



September 20, 2017

Representative Jim Butler, Chairman  
Civil Justice Committee  
77 S. High St  
13th Floor  
Columbus, OH 43215

Chairman Butler:

The Ohio Restaurant Association (ORA) encourages you to support HB 271.

The Americans with Disabilities Act (ADA) was created to prohibit discrimination based on disability and to ensure complete access for people with disabilities in public places. Our members continually strive to provide such access. Unfortunately, the law has been used as a revenue generator with thousands of lawsuit against businesses, including some members of the ORA.

Often the intention of these lawsuits is not to make businesses complaint with the law but rather as a means to a quick payout. Restaurants and other business around Ohio are being hit with technical noncompliance suits that do not even identify all supposed violations. Not surprisingly these suits are then followed by an offer to settle. Facing unknown legal costs and the threat of ruining a reputation, Ohio businesses often face no other choice but to hand out thousands of dollars. This type of abuse does nothing to improve accessibility and is having a detrimental impact on multiple industries including the restaurant business.

HB 271 would not only help protect our members from frivolous lawsuits but also help bring about the access that the ADA actually represents. The bill requires the aggrieved party to provide notice to the property owner or other responsible party of the alleged violation. Unlike a lawsuit where some possible violations are listed while others are not named, this will allow business the ability to precisely address any issues. Upon notification, the responsible party would be given 30 days in which to respond in one of the following ways:

1. State that improvements will be made to bring the property into compliance with accessibility laws (the business then has 90 days to make corrections)
2. Challenge to validity of the alleged violation
3. State that the possible violations have already be corrected

House Bill 271 is a common sense approach to a situation that unfortunately has spiraled out of control. Restaurants are proud members of their communities and important economic drivers in Ohio.

Thank you for the opportunity to provide our input on HB 271.

Sincerely,

A handwritten signature in blue ink that reads "Joseph Rosato".

Joseph Rosato  
Director of Government Affairs