



OHIO ALLIANCE FOR CIVIL JUSTICE



The Honorable Cliff Rosenberger
House District 91
77 S. High St.
14th Floor
Columbus, Ohio 43215

June 22, 2017

Dear Speaker Rosenberger:

On behalf of the Ohio Alliance for Civil Justice, we write to express our opposition to the amendment contained in the omnibus amendment to the Senate's substitute version of H.B. 49 (FY18-19 Biennium Budget). Amendment SC5837 proposes to add a civil cause of action to Ohio Revised Code ("R.C.") 2923.1210. This new civil cause of action negatively impacts any and ALL Ohio property owners, including business entities, homeowners and public and private employers. Additionally, the proposed cause of action damages civil justice reform because, at a minimum, employers will be forced to pay new defense costs.

Pursuant to this proposed new civil cause of action, a business entity, homeowner or other property owner, or public or private employer may be liable if such specified entity, person or employer, establishes, maintains, or enforces a policy or rule that prohibits, or effectively prohibits, a person with a valid concealed handgun license from transporting or storing a firearm or ammunition when the firearm and all ammunition stays inside the person's privately owned vehicle while the person is inside the vehicle, or each firearm and all ammunition is locked in the trunk, glove box, or other enclosed compartment or container within, or on, the person's privately owned vehicle and the vehicle is in a location where it is otherwise permitted to be.

Moreover, the proposed civil cause of action subjects employers to potential compensatory damages and/or any equitable relief, including injunctive relief that a court may find appropriate. If a plaintiff is successful in the cause of action, employers will also be forced to pay court costs and reasonable attorney's fees.

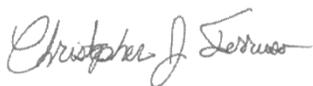
It is currently illegal, under Ohio law, for an employer to prohibit any person with a valid concealed handgun license from properly storing such firearm and ammunition in his or her vehicle on the employer's property. The omnibus amendment's proposed civil cause of action creates an easier path for employees to sue his/her employer. This will force employers to use their precious resources on defending such causes of action instead of using such resources on economic development and job growth.

This amendment language provides additional litigation opportunities for alleged aggrieved employees against employers in Ohio. This new unnecessary cause of action will provide incentives for plaintiffs to bring suits against employers in Ohio. Whether the case is won or lost, employers will be forced to spend additional resources defending such lawsuits and will potentially face significant damages.

On behalf of the Ohio Alliance for Civil Justice, we would urge your careful consideration and removal of the amendment before H.B. 49 in the Conference Committee deliberations. The amendment language is bad for Ohio business and will most certainly lead to additional litigation actions and significant costs.

We would be happy to answer any questions or engage in further discussion.

Sincerely,



Chris Ferruso
NFIB/Ohio
OACJ Chair



Ryan Augsburger
OMA
OACJ Vice Chair



Barbara Benton
OSCPA
OACJ Treasurer



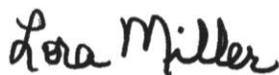
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Keith Lake
Ohio Chamber
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Sean McGlone
OHA
Member at Large



Lora Miller
OCRM
Member at Large

Cc: Members of the Ohio Senate