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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 229  
134<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 229's Bill Analysis](#)

**Version:** As Reported by House Civil Justice

**Primary Sponsors:** Reps. Wilkin and Swearingen

**Local Impact Statement Procedure Required:** No

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### Highlights

- The effect of the bill's qualified immunity on state and local governmental entities operating camps is likely to be twofold: (1) a potential minimal at most one-time cost to comply with the bill's signage requirement, and (2) a potential savings in terms of litigation and settlement costs that might otherwise have been incurred under current law.
- The qualified immunity provision may prevent an occasional civil action from being filed or allow such an action to be disposed of more quickly, resulting in some reduction in the caseloads and expenditures of local trial courts that is not readily quantifiable.

### Detailed Analysis

#### Qualified immunity for camp operators

With regard to camp operators, the bill provides a qualified immunity from civil liability for any harm to a camper or visitor that results from a risk inherent to camping, and requires a clearly visible sign to be posted at or near each entrance to the campground notifying those entering that the operator is not liable for certain harm.

The qualified immunity may have one or both of the following effects on the common pleas, municipal, and county courts that have subject matter jurisdiction over civil cases. It may: (1) prevent the filing of certain civil actions against camp operators, or (2) expedite their resolution subsequent to the finding of the court that a camp operator in the circumstances at hand is protected from being sued for harm. Such outcomes may result in an expenditure savings in a court's caseload that is not readily quantifiable in terms of dollars and cents. In the case of a state or local governmental entity that is a camp operator, as the qualified immunity may reduce their exposure to legal action, there is the potential to reduce the amounts that such an entity might otherwise have expended to litigate and settle in certain circumstances.

State and local governmental entities operating camps may incur minimal at most one-time costs to post the required sign at each entrance to the campground. There may be occasional subsequent minimal at most costs to remove and replace signs as necessary.

### **Historical reenactment camp exemption**

Current law requires every camp operator to obtain a license from a local board of health, and that prior to issuance of a license, a board of health must inspect a camp and the operator must pay a specified fee. The bill exempts sites that host historical reenactor camps from recreational and camping operation license requirements under specific circumstances that include the Ohio History Connection having title to the site. This provision of the bill will have little or no discernible ongoing fiscal effect on the state or political subdivisions.