

As Introduced

136th General Assembly

Regular Session

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H. B. No. 441

Representatives Stewart, Mathews, A.

Cosponsor: Representative Williams

To amend section 2305.11 of the Revised Code to
provide that for purposes of the one-year
limitations period for libel or slander, the
cause of action starts from publication of the
libelous matter or when the slanderous words
were spoken, regardless of when the aggrieved
party discovered the libelous matter or
slanderous words.

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

Section 1. That section 2305.11 of the Revised Code be
amended to read as follows:

Sec. 2305.11. (A) An action for ~~libel, slander,~~ malicious
prosecution, or false imprisonment, an action for malpractice
other than an action upon a medical, dental, optometric, or
chiropractic claim, an action for legal malpractice against an
attorney or a law firm or legal professional association, or an
action upon a statute for a penalty or forfeiture shall be
commenced within one year after the cause of action accrued,
provided that an action by an employee for the payment of unpaid
minimum wages, unpaid overtime compensation, or liquidated
damages by reason of the nonpayment of minimum wages or overtime

compensation shall be commenced within two years after the cause
of action accrued.

~~(B)~~ (B) (1) An action for libel or slander shall be
commenced within one year after the cause of action accrues.

(2) A cause of action for libel accrues from the date of
publication of the alleged libelous matter, regardless of when
the aggrieved person knew of, or discovered, the alleged
libelous matter or regardless of when the aggrieved party
reasonably should have known of, or discovered, the alleged
libelous matter. Each publication of the alleged libelous matter
gives rise to a new limitations period.

(3) A cause of action for slander accrues from the date
the alleged slanderous words were spoken, regardless of when the
aggrieved person knew of, or discovered, the alleged slanderous
words or regardless of when the aggrieved party reasonably
should have known of, or discovered, the alleged slanderous
words.

(C) A civil action for unlawful abortion pursuant to
section 2919.12 of the Revised Code, a civil action authorized
by division (H) of section 2317.56 of the Revised Code, a civil
action pursuant to division (B) of section 2307.52 of the
Revised Code for terminating or attempting to terminate a human
pregnancy after viability in violation of division (A) of
section 2919.17 of the Revised Code, and a civil action for
terminating or attempting to terminate a human pregnancy of a
pain-capable unborn child in violation of division (E) of
section 2919.201 of the Revised Code shall be commenced within
one year after the performance or inducement of the abortion or
within one year after the attempt to perform or induce the
abortion in violation of division (A) of section 2919.17 of the

Revised Code or division (E) of section 2919.201 of the Revised	51
Code.	52
 (C) <u>(D)</u> As used in this section, "medical claim," "dental	53
claim," "optometric claim," and "chiropractic claim" have the	54
same meanings as in section 2305.113 of the Revised Code.	55
 Section 2. That existing section 2305.11 of the Revised	56
Code is hereby repealed.	57