**Keep Ohio on PAHR**

**Provide Access to Historical Records!**

**Ohio House Bill 139**

Historical Records provide valuable insight into our collective history as a state, as a society, and as families. Research of these records is requested by historians and genealogists, both professionals and family history practitioners, for a variety of reasons. The National Genealogical Society recently initiated a Declaration of Rights advocating for access to federal, state, and local government records, indicating that thousands of professional genealogists do research every day on behalf of clients, government agencies, and attorneys.

House Bill 139 would eliminate the public records exemption for permanently retained records 100 years after the date of its creation. Records included in this exemption would include:

* Adoptions
* County Home Registers
* Children’s Home Registers
* Inheritance Tax Records
* Personal Property Returns
* Veterans’ Relief Records

A few counties have already made local rulings through their Probate Court Judges opening Probate Court records after 100 years. However, in other counties these records are permanently closed, creating a situation where records that are accessible in one county are closed in another. The closed time period of 100 years takes into consideration any complications or emotional impact that opening these records might have for certain individuals since it allows the timespan of at least one generation to have passed.

In recent years access restrictions have been lifted on other records of historical importance. For example, in 2015 the Ohio General Assembly passed legislation opening confidential records of the Department of Mental Health and Addiction Services fifty years after the patient’s death. In 2008, the General Assembly passed legislation opening up Veterans’ Discharge Records seventy-five years after the date of the recording. At the federal level, United States census records are opened after seventy-two years. In 2013, the U.S. Department of Health and Human Services changed its privacy rules so that individually identifiable health information is no longer protected fifty years after the patient’s death. Several other states have already passed open access legislation for similar types of historical records:

California (2005, 75 years)

Florida (2013, 50 years)

Georgia (2012, 75 years)

Hawaii (1991, 80 years)

Illinois (2007, 75 years)

Indiana (2014, 75 years)

Kentucky (1958, 50 years)

Nevada (1983, 30 years)

New Mexico (2005, 100 years)

Oregon (1979, 75 years)

Rhode Island (1991, 50 years)

Virginia (2006, 75 years)

Washington (2011, 75 years)

**House Bill 139 Primary Sponsors**

**July 2018 Status**

**H.B. 139** was introduced on March 21, 2017.

**H.B. 139** was referred to the State and Local Government Committee on April 14, 2017.

**H.B. 139** sponsor testimony April 25, 2017.

**H.B. 139** proponent testimony May 9, 2017.

**H.B. 139** no opponent testimony on October 24, 2017.

**H.B. 139** 4th hearing on February 14, 2018.

**H.B. 139** is a legislative priority at Ohio Statehood Day, February 28, 2018.

**H.B. 139** was unanimously voted out of committee on March 20, 2018.

**H.B.139** passed on the floor of the House, 93-0.

**H.B. 139** introduced to Senate on June 26, 2018.

**H.B. 139** referred to the Government Oversight and Reform Committee on July 10, 2018.

Representative Rick Perales (R)

and Representative Candice Keller (R)

**Cosponsors, Representatives:**

1. Steve Hambley (R)
2. Teresa Fedor (D)
3. Bill Seitz (R)
4. Bill Dean (R)
5. Nickie Antonio (D)
6. Andrew Brenner (R)
7. Hearcel Craig (D)
8. Bob Cupp (R)
9. Doug Green (R)
10. Dave Greenspan (R)
11. George Lang (R)
12. Wes Retherford (R)
13. Craig Riedel (R)
14. Ron Young (R)

**Supporting Organizations:**

1. County Archivists and Records Managers Association (CARMA)
2. Ohio Genealogical Society
3. Adoption Network Cleveland
4. Society of Ohio Archivists
5. Ohio Historical Records Advisory Board
6. Ohio News Media Association
7. Public Children Services Association of Ohio
8. State Archives of Ohio