



March 18, 2021

OHIO GOVERNOR SIGNS BILL SHORTENING STATUTE OF LIMITATIONS ON CONTRACTS TO SIX YEARS

On March 16, the Ohio governor signed into law Ohio S.B. No. 13, a bill shortening the statute of limitations for actions upon written contracts to six years after the cause of action accrues. The bill also establishes a statute of limitations of six years after the cause of action accrues on actions arising out of a consumer transaction incurred primarily for personal, family or household purposes, based on any contract, agreement, obligation, liability or promise, express or implied...whether or not reduced to writing.

Section 4 and Section 5(A) of the bill provide that for causes of action that are governed by Section 2305.06 pertaining to actions upon written contracts or Section 2305.07(C) pertaining to consumer transactions and that accrued prior to the effective date of the bill, the period of limitations is six years from the effective date of the bill or the expiration of the period of limitations in effect prior to the effective date of the bill, whichever occurs first.

To the extent the bill tries to shorten the statute of limitations on contracts in effect before the date the bill becomes effective, the result could be an unconstitutional taking. This issue will likely need to be decided by the courts.

Please see our Alert of March 1, 2021 for further discussion on the bill.

The bill goes into effect 90 days after the bill is filed with the Ohio Secretary of State. Please contact us if you have any questions.

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