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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

S.B. 237
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 237's Bill Analysis](#)

Version: As Reported by Senate Judiciary

Primary Sponsors: Sens. Gavarone and Manning

Local Impact Statement Procedure Required: No

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Highlights

- The bill will likely reduce court-related expenditures stemming from the more rapid disposition of certain civil actions involving defendants sued because they engaged in protected public expression.
- The bill has no direct fiscal effect on the state.

Detailed Analysis

The bill creates the Uniform Public Expression Protection Act, under which any person who engages in specified forms of public expression¹ may apply for and be granted expedited relief from a civil action for a claim based on that expression.

The bill, in effect, creates an expedited process for the courts to adjudicate and dismiss meritless civil actions that challenge some protected public expression. The bill provides that if a claim is brought against a person based upon a protected expression, the defendant may file a special motion for expedited relief. The court is required to hold a hearing on the motion within 60 days of filing and, if the relief is granted, the court must award reasonable attorney's fees, court costs, and other litigation expenses to the defendant. If the motion for relief is denied and the court finds that the motion was frivolous conduct, the court must award to the responding party reasonable attorney's fees, court costs, and other reasonable litigation expenses incurred in responding to the motion.

The bill will relieve pressure on the courts by faster disposition of cases in which the defendant has engaged in specified activities, and the plaintiff will not likely prevail. Where these

¹ See the [LSC bill analysis](#) for a list of protected types of public expression.

cases can take a lengthy period of time to dispose of under current law, the bill could result in dismissals in a matter of months. Expenditures incurred by the courts to adjudicate such civil matters will be reduced accordingly. The bill will not necessarily prevent cases from being filed, although it is possible that the prospect of such civil actions being quickly dismissed and the plaintiffs being charged monetary sanctions may lead to a reduction in new filings, particularly if the plaintiffs realize the suit is no longer useful or effective.