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H.B. 251
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 251's Bill Analysis](#)

Version: As Passed by the Senate

Primary Sponsors: Reps. Lang and Hillyer

Local Impact Statement Procedure Required: No

Robert Meeker, Budget Analyst

Highlights

- The bill may reduce the number of cases filed in municipal, county, and common pleas courts with subject matter jurisdiction over civil actions. The potential savings effect on a court's annual operating costs is not readily measurable in terms of dollars and cents.

Detailed Analysis

Statutes of limitations

The bill:

- Shortens the period of limitations for commencing a civil action on a contract in writing generally from eight to six years;
- Shortens the period of limitations for commencing a civil action on a contract not in writing and on a liability created by statute other than a forfeiture or penalty generally from six to four years;
- Requires a legal malpractice action against an attorney or a law firm or legal professional association to be commenced within one year after the action accrues or not later than one year after the person discovers the injury resulting from an act or omission if certain requirements are met; and
- Prohibits a legal malpractice action from being commenced more than four years after the occurrence.

To the extent that these statute of limitations provisions create any fiscal effect, it would involve the volume of actions before the common pleas, municipal, and county courts with jurisdiction over civil actions. By reducing the period in which action must be brought, it is possible that some cases may not be filed, or if filed dismissed, because the plaintiff(s) allowed

the period of limitations to expire. Such outcomes create a savings effect on court operations, the magnitude of which is not readily measurable in terms of dollars and cents.

Tolling of statutes of limitations and time limitations

The bill: (1) specifies that the time period between March 9, 2020, and July 30, 2020, cannot be computed as part of the periods of limitation and time limitations that are tolled under H.B. 197 of the 133rd General Assembly as a result of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, (2) specifies that the tolling expires on July 30, 2020, rather than when the period of emergency ends or July 30, 2020, whichever is sooner, and (3) includes an emergency clause so that these provisions go into immediate effect. These provisions have no readily apparent direct fiscal effect on the state or political subdivisions.