



# Ohio Legislative Service Commission

## Synopsis of Senate Committee Amendments\*

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### **Sub. H.B. 383**

129th General Assembly  
(S. Insurance, Commerce and Labor)

Requires a home construction service supplier (supplier) to provide to the owner a notice that contains an estimate prior to performing work related to reasonably unforeseen but necessary costs that exceed \$5,000 instead of a notice related to unforeseen, but reasonably necessary excess costs that exceed 10% of the contract price as proposed under the House-passed version.

Authorizes a supplier to take as a down payment not more than 10% of the contract price before the supplier's performance begins, instead of before performance is completed as proposed under the House-passed version.

Specifies the Attorney General's powers and remedies for violations of the bill's provisions regarding suppliers, which are substantially similar to the Attorney General's powers under the Consumer Sales Practices Act, instead of stating that the Attorney General has the same powers and remedies as under the Act as under the House-passed version.

Prohibits the Attorney General from publicly disclosing facts and identities during an investigation under the bill unless the information has been made a matter of public record in enforcement proceedings or the Attorney General has obtained written consent from the party who is the subject of the investigation.

Expands the proposed definition of "cost-plus contract" to include payment based on an agreed percentage of profit or a stipulated fee, in addition to the cost of a product plus the supplier's rate for labor to install the product as under the House-passed version.

Requires that the determination of whether construction was completed in a "workmanlike manner" be made by using only quantifiable standards promulgated by the Ohio Home Builders Association and not, as proposed under the House-passed version, by using any standards promulgated by any local home builders association if one exists.

\* This synopsis does not address amendments that may have been adopted on the Senate Floor.

Prohibits a home construction service supplier from intentionally (rather than fraudulently as proposed under the House-passed version) misrepresenting any aspect of the transaction or the nature or the quality of the work or materials.

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