



Sub. H.B. 126

124th General Assembly
(As Passed by the General Assembly)

Reps. Seitz, Grendell, Damschroder, Wolpert, Hartnett, Willamowski, Webster, Britton, Lendrum, Boccieri, Womer Benjamin, Latta, DePiero, Faber, Perry, Gilb, Manning, Schneider, Raga, Niehaus, Clancy, G. Smith, Hughes, Schmidt, Coates, Sulzer, Collier, Husted, Young, Flowers, Metzger, Rhine, Hoops, Flannery, Otterman, Latell, Salerno, Stapleton

Sens. Amstutz, Austria, Blessing, Espy

Effective date: February, 20,2002

ACT SUMMARY

- Specifies a four-year statute of limitations for any civil or criminal action or proceeding under the Ohio Antitrust Law.
- Increases the amount of damages available in a civil action under the Ohio Antitrust Law from twofold the damages sustained to treble the damages sustained because of the unlawful acts.

CONTENT AND OPERATION

The act modifies the prior Antitrust Law "period of limitations" provisions. The act repeals the prior provision that specified that no statute of limitations prevented or was a bar to any action for the recovery of damages that was brought on behalf of the state or a political subdivision of the state or brought by the state in a *parens patriae* capacity for the benefit of consumers, to any proceeding in *quo warranto* or in injunction, or to any other action brought by the Attorney General or a prosecuting attorney for any violation of the Antitrust Law. The act makes the pre-existing four-year statute of limitations that is applicable to actions brought under the Antitrust Law by persons other than the Attorney General or a prosecuting attorney applicable to all actions brought under the Antitrust Law. Under the act, any civil or criminal action or proceeding for a violation of the Antitrust Law, other than one upon which action was brought in any court by any person not later than 45 days after the effective date of the act, is forever barred

unless commenced within four years after the cause of action accrued. (R.C. 1331.12.)

The act increases from twofold to treble the amount of damages sustained a person may recover in a civil action under the Antitrust Law. Under the act, a person injured in the person's business or property by another person by reason of anything forbidden or declared to be unlawful in the Antitrust Law is permitted to bring a civil action in any court having jurisdiction and venue, without respect to the amount in controversy, and recover treble the damages the person sustained. (R.C. 1331.08.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-22-01	p. 177
Reported, H. Criminal Justice	06-06-01	pp. 631-632
Passed House (99-0)	06-20-01	pp. 688-689
Reported, S. Judiciary on Civil Justice	10-04-01	p. 942
Passed Senate (32-0)	10-04-01	p. 945

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