



May 27, 2020

The Honorable John Eklund, Chairman  
Ohio Senate Judiciary Committee  
Statehouse, One Capitol Square  
Columbus, OH 43215

Dear Chairman Eklund and members of the Senate Judiciary Committee,

Thank you for the opportunity to share our support for Substitute House Bill 251 as well as an amendment before you to clarify language in 2305.07 (C) of the sub bill.

We are very grateful to the bill sponsors Representatives Lang and Hillyer, as well as Majority Floor Leader Seitz, for all their efforts to address ORMA's original concerns with this proposal. It has been almost a year to the day since we began deliberations in the House. The compromise language that was achieved during those deliberations gave us the opportunity to be supportive of the bill, which passed out of the House unanimously in November 2019.

It was quite a surprise to learn during testimony last week that there were concerns with one sentence of the House-passed version, contained in Section 2305.07 (C): "For purposes of this division, a cause of action accrues after the consumer's account is closed, settled to a single liability, and following the last pertinent entry of the account." It was suggested by two witnesses from the consumer bar that the language places control of account accrual squarely in the hands of the creditors and as such it should be deleted.

We concede that the language currently in the bill could be misinterpreted, however, the intent is still necessary, which is to provide certainty as to when the statute of limitations begins to toll on an account. This uncertainty has been the cause of previous litigation and the issue needs to be resolved. As such, we are supporting language offered by the OCAA that is not only very clear, it removes the argument that the previous language created—that creditors would have total control over account accrual.

Mr. Chairman and members of the Committee, your thoughtful consideration and support of both the amendment and the bill would be greatly appreciated.

Sincerely,

Lora Miller  
Executive Director