



ENACTMENT SUMMARY

Senate Bill 237

Uniform Public Expression Protection Act

Eviction Actions

Small Claims Actions

Effective: April 9, 2025

On January 8, 2025, Governor DeWine signed into law Senate Bill 237 (Sens. Gavarone, Manning), which enacts the Uniform Public Expression Act. Before passage, the bill was amended to:

- Include a prohibition against listing a minor tenant (younger than 18, not emancipated) as a defendant in an eviction proceeding if a parent or adult guardian is also listed as a defendant on the same complaint. (RC 1923.05)
- Include a clarification that a claim concerning a security agreement or retail installment contract, purchased by the holder for the holder's portfolio of investments, has always been and continues to be a claim that can be brought in Small Claims Court, provided that the holder is not an assignee for the purpose of collection. (RC 1925.02)

The bulk of the new law relates to legal actions concerning free speech by establishing procedures for a motion for expedited relief from a specific type of civil action (Chapter 2747). The new law applies in a civil action based on any of the following:

- Communication in a legislative, executive, judicial, administrative, or other governmental proceeding;
- Communication on an in issue under review in a legislative, executive, judicial, administrative, or other governmental proceeding;
- The exercise of the right of freedom of speech and of the press, the right to assemble and petition, and the right of association on a matter of public concern.

The new law explicitly does not apply in cases where:

- A government unit, employee, or agent was acting in an official capacity;
- An action is brought to protect against an imminent threat to public health or safety;
- The cause of action arises out of communication related to the sale or lease of goods or services, where the action is brought against a person primarily engaged in the sale of goods and services.

A person to whom the provisions of the new law apply can file a motion for expedited relief to dismiss the civil action.

- The person has **60 days** after being served with a complaint, cross-claim, counterclaim, third-party claim, or other relevant pleading to file such a motion.

- The court may extend the 60-day period for good cause shown.
- If a motion for expedited relief is filed, the court must stay all other proceedings, including discovery (limited discovery may be permitted) and pending hearings (except for motions unrelated to the motion for expedited relief and motions for injunctions against imminent threats to public health or safety).
- The stay remains in effect until 30 days after entry of a ruling on the motion, or upon conclusion of appeal on the motion, whichever is later.
- Upon request of the moving party, the court may stay proceedings involving another party.
- The court must conduct a hearing within **60 days** of the motion being filed, although a later hearing can be ordered because of delays or other good cause.
- The court must rule on the motion for expedited relief within **60 days** of the hearing.
- The court is to consider the pleadings, the motion, the response, and any evidence considered in ruling on a motion for summary judgment per CivR 56.
- An order that denies a motion for expedited relief is a final, appealable order.
- A court must dismiss *with prejudice* a cause of action (or part of a cause of action) if all of the following apply:
 - The moving party established that Chapter 2747 applies
 - The responding party failed to establish that Chapter 2747 does not apply
 - Either the responding party failed to establish a prima facie case for each essential element of the case or the moving party established that either (1) the responding party failed to state a cause of action upon which relief can be granted or (2) there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law.
- A voluntary dismissal with prejudice by the responding party establishes that the moving party prevailed for the purpose of awarding attorney's fees, court costs, and other litigation expenses.
- If the court grants a motion for expedited relief, the court must award attorney's fees, court costs, and other litigation expenses to the moving party; a pro bono or contingent basis attorney cannot cause the court to alter the award.

No new statutory causes of action are created by the new chapter. No part of the new statute is to be applied retroactively.

The bill passed the Ohio Senate by a vote of 32-0 on June 12, 2024. The Ohio House of Representatives amended the bill on November 26, 2024 and voted to pass the bill, 84-0 on December 11, 2024. The Senate concurred on House amendments on December 18, 2024 (31-0). It was signed into law on January 8, 2025 and becomes effective on April 9, 2025.