



**Written Testimony of
Beth Easterday, President
American Council of Engineering Companies of Ohio
to the
House Civil Justice Committee
regarding House Bill 159
June 2, 2020**

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the committee, my name is Beth Easterday and I am President of the American Council of Engineering Companies of Ohio. Please accept this written testimony as our support for the substitute version of House Bill 159.

For the record, my association is made up of 140 engineering firms, located all over the state of Ohio, many of which are engaged in the design of our public water and wastewater systems, bridges, highways, building structures and systems and environmental projects.

Since last summer, ACEC Ohio has been involved in two interested party meetings to discuss this bill. During those meetings, ACEC Ohio has listened and made concessions to the concerns raised by local governments and state agencies. The changes made within the substitute bill will be discussed by our legal counsel, Fred Bills of Weston Hurd.

Design professionals, as a matter of basic fairness, should not be asked to indemnify and/or defend another party for losses that the designer did not cause, cannot insure against and were caused by factors beyond the designer's control. We have worked hard to make sure the basic issue of fairness is still maintained in the bill while addressing issues raised by the interested parties.

ACEC Ohio supports the substitute version of the bill and asks that the committee consider approval of the bill. Thank you for the opportunity to present written testimony.