

**As Passed by the House**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 639**

**Representatives Deeter, Click**

**Cosponsors: Representatives King, Abrams, Brennan, Schmidt, Barhorst, Bird, Cockley, Craig, Daniels, Fowler Arthur, John, Johnson, Kishman, Lampton, Lorenz, Manning, Mathews, A., Mathews, T., Miller, K., Richardson, Ritter, Robb Blasdel, Stephens, Swearingen, Williams, Willis, Young**

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To enact section 3767.52 of the Revised Code to  
create a complete defense to certain nuisance  
claims regarding racing facilities and  
racetracks.

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

**Section 1.** That section 3767.52 of the Revised Code be  
enacted to read as follows:

**Sec. 3767.52.** (A) As used in this section:

(1) "Area of the racing facility and racetrack" means an  
area that is located within a five-mile radius of the perimeter  
of the property or contiguous group of properties where a racing  
facility and racetrack is located.

(2) "Building" has the same meaning as in section 3781.06  
of the Revised Code.

(3) "Ordinary and anticipated activities" include noise,  
dust, traffic, lighting, and any other activities typically  
associated with the lawful operation of a racing facility and

racetrack. 17

(4) "Racing facility and racetrack" means a designated 18  
area or facility where competitive vehicle and motorsport races 19  
are conducted, including the track, spectator areas, garages, 20  
and any associated grounds, buildings, or appurtenances used to 21  
operate the races. 22

(B) In a civil action for nuisances involving a racing 23  
facility and racetrack arising on or after the effective date of 24  
this section that is brought by a person who owns real property 25  
within the area of the racing facility and racetrack, it is a 26  
complete defense if all of the following are met: 27

(1) The person either purchased the real property or 28  
constructed a building on the real property after the date that 29  
the racing facility and racetrack completed construction. 30

(2) The racing facility and racetrack is lawfully 31  
operating. 32

(3) The nuisance claim is based on ordinary and 33  
anticipated activities of the racing facility and racetrack. 34

(C) The complete defense under this section applies 35  
regardless of any lawful changes to the size, scope, 36  
configuration, or technology of the racing facility and 37  
racetrack, or type of racing conducted at the racing facility 38  
and racetrack. 39

(D) This section shall not be construed to exempt a racing 40  
facility and racetrack from compliance with state or federal 41  
environmental laws or health and safety regulations or from a 42  
claim based on physical damage or personal injury. 43

(E) No county or township may adopt or enforce a 44

resolution that conflicts with this section.

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