



Ohio Revised Code Section 121.221

Effective: April 9, 2025

Legislation: House Bill 257

(A) As used in this section:

"Hearing" means an administrative hearing, hearing as defined in section 119.01 of the Revised Code, or other hearing at which a person may present written or oral testimony on a matter before the public body.

"Meeting" has the same meaning as in section 121.22 of the Revised Code.

"Public body" has the same meaning as in section 121.22 of the Revised Code.

"Multi-party meeting" means a meeting in which the members of a public body and the members of at least one other public body are participants.

(B) Except as otherwise provided in the Revised Code, members of a public body may hold and attend meetings and may conduct and attend hearings by means of video conference or any other similar electronic technology, and all of the following apply:

(1) Any resolution, rule, or formal action of any kind has the same effect as if it occurred during an open meeting or hearing of the public body.

(2) Notwithstanding division (C) of section 121.22 of the Revised Code, members of a public body who attend meetings or hearings by means of video conference or any other similar electronic technology shall be considered present as if in person at the meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing.

(3) The public body shall not hold hearings or meetings by means of video conference or any other similar electronic technology until the public body has adopted a policy that specifies at least all of



the following:

(a) The public body shall provide notification of meetings and hearings held under this section to the public, to the media that have requested notification of a meeting, and to the parties required to be notified of a hearing at least seventy-two hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, agenda of the meeting or hearing, and the manner by which the meeting or hearing will be conducted, except in the event of an emergency requiring immediate official action, as defined by the policy. In the event of an emergency, the public body shall immediately notify the news media that have requested notification or the parties required to be notified of a hearing of the time, place, and purpose of the meeting or hearing.

(b) The public body shall provide the public access to a meeting held under this section, and to any hearing held under this section that the public would otherwise be entitled to attend, commensurate with the method in which the meeting or hearing is being conducted, including for example, livestreaming by means of the internet, television, cable, or public access channels, or by means of any other similar electronic technology. The public body shall ensure that the public can observe and hear the discussions and deliberations of all the members of the public body, whether the member is participating in person or electronically. Members of the public body shall have a sufficient internet or other electronic connection to allow the member to be seen and heard clearly, and shall be visible at all times.

(c) All votes taken in the meeting or hearing shall be taken by roll call vote unless there is a motion for unanimous consent, and the motion is not objected to by a member of the public body. If a vote is taken unanimously, the public body shall provide the public with information on how the members of the public body voted, including any members who abstained from voting.

(d) Any member of the public body who intends to attend a meeting by means of video conference or other similar electronic technology shall notify the chairperson of that intent not less than forty-eight hours before the meeting, except in the case of an emergency as defined in the policy.

(e) No public body may hold, and no member of a public body may attend meetings or conduct and attend hearings by means of video conference or other similar electronic technology if any of the



following apply:

- (i) The meeting or hearing involves a vote to approve a major nonroutine expenditure as defined in the policy adopted by the public body under this section;
 - (ii) The meeting or hearing involves a vote to approve a significant hiring decision as defined by that policy;
 - (iii) The meeting or hearing involves a purpose to propose, approve, or vote on a tax issue or tax increase;
 - (iv) Excluding expense reimbursements to members for actual expenses incurred while fulfilling their duties, the members of the public body are compensated for their position as members of the public body, except when members are participating in a multi-party meeting if the multi-party meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase;
 - (v) The members of the public body are elected by vote of the general public to their positions as members, except when members are participating in a multi-party meeting if the multi-party meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase.
 - (f) If, upon the notification of an upcoming meeting of a public body, and not later than forty-eight hours before the meeting, the greater of at least ten per cent of the members of the public body or two members of the public body, notifies the chairperson of the public body that an item in the agenda must be acted upon at a meeting conducted fully in person, upon the chairperson's acknowledgment of receipt of the notification, the public body shall take action on the item of the agenda only at a meeting conducted fully in person.
- (4) A public body shall not hold a hearing, and members of a public body shall not attend a hearing, by means of video conference or other similar electronic technology without the consent of all parties to the hearing.



(5)(a) No public body may hold, and no member of a public body may attend, meetings or conduct and attend hearings by means of video conference or other similar electronic technology if any of the following apply:

(i) The meeting or hearing involves a vote to approve a major nonroutine expenditure.

(ii) The meeting or hearing involves a vote to approve a significant hiring decision.

(iii) The meeting or hearing involves a purpose to propose, approve, or vote on a tax issue or tax increase.

(iv) Excluding expense reimbursements for actual expenses incurred while fulfilling their duties, the members of the public body are compensated for their position as members of the public body.

(v) The members of the public body are elected by the general public to their positions as members.

(b) The prohibition on compensated and elected members holding or attending virtual meetings and hearings established in division (A)(5)(a) of this section does not apply to members participating in a virtual multi-party meeting if the multi-party meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase.

(C) When members of a public body conduct a meeting or hearing by means of video conference or any other similar electronic technology, the public body shall establish a means, through the use of electronic equipment that is widely available to the general public, to converse with witnesses, receive documentary testimony and physical evidence, and permit public comment, if applicable.

(D) The authority granted in this section applies notwithstanding any conflicting provision of the Revised Code. Nothing in this section shall be construed to negate any provision of section 121.22 of the Revised Code, Chapter 119. of the Revised Code, or other section of the Revised Code that is not in conflict with this section. If a section of the Revised Code permits a particular public body to meet or hold hearings by means of teleconference, video conference, or any other similar electronic technology, that section prevails over the provisions of this section with respect to that particular



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public body. This section is not intended to eliminate, or otherwise affect, any requirements under federal law.