November 5, 2025

Representative Jim Thomas
Chair, Judiciary Committee
Ohio House of Representatives
77 South High Street
Columbus, OH 43215

Chair Thomas,

On behalf of the nearly 21,000 members of the National Federation of Independent Business (NFIB) in Ohio, we appreciate the opportunity to express our opposition to House Bill 447. This legislation would increase the caps on noneconomic damages in civil actions and adjust them to inflation each year. The caps currently in place provide predictability to Ohio's small business community by setting reasonable limits on awards and providing a framework for both parties. Increasing these caps will fundamentally alter the civil justice landscape in our state, increasing the cost of doing business in Ohio.

For reference, NFIB is a small business trade association founded over 80 years ago that is dedicated to representing the interests of small and independent businesses across our state and nation. NFIB's mission is to promote the right of our members to own, operate and grow their businesses. NFIB members come from all industry sectors and each of the 88 counties across Ohio. Our average member has 15 or fewer employees and has less than $2 million in annual gross receipts.

House Bill 447 would increase compensatory damages recoverable for noneconomic loss in a tort action from $350,000 to $580,000, followed by annual adjustments based on the Consumer Price Index. These larger potential payouts will increase risk for insurers, which will translate into higher premiums for small business owners. For a Main Street business that operates on thin margins, increased insurance premiums could result in fewer new hires, reduced investment, and increased prices for consumers. The reality is that many small business owners do not have an attorney on staff, let alone large legal departments. Increased exposure to civil claims is much more difficult to absorb at a small machine shop with five employees versus a publicly traded company. Small businesses are already operating on razor-thin margins, and House Bill 447 would make it worse.

The bottom line is that House Bill 447 would result in higher insurance premiums, larger lawsuits, and increased uncertainty for Ohio's small business community. We respectfully urge this committee to oppose House Bill 447. We may consider a floor vote on House Bill 447 an NFIB Key Vote for the 136th General Assembly.

Respectfully,

Jared K. Weiser
Ohio State Director