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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Substitute Bill Comparative Synopsis

**Sub. H.B. 126**

**136<sup>th</sup> General Assembly**

House Judiciary

Joe McDaniels, Division Chief

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_136_0263-2)
<b>Contamination and pollution</b>	
No provision.	Specifies that the bill's prohibition against public nuisance claims or other common law causes of action concerning product liability does not supersede, modify, or otherwise effect any state or federal law concerning damages arising from contamination or pollution of the environment, or the threat thereof, including by hazardous or toxic substances ( <i>R.C. 2307.72(D)(1)</i> ).

Previous Version (As Introduced)	Latest Version (I_136_0263-2)
<b>Product liability</b>	
<p>Prohibits bringing <i>a</i> public nuisance claim or common law cause of action concerning product liability (R.C. 2307.801(A)).</p> <p>Specifies a legislative intent to codify the Ohio Supreme Court’s holding in <i>In re National Prescription Opiate Litigation; Trumbull County, Ohio et al. v. Purdue Pharma, L.P., et al.</i>, regarding the abrogation of <i>certain</i> public nuisance claims at common law (R.C. 2307.801(B)).</p> <p>No provision.</p> <p>No provision.</p>	<p>Probits bringing <i>any</i> such claim (R.C. 2307.801(A)).</p> <p>Similar to the As Introduced version but removes the word “certain” (R.C. 2307.801(B)).</p> <p>Specifies that nothing in the bill, including the omission of any word or phrase in the listing or description of the abrogated product liability claims, is intended to limit or minimize that holding (R.C. 2307.801(B)).</p> <p>Corrects an errant cross reference to R.C. 2307.70, which should be R.C. 2307.71 (R.C. 2307.801(B)).</p>