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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**

## **Fiscal Note & Local Impact Statement**

[Click here for H.B. 281's Bill Analysis](#)

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

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

**Local Impact Statement Procedure Required:** No

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### **Highlights**

- The bill requires that for an individual to seek civil damages for criminal injury to people or property the offender must have been convicted, pled guilty, or adjudicated delinquent as a minor, with certain exceptions. This provision is expected to impact a narrow category of civil filings and will largely result in a fiscally negligible impact for the courts.

### **Detailed Analysis**

The bill requires that in a civil action for damages caused by another person's criminal act, with certain exceptions, the offender first has previously been convicted, pled guilty, or been adjudicated delinquent as a child for the same crime. The bill also enacts a provision to permit a public official to receive compensation for services rendered before a board of elections.

### **Civil action for damages for criminal act**

The bill makes modifications to current law and procedures regarding certain civil actions for damages. Under the bill, a civil action for damages for a criminal act requires the criminal act must have been committed by a person who has been previously 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. The bill tolls the limitation period for filing such actions for the period it takes to obtain a criminal conviction and will not count against the time an injured party has to file a civil action for the recovery of damages. Exceptions to the bill's requirement that there be a criminal conviction before a civil filing for damages may be considered include the following offenses: 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, violations of protection orders, certain intimidation offenses, or perjury.

Overall, the changes made by the bill appear to impact a narrow category of civil filings and will largely result in a fiscally negligible impact for the courts. The bill may change the manner in which evidence is presented in civil courts and how a case is ultimately adjudicated. By requiring a criminal conviction or guilty plea to a criminal act in a civil action for damages, it is possible cases may otherwise not be filed, or if filed, disposed of more quickly. Such outcomes create a savings effect on court operations and hearing-related costs. These savings are not readily measurable and the magnitude of which will depend on the number of such filings in any given court.

### **Compensation for public officials before a board of elections**

The bill has no direct fiscal effect on the state or political subdivisions. Under the bill, a public official or employee may receive compensation for services rendered before a board of elections. Current law prohibits public officials or employees from receiving compensation for services rendered before the General Assembly or other government agencies, except courts. The bill expands the exception to services rendered before a board of elections.