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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 281  
135<sup>th</sup> General Assembly

## Bill Analysis

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

**Primary Sponsors:** Reps. Seitz and T. Young

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### SUMMARY

- Requires that in a civil action for damages for a criminal act, the criminal act must have been committed by a person who previously has been convicted of, or pleaded guilty to, the offense charged for such criminal act, or previously has been adjudicated a delinquent child in connection with the criminal act, in a final, unappealable order.
- Exempts specified offenses from the requirement described in the preceding dot point.
- Tolls the limitation period for the civil action during the pendency of the prosecution for the offense charged for, or the pendency of the delinquency adjudication proceeding in connection with, the criminal act involved.
- Modifies current law which prohibits public officials or employees from receiving compensation for services rendered before the General Assembly or other government agencies, except courts, by expanding the exception to services rendered before a board of elections, thus permitting the official or employee to receive compensation for services rendered before a board of elections.

### DETAILED ANALYSIS

#### Civil action for damages for criminal act

The bill modifies current law by providing that, with specified exceptions, anyone injured in person or property by a criminal act *committed by a person who previously has been convicted of, or pleaded guilty to, the offense charged for such criminal act, or previously has been adjudicated a delinquent child in connection with the criminal act, in a final, unappealable order* has, and may recover full damages in, a civil action unless specifically excepted by law.<sup>1</sup>

<sup>1</sup> R.C. 2307.60(A).

## Exceptions

The bill provides that anyone injured in person or property by a criminal act that constitutes any of the following offenses may recover full damages in a civil action unless specifically excepted by law, regardless of whether the person who committed that criminal act has been charged with, convicted of, or pleaded guilty to committing, an offense in connection with such criminal act, or has been adjudicated a delinquent child in connection with the criminal act: permitting child abuse, aggravated menacing, menacing by stalking, menacing, trafficking in persons, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, compelling prostitution, endangering children, domestic violence, violating a protection order, intimidation of an attorney, victim, or witness in a criminal case, or perjury.<sup>2</sup>

The bill specifies that nothing in the above provisions impairs the ability of any person against whom the offense of intimidation or any of the falsification offenses is committed to bring a civil action for damages under the specific statute that prohibits those offenses as applicable.<sup>3</sup>

## Tolling of limitations period for civil action

Under the bill, the time during which the prosecution for the offense charged for the criminal act is pending or the time during which the proceeding to adjudicate a delinquent child in connection with the criminal act is pending must not be computed as any part of the period within which the civil action must be brought.<sup>4</sup>

## Public official compensation; board of elections

### Prohibitions

The bill modifies current law which, with certain exceptions, prohibits any person elected or appointed to an office of or employed by the General Assembly or any state agency, excluding the courts, from doing any of the following:<sup>5</sup>

1. Receiving or agreeing to receive directly or indirectly compensation other than from the agency with which the official or employee serves for any service rendered by the official or employee personally in any case, proceeding, application, or other matter that is before the General Assembly or state agency, excluding the courts *and boards of elections*;
2. Selling or agreeing to sell, except through competitive bidding, any goods or services to the General Assembly or any state agency, excluding the courts *and boards of elections*.

The bill further modifies current law which, with certain exceptions, prohibits any person who is elected or appointed to an office of or employed by a county, township, municipal

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<sup>2</sup> R.C. 2307.60(B).

<sup>3</sup> R.C. 2307.60(C).

<sup>4</sup> R.C. 2307.60(F).

<sup>5</sup> R.C. 102.04(A) and (B).

corporation, or any other governmental entity, excluding the courts, from receiving or agreeing to receive directly or indirectly compensation other than from the agency with which the official or employee serves for any service rendered or to be rendered by the official or employee personally in any case, proceeding, application, or other matter which is before any agency, department, board, bureau, commission, or other instrumentality, excluding the courts *and boards of elections*, of the entity of which the individual is an officer or employee.<sup>6</sup>

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## HISTORY

Action	Date
Introduced	09-26-23
Reported, H. Civil Justice	12-04-24

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<sup>6</sup> R.C. 102.04(C).