

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**H. B. No. 427**

**Representatives Schneider, Sykes**

**Cosponsors: Representatives Brown, DeGeeter, Dodd, Domenick, Phillips,  
Yuko**

**—**

**A BILL**

To enact section 2315.50 of the Revised Code to 1  
declare how monetary awards in class actions that 2  
are not paid over to members of the class are to 3  
be used. 4

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

**Section 1.** That section 2315.50 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 2315.50.** (A) This section applies to an action 7  
maintained as a class action in which the settlement agreement or 8  
judgment includes a monetary award, including compensatory or 9  
punitive and exemplary damages, restitution, or any other payment 10  
of money due from each defendant to the members of the class. 11

(B) It is the policy of this state, insofar as it is not 12  
inconsistent with federal law, that, except as otherwise provided 13  
by court order, all unpaid moneys remaining after the distribution 14  
to the members of the class of monetary awards in class actions 15  
described in division (A) of this section shall be used for 16  
charitable public purposes. All of those unpaid moneys shall be 17  
distributed to charities, nonprofit organizations, and charitable 18

programs selected in the action and approved by the court. A 19  
charity, nonprofit organization, or charitable program must be 20  
exempt from federal income taxation under section 501(c)(3) of the 21  
"Internal Revenue Code of 1986," 26 U.S.C. 1, 100 Stat. 2085, as 22  
amended in order to qualify as a recipient of the unpaid moneys 23  
under this section. 24