



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### H.B. 271

132nd General Assembly  
(H. Civil Justice)

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.

Topic	Previous Version (As Introduced)	Sub. Version (L_132_0415-4)
<b>Pre-lawsuit notice for alleged accessibility law violations</b>	Requires a person alleging violation of an accessibility law to give notice of the allegation before filing a lawsuit and generally prohibits attorney's fee awards if notice is not provided ( <i>R.C. 4112.16(A)</i> ).	Instead states that the notice is optional, but still generally prohibits attorney's fee awards if notice is not provided ( <i>R.C. 4112.16(A)</i> ).
<b>Post-notice cure period</b>	Allows a property owner 90 days to bring property into compliance after receiving a notice of violation, and allows a 90-day extension upon reasonable explanation of necessity, before a lawsuit may be filed ( <i>R.C. 4112.16(D)(1), (D)(2)(a), and (D)(2)(c); conforming changes in R.C. 4112.16</i> ).	Reduces the cure and extension periods to 60 days each ( <i>R.C. 4112.16(D)(1), (D)(2)(a), and (D)(2)(c); conforming changes in R.C. 4112.16</i> ).

Topic	Previous Version (As Introduced)	Sub. Version (L_132_0415-4)
<b>Attorney's fees after failure to cure or provide reasonable explanation</b>	If an aggrieved party sues after an owner fails to bring property into compliance within the initial cure period and fails, in the aggrieved party's opinion, to give a reasonable explanation for the failure when invoking an extension, permits the aggrieved party to recover reasonable attorney's fees <i>unless</i> the suit was filed prior to the expiration of the invoked extension and the court determines that the owner's explanation was reasonable (R.C. 4112.16(D)(2)(a) and (b)).	Same, but also requires that the owner make the needed improvements during the invoked extension to avoid an award of attorney's fees (R.C. 4112.16(D)(2)(a) and (b)).
<b>Inapplicability to the Ohio Civil Rights Commission</b>	Provides that the bill does not apply to actions initiated by the Ohio Civil Rights Commission under the Ohio Civil Rights Law (R.C. 4112.16(E)(2)).	Changes the exception to <i>charges filed with</i> the Civil Rights Commission under the Ohio Civil Rights Law, extends the exception to actions deferred to the Commission under federal law, and provides that the bill does not preclude the Commission from investigating discrimination charges against a place of public accommodation (R.C. 4112.16(E)(2)).
<b>Definition of "accessibility law"</b>	Defines "accessibility law" as any federal law or Revised Code section that ensures accessibility, for a person with a disability, to services, programs, places of public accommodation, public conveyance and modes of transportation, streets, highways, sidewalks, walkways, buildings, medical facilities, and other public places (R.C. 4112.16(F)(1)).	Narrows the definition of an Ohio "accessibility law" to R.C. 4112.02(G), which relates to public accommodations, and specifically excludes R.C. 4112.02(H), which relates to housing discrimination (R.C. 4112.16(F)(1)).