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S.B. 46
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 46's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Sen. Eklund

Local Impact Statement Procedure Required: No

Jessica Murphy, Budget Analyst

The bill has no direct fiscal effect on the state or political subdivisions. It expands the exemption from punitive or exemplary damages limitations in tort law to apply to an act that results in a felony conviction for a strict liability offense. The practical effect is that some plaintiffs may be able to recover a greater amount of damages than otherwise might have been the case under current law.

In a tort action, a local trial court – a common pleas, municipal, or county court depending on the value of damages sought – determines the liability of a defendant for punitive or exemplary damages and the amount of those damages. Limitations apply, with exceptions, regarding the award of those damages. The limitations, under current law, prevent a person from recovering punitive damages in excess of two times the amount of the compensatory damages awarded in a tort action when the basis of the action is a felony that is a strict liability offense.