Senators Theresa Gavarone and Nathan Manning
Sponsor Testimony: Senate Bill 237

Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 237, also known as the Uniform Public Expression Protection Act. This legislation would provide protection for individuals exercising their constitutional right to free speech against frivolous lawsuits designed to stifle opposition.

Senate Bill 237 directly combat the civil action known as a "Strategic Lawsuit Against Public Participation," or more simply a SLAPP. Such lawsuits may be filed as a defamation, invasion of privacy, nuisance, or other types of claims. However, these lawsuits are purposed to silence or intimidate an individual for exercising their rights to free speech, which is protected under both the Ohio and United States Constitutions.

Such lawsuits send 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.

This legislation seeks to end the use of these suits. Senate Bill 237 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.

This legislation uses the framework of the Public Expression Protection Act created by the Uniform Law Commission. Should this legislation be enacted, Ohio would join seven states that have adopted ULC's language and thirty-three total states that have adopted similar anti-SLAPP laws to protect the rights to free speech. Senate Bill 237 is supported by numerous groups and individuals of diverse backgrounds and political affiliations such as the ACLU, the Ohio News Media Association, and the Ohio Domestic Violence Network.

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