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H.B. 272
133rd General Assembly

Bill Analysis

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Version: As Reported by Senate Judiciary

Primary Sponsors: Reps. Oelslager and Hillyer

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SUMMARY

- Expands the exercise of personal jurisdiction by a court to include personal jurisdiction over a person on any basis consistent with the Ohio Constitution and the United States Constitution.

DETAILED ANALYSIS

Personal jurisdiction

Current law lists the causes of action (see below) based on which a court may exercise personal jurisdiction over a person acting directly or by an agent.¹ It provides that when jurisdiction over a person is based solely on that Revised Code section, only a cause of action arising from the listed acts may be asserted against the person.² The bill replaces the provision described in the second sentence above with the provision that in addition to a court's exercise of personal jurisdiction over the listed causes of action, a court may exercise personal jurisdiction over a person on any basis consistent with the Ohio Constitution and the United States Constitution.³

A court's personal jurisdiction under current law applies to a cause of action arising from a person's:⁴

- Transacting any business in this state;

¹ R.C. 2307.382(A).

² R.C. 2307.382(C).

³ R.C. 2307.382(C).

⁴ R.C. 2307.382(A).

- Contracting to supply services or goods in this state;
- Causing tortious injury by an act or omission in this state;
- Causing tortious injury in this state by an act or omission outside this state if the person regularly does or solicits business, engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this state;
- Causing injury in this state to any person by express or implied breach of warranty made in the sale of goods outside this state when the person might reasonably have expected such person to use, consume, or be affected by the goods in this state, and the person also regularly does or solicits business, engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this state;
- Causing tortious injury in this state to any person by an act outside this state committed with the purpose of injuring persons, when the person might reasonably have expected that some person would be injured thereby in this state;
- Causing tortious injury to any person by a criminal act, any element of which takes place in this state, which the person commits or in the commission of which the person is guilty of complicity;
- Having an interest in, using, or possessing real property in this state;
- Contracting to insure any person, property, or risk located in this state at the time of contracting.

Current law, unchanged by the bill, provides that a person who enters into an agreement, as a principal, with a sales representative for the solicitation of orders in this state is transacting business in this state.⁵

HISTORY

Action	Date
Introduced	06-04-19
Reported, H. Civil Justice	10-17-19
Passed House (92-0)	11-13-19
Reported, S. Judiciary	05-20-20

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⁵ R.C. 2307.382(B).