



Senator Matt Huffman
12th District
S.B. 215 – Ohio Citizen Participation Act
Sponsor Testimony
Senate Judiciary Committee

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 215, also known as the Ohio Citizen Participation Act. S.B. 215 would provide protection for individuals exercising their constitutional right to free speech against frivolous lawsuits designed to stifle opposition.

The Ohio Citizen Participation Act would directly combat the civil action known as a “Strategic Lawsuit Against Public Participation,” or more simply a SLAPP. This is a meritless lawsuit against an individual for exercising his or her rights to free speech, which is protected under both the Ohio and United States Constitutions. Often the goal of a SLAPP is not to win the specific case, but suppress criticism, discourage opposition, and limit individual expression against a given entity. Such a lawsuit is essentially a game of legal attrition, sending a message to potential critics that those who speak out will face stress, time commitments, and expensive legal bills over a period of months or even years that many defendants cannot endure.

My legislation seeks to end the use of these suits. The legislation would expedite the process of dismissal for such cases, allowing a judge to dismiss such meritless lawsuits based upon a special motion to strike. Both parties have full appeal rights from the ruling on the special motion.

Should this legislation be enacted, Ohio would join more than twenty-eight states that have already adopted similar laws to protect the rights to free speech. The Ohio Citizen Participation Act is supported by numerous groups and individuals of diverse backgrounds and political affiliations such as the ACLU, ALEC, the Ohio News Media Association, and the Ohio Domestic Violence Network.

Thank you for your attention and consideration. I will be happy to answer any questions you might have at this time.