

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 722

Representative Boggs

A BILL

To enact section 9.78 of the Revised Code to
prohibit a person or public entity from using
state funds in exchange for an individual to
agree not to make any disparaging or negative
statement about the person or public entity.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 9.78 of the Revised Code be
enacted to read as follows:

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Sec. 9.78. (A) As used in this section, "public entity"
means the state or any agency or instrumentality of the state,
any municipal corporation, county, township, school district,
community school established under Chapter 3314. of the Revised
Code, or other political subdivision or any agency or
instrumentality thereof.

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(B) No person or public entity shall use state funds in
exchange for an individual to agree not to make any disparaging
or negative statement about the person or public entity.

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(C) Whoever violates division (B) of this section is
liable for a civil penalty in an amount that equals one and one-
half times the amount of the state funds used for the agreement.

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The attorney general shall bring an action for a civil 20
penalty under this section in a court of competent jurisdiction 21
against any person or public entity who violates this section. 22
The court shall order whoever is found to have violated this 23
section to pay the civil penalty. In addition to the civil 24
penalty assessed under this section, the person or public entity 25
also shall pay any fee assessed by the attorney general for the 26
costs of bringing the action and reasonable attorney's fees. 27