

Ohio House moves to shield companies from public nuisance lawsuits after court sides with opioid distributors

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COLUMBUS, Ohio—The Ohio House on Wednesday passed legislation that would restrict the ability to use the state’s public nuisance law to sue companies over products such as opioids, guns, and vehicle anti-theft systems.

House Bill 126, which now heads to the state Senate after passing the House 58-36, comes in response to [an Ohio Supreme Court ruling in December](#) that Lake and Trumbull counties couldn’t sue national pharmacy chains for their role in the opioid epidemic under Ohio’s public nuisance law.

Proponents of the legislation, which include prominent state business groups, say the measure would also help stop liberals’ misuse of public-nuisance lawsuits to target politically controversial industries, such as gun manufacturers and carbon-emitting power plants.

State Reps. Adam Mathews of Lebanon and Meredith Craig of Wayne County, the Republican co-sponsors of the bill, [argued in legislative testimony](#) that Ohio’s public-nuisance law was originally intended to be used in situations like forcing someone to remove an obstacle on a public street.

Companies, they stated, can still be held accountable via the state’s product liability law or malpractice lawsuits.

Opponents of HB126, including the city of Cleveland, argue that, should the bill pass, it would erode their home-rule authority under the Ohio Constitution and prohibit cities from addressing major issues – such as [when Cleveland sued Hyundai and Kia in 2023 over a rash of stolen vehicles thanks to vulnerable anti-theft devices](#).

Mark Griffin, the city of Cleveland’s law director, [said in written testimony last March](#) that Ohio’s product liability law “significantly limits corporate accountability for dangerous or defective products.” He also criticized the bill for taking a narrow

Ohio Supreme Court ruling over opioids and attempting to apply it to a broad range of potential future scenarios regarding other products.

Five House Republicans joined 31 Democrats in voting against the bill.

One of those Republicans, state Rep. Justin Pizzulli of Scioto County, argued in a floor speech just before the vote that the bill would be a “betrayal” to Southeast Ohio communities devastated by the opioid epidemic who haven’t yet settled their lawsuits against drug companies.