



COUNTY ADVISORY BULLETIN

CAB

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HOUSE BILL 479 PUBLIC RECORDS LAW – ECONOMIC DEVELOPMENT CONFIDENTIALITY

APPLICABLE LEGISLATION: House Bill 479 (136th General Assembly)

APPLICABLE REVISED CODE SECTION AMENDED: R.C. 9.66

LEAD SPONSORS: Representative Jean Schmidt

HOUSE COSPONSORS:

Abrams, Brennan, Brownlee, Click, Deeter, Dovilla, Grim, Hall, D., Hiner, Holmes, Lett, Odioso, Rader, Robb Blasdel, Rogers, Sigrist, Somani, Stephens, Thomas, C., Williams

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Antonio, Brenner, Cirino, Craig, Cutrona, DeMora, Gavarone, Hicks-Hudson, Huffman, Ingram, Johnson, Lang, Liston, Manning, O'Brien, Patton, Reineke, Romanchuk, Schaffer, Smith, Timken, Weinstein

EFFECTIVE DATE: September 23, 2026

NOTE: *This County Advisory Bulletin overrides CAB 2026-02. For this reason, and to avoid confusion, CAB 2026-02 is no longer listed on CCAO's website. You can request a copy of CAB 2026-02 by contacting the CCAO policy team.*

BACKGROUND

House Bill 479 was a wide-ranging budget cleanup bill. Among other provisions contained within the legislation is a significant narrowing of economic development confidentiality limitations enacted by House Bill 184 of the 136th General Assembly.

House Bill 184 enacted a new confidentiality provision in R.C. 9.66(D) governing information submitted in connection with economic development assistance. As originally enacted, the statute broadly provided that information submitted to a political subdivision (including counties), port authority, or tax incentive review council by an applicant for or recipient of

economic development assistance, and information derived from those submissions, was confidential and not a public record under Ohio's Public Records Act.

The statute also restricted the use and disclosure of that information, resulting in concerns among public entities and economic development practitioners regarding its broad scope and the potential liability for public officials and employees who improperly disclosed covered information.

UPDATED STATUTE

In response to concerns raised by local governments and economic development organizations, the General Assembly added language in House Bill 479 to substantially narrow the scope of R.C. 9.66(D).

Effective September 23, 2026, the confidentiality provisions apply only to **individualized compensation and payroll information** submitted in connection with an application for or compliance with economic development assistance. As a result, the broad confidentiality protections enacted under House Bill 184 no longer apply to all information submitted as part of an economic development project, restoring the general applicability of Ohio's Public Records Act to most economic development records.

The amendment to R.C. 9.66(D) does not take effect until September 23, 2026. Until that date, counties and other covered public entities remain subject to the broader confidentiality provisions enacted by House Bill 184.

Counties should therefore continue to exercise caution when handling records submitted in connection with economic development assistance, consult legal counsel as appropriate, and ensure employees understand their obligations under current law until the amendments become effective.

APPENDIX

For reference, the statutory language of R.C. 9.66(D), as amended by House Bill 479 and effective September 23, 2026, is reproduced below. This language is included to provide counties with the precise statutory provisions governing the confidentiality of individualized compensation and payroll information.

(D) ~~Information~~ Individualized compensation and payroll information submitted to a political subdivision, a port authority created under Chapter 4582. of the Revised Code, or a tax incentive review council created under section 5709.85 of the Revised Code, from an applicant or recipient of economic development assistance, or of any grant, subgrant, exemption, credit, loan, award, cooperative agreement, or other similar and related form of financial assistance, and any information taken for any purpose from that information, is confidential and not a public record under section 149.43 of the Revised Code. However, the political subdivision, port authority, or tax incentive review council may use that information to the extent required to secure approval of an application, to verify information related to an applicant or recipient, and to comply with specific mandates imposed under the Revised Code, provided that under no circumstance shall the political subdivision, port authority, or tax incentive review council publicly disclose information, with respect to an applicant or a recipient, whether anonymized or not anonymized, that is not a public record open to public inspection.