

Courts

H.B. 34

Primary Sponsors: Reps. Klopfenstein and King

Effective date: July 23, 2024

- Expands the circumstances in which a prospective juror can be excused from jury service to include the prospective juror being a mother who is breast-feeding her baby, and the baby is one year of age or younger.
- Provides that a signed affidavit provided to the judge and stating that a prospective juror is a mother who is breast-feeding her baby is satisfactory documentation to support the request to be excused from jury service.

H.B. 179

Primary Sponsors: Reps. Mathews and Stewart

Effective date: October 24, 2024

Tolling of limitations period

- Provides that the tolling of the limitations period during the defendant's absence or concealment does not apply to statutes of repose.
- Declares that the General Assembly's purpose is to expressly overrule the decision of the Ohio Supreme Court in the case of *Elliot v. Durrani*.

Vicarious liability

- Provides that if tort liability arises against both a principal and agent, master and servant, employer and employee, or other persons having a vicarious liability relationship, the injured party may sue either the primarily liable agent, servant, employee, or person or the secondarily liable principal, master, employer, or person, or both.
- Stipulates that for the injured party to prevail in a tort action alleging vicarious liability against a secondarily liable person, both of the following apply:
 - A primarily liable person committed the tortious act in the course of, and within the scope of, that person's agency or servant relationship with, or employment by, the secondarily liable person.
 - A primarily liable person is not a necessary party to the tort action alleging vicarious liability against a secondarily liable person, with certain exceptions.
- Provides that for a principal, master, or employer to be found liable for the tortious act, an agent, servant, or employee must have committed the tortious act in the course of, or

within the scope of, the agent's, servant's, or employee's agency or servant relationship with, or employment by, the principal, master, or employer.

H.B. 338

Primary Sponsors: Reps. White and Sweeney

Effective date: March 20, 2025

Court child support orders for a child with a disability

- Clarifies that a child support order may continue beyond the age of majority for a person with a disability.
- Defines “person with a disability” as a person with a mental or physical disability, whose disability began before the person reached the age of majority, and whose disability makes the person incapable of supporting or maintaining oneself.
- Allows a court to issue or modify a child support order for the care of a child who is a person with a disability as part of a marriage termination proceeding or when issuing or modifying a court-issued child support order, regardless of whether the child is over or under the age of majority.
- Allows a court to terminate a child support order for a person with a disability upon satisfactory proof that the person is no longer mentally or physically disabled or is capable of supporting or maintaining oneself.
- Updates the definition of “court child support order” to include any order for child support issued for a child who is a person with a disability.
- Specifies that nothing in the Revised Code allows a child support enforcement agency (CSEA) to issue an administrative child support order for a person over the age of 18, including a person with a disability, and instead allows the CSEA to file an action in court for the support of a person with a disability.

Lebanon Municipal Court

- Converts the part-time judge of the Lebanon Municipal Court to a full-time judge beginning March 20, 2025 (the act's effective date), until December 31, 2027, when the current part-time judge's term expires.

Court computerization fees

- Allows an elected clerk of a county court to determine that additional funds are required to computerize the office of the clerk and retains the court's authority to do so when the clerk is appointed.
- Clarifies that an elected clerk of a municipal or county court may disburse computerization funds subject to an appropriation by the commissioners, while in a court with an appointed clerk, the court may issue an order to disburse the funds subject to an appropriation by the commissioners.

- Specifies that in a court of common pleas where the clerk is appointed, the court may authorize and disburse computerization funds, instead of the county executive.

S.B. 63

Primary Sponsor: Sen. Lang

Effective date: April 9, 2025

- Requires a plaintiff in a tort action alleging an asbestos claim to provide all parties a sworn statement of specified disclosures within 60 days of filing the complaint.
- Requires the plaintiff to continue to supplement the information that the plaintiff is required to disclose.
- Requires dismissal of an asbestos claim if the defendant's asbestos-containing product or site is not identified in the plaintiff's sworn statement, or the plaintiff fails to comply with the requirements for filing the sworn statement, unless the plaintiff shows good cause.
- Specifies that the act does not apply to a claim for workers' compensation or a claim for veterans' benefits.

S.B. 158

Primary Sponsor: Sen. Cirino

Effective date: April 9, 2025

- Creates a new judgeship of the Adams County Common Pleas Court, to be elected in 2026, for a six-year term beginning February 9, 2027.
- Beginning February 9, 2029, designates the judge as the judge of the Adams County Common Pleas Court, Probate and Juvenile Division, with the powers relating to juvenile courts and probate courts.

S.B. 237

Primary Sponsors: Sens. Gavarone and Manning

Effective date: April 9, 2025

Uniform Public Expression Protection Act

- Names the chapter enacted by the act the "Uniform Public Expression Protection Act."
- States that the new chapter is intended to confer substantive immunity from suit, and not merely immunity from liability, for any cause of action concerning protected speech under it.
- Specifies the types of civil actions to which the chapter applies.
- Exempts certain actions and claims from the chapter's provisions.

- Stipulates that the chapter creates no new statutory causes of action.
- Establishes procedures for a motion for expedited relief from a civil action type specified in the chapter.
- Requires a stay of proceedings in the action prior to a ruling on the motion for expedited relief, other than for a motion for attorney's fees, court costs, and other litigation expenses.
- Permits a court, upon request, to stay a hearing or motion involving another party in the action, if the hearing or ruling on the motion for expedited relief would adjudicate an issue material to the issue of the hearing or the motion.
- Specifies that the court will consider the pleadings, the motion, any response to the motion, and any evidence that could be considered in ruling on a motion for summary judgment under Civil Rule 56 of the Ohio Rules of Civil Procedure in ruling on the motion for expedited relief.
- Specifies on what grounds the court will dismiss a cause of action, or part of a cause of action, with prejudice.
- Permits a court to allow discovery during a stay if the party seeking discovery shows that specific information is necessary to establish whether a party has satisfied a burden to prove that the party's cause of action should not be dismissed.
- Permits a court to hear and rule on a motion unrelated to the motion for expedited relief or a motion seeking a temporary or preliminary injunction to protect against an imminent threat to public health or safety during the stay for a motion for expedited relief.
- Specifies that an order denying a motion for expedited relief is a final appealable order.
- Establishes the burden of costs for a prevailing party on a successful motion for expedited relief, or for frivolous conduct if the motion is denied.
- Provides that the court must not fail to award, or reduce an award of, attorney's fees, court costs, and other reasonable litigation expenses on the grounds that the representation of the moving party was undertaken on a pro bono or contingent basis.
- Requires the court to broadly construe and apply the act's provisions and to consider the need to promote uniformity of the law with respect to its subject matter among states that enact a substantially similar law.

Small claims court jurisdiction

- Provides that the filing or defense of an action by the holder of a security agreement or retail installment contract, purchased by the holder for the holder's portfolio of investments, was not and is not prohibited in the small claims division of a municipal or county court, provided that the holder is not an assignee for the purpose of collection.

Eviction actions

- Prohibits any person from filing a forcible entry and detainer action listing a minor tenant as a defendant if a parent or adult guardian is also listed as a defendant on the same complaint.
- Requires the court to dismiss without prejudice any action filed in violation of the prohibition and order the person that filed the action to pay the minor tenant's reasonable attorneys' fees.