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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 126\*  
136<sup>th</sup> General Assembly

## Bill Analysis

[Click here for H.B. 126's Fiscal Note](#)

**Version:** As Reported by House Judiciary

**Primary Sponsors:** Reps. A. Mathews and Craig

Joe McDaniels, Division Chief

### SUMMARY

- Prohibits public nuisance actions arising from the sale of a product.

### DETAILED ANALYSIS

The bill amends the Ohio Products Liability Law by prohibiting persons, businesses, and government entities, from bringing any public nuisance claims or actions alleging that the design, manufacture, supply, marketing, distribution, promotion, advertising, labeling, or sale of a product unreasonably interferes with a right common to the general public.<sup>1</sup>

The bill also declares that the purpose of the General Assembly in enacting the bill is to expressly codify the Ohio Supreme Court holding in *In re National Prescription Opiate Litigation; Trumbull County, Ohio et al. v. Purdue Pharma, L.P., et al.*, which stipulates that public nuisance claims at common law are superseded by the remedies available under the Products Liability Law. It stipulates that no provision of the bill, including the omission of any word or phrase in the listing or description of abrogated product liability claims, may be construed to minimize that holding.<sup>2</sup>

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\* This analysis was prepared before the report of the House Judiciary Committee appeared in the House Journal. Note that the legislative history may be incomplete.

<sup>1</sup> R.C. 2307.801, 2307.71(A)(10), and 715.44; R.C. 1.59(C), not in the bill.

<sup>2</sup> R.C. 2307.801(B); *In re National Prescription Opiate Litigation; Trumbull County, Ohio et al. v. Purdue Pharma, L.P., et al.*, Slip Opinion No. 2024-Ohio-5744.

The bill further specifies that it does not supersede, modify, or otherwise effect any state or federal law concerning damages arising from contamination or pollution of the environment, including by hazardous or toxic substances.<sup>3</sup>

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## HISTORY

Action	Date
Introduced	02-24-25
Reported, H. Judiciary	--

ANHB0126RH-136/ts

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<sup>3</sup> R.C. 2307.72(D)(1).