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FOR IMMEDIATE RELEASE:

ETHICS COMMISSION ISSUES ADVISORY OPINION

At its scheduled meeting on April 17, 2020, the Ohio Ethics Commission issued formal [Advisory Opinion No. 2020-02](#), developed to address questions regarding confidential information and executive sessions. The Commission held the meeting by conference call as authorized by House Bill 197 and all of the Commissioners participated.

“While the Ohio Open Meetings Act authorizes executive sessions by public bodies under limited circumstances to promote free and open discussion, simply discussing matters in executive session does not make that information confidential, unless certain conditions explained in the opinion are met,” said Executive Director Paul M. Nick.

The Commission provided this guidance because the Ohio Ethics Law prohibits public officials or employees from disclosing or using confidential information acquired in the course of their duties without appropriate authorization. The opinion emphasizes that if a document is a “public record” and is not otherwise exempt from disclosure by the Public Records Act, the document can still be subject to disclosure even if it was appropriately discussed in executive session.

Mr. Nick added that, in addition to other staff reports at the meeting, the Commission reviewed 22 advisory opinions written by staff since the Commission’s last meeting on March 6. This brings to 57 the total number of opinions issued since January 2020 to public officials and employees statewide.

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