association a list of the names and addresses of 213  
members, former members, retirants, or beneficiaries if the 214  
organization or association agrees to use such information 215  
solely in accordance with its stated purpose of providing 216  
services to such individuals and not for the benefit of other 217  
persons, organizations, or associations. The costs of compiling, 218  
copying, and mailing the list shall be paid by such entity. 219



(4) Within fourteen days after receiving from the director 220  
of job and family services a list of the names and social 221  
security numbers of recipients of public assistance pursuant to 222  
section 5101.181 of the Revised Code, the board shall inform the 223  
auditor of state of the name, current or most recent employer 224  
address, and social security number of each member whose name 225  
and social security number are the same as those of a person 226  
whose name or social security number was submitted by the 227  
director. The board and its employees, except for purposes of 228  
furnishing the auditor of state with information required by 229  
this section, shall preserve the confidentiality of recipients 230  
of public assistance in compliance with section 5101.181 of the 231  
Revised Code. 232

(5) The system shall comply with orders issued under 233  
section 3105.87 of the Revised Code. 234

On the written request of an alternate payee, as defined 235  
in section 3105.80 of the Revised Code, the system shall furnish 236  
to the alternate payee information on the amount and status of 237  
any amounts payable to the alternate payee under an order issued 238  
under section 3105.171 or 3105.65 of the Revised Code. 239

(6) At the request of any person, the board shall make 240  
available to the person copies of all documents, including 241  
resumes, in the board's possession regarding filling a vacancy 242  
of an employee member or retirant member of the board. The 243  
person who made the request shall pay the cost of compiling, 244  
copying, and mailing the documents. The information described in 245  
this division is a public record. 246

(7) The system shall provide the notice required by 247  
section 5505.263 of the Revised Code to the prosecutor assigned 248  
to the case. 249

(8) The system may provide information requested by the 250  
United States social security administration, United States 251  
centers for medicare and medicaid, public employees retirement 252  
system, Ohio public employees deferred compensation program, 253  
Ohio police and fire pension fund, school employees retirement 254  
system, state teachers retirement system, or Cincinnati 255  
retirement system. 256

(F) A statement that contains information obtained from 257  
the system's records that is certified and signed by an officer 258  
of the retirement system and to which the system's official seal 259  
is affixed, or copies of the system's records to which the 260  
signature and seal are attached, shall be received as true 261  
copies of the system's records in any court or before any 262  
officer of this state. 263

(G) The board may maintain records in printed or 264  
electronic format. 265

**Section 2.** That existing sections 145.07, 742.07, 3307.09, 266  
3309.09, and 5505.04 of the Revised Code are hereby repealed. 267