

As Passed by the Senate

136th General Assembly

Regular Session

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Sub. S. B. No. 157

Senator Lang

**Cosponsors: Senators Manning, Antonio, Brenner, Cirino, Craig, Johnson,
Reineke, Roegner, Schaffer, Timken**

To amend sections 2305.06 and 2305.07 of the
Revised Code to reduce the statute of
limitations for bringing an action upon a
written or oral contract.

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

Section 1. That sections 2305.06 and 2305.07 of the
Revised Code be amended to read as follows:

Sec. 2305.06. (A) Except as provided in sections 126.301,
1302.98, 1303.16, 1345.10, and 2305.04 of the Revised Code, an
action upon a specialty or an agreement, contract, or promise in
writing that does not specify a timeframe in which an action may
be brought shall be brought within ~~six~~-four years after the
cause of action accrued.

(B) Except as provided in division (C) of section 2305.07
and sections 126.301, 1302.98, 1303.16, 1345.10, and 2305.04 of
the Revised Code, an action upon a specialty or an agreement,
contract, or promise in writing may be brought within a period
specified in writing in the specialty or agreement, contract, or
promise in writing, with the specified period not to exceed
thirty years from the accrual of the cause of action.

Sec. 2305.07. (A) Except as provided in sections 126.301 20
and 1302.98 of the Revised Code, an action upon a contract not 21
in writing, express or implied, shall be brought within ~~four~~two 22
years after the cause of action accrued. 23

(B) An action upon a liability created by statute other 24
than a forfeiture or penalty shall be brought within six years 25
after the cause of action accrued. 26

(C) Except as provided in sections 1303.16, 1345.10, and 27
2305.04 of the Revised Code, and notwithstanding divisions (A) 28
and (B) of this section, section 1302.98, and division (B) of 29
section 2305.03 of the Revised Code, an action arising out of a 30
consumer transaction incurred primarily for personal, family, or 31
household purposes, based upon any contract, agreement, 32
obligation, liability, or promise, express or implied, including 33
an account stated, whether or not reduced to writing or signed 34
by the party to be charged by that transaction, shall be 35
commenced within six years after the cause of action accrued. 36
For purposes of this division, a cause of action accrues thirty 37
calendar days after the date of the last charge or payment by, 38
or on behalf of, the consumer, whichever is later. 39

Section 2. That existing sections 2305.06 and 2305.07 of 40
the Revised Code are hereby repealed. 41

Section 3. Subject to Sections 4 and 5 of this act, 42
sections 2305.06 and 2305.07 of the Revised Code, as amended by 43
this act, apply to an action in which the cause of action 44
accrues on or after the effective date of this section. 45

Section 4. For causes of action that are governed by 46
section 2305.06 of the Revised Code and that accrued prior to 47
the effective date of this section, the period of limitations is 48

four years from the effective date of this section or the 49
expiration of the period of limitations in effect prior to the 50
effective date of this section, whichever occurs first. 51

Section 5. For causes of action that are governed by 52
division (A) of section 2305.07 of the Revised Code that accrued 53
prior to the effective date of this section, the period of 54
limitations is two years from the effective date of this section 55
or the expiration of the period of limitations in effect prior 56
to the effective date of this section, whichever occurs first. 57