



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

Aida S. Montano

Sub. S.B. 106

128th General Assembly
(H. Civil and Commercial Law)

The House Civil and Commercial Law Committee made the following changes to the Senate-passed version of the bill:

(1) It modified the saving statute in wrongful death actions by providing that if a judgment for a plaintiff is reversed or the plaintiff fails otherwise than upon the merits, the plaintiff, or the plaintiff's representative if the plaintiff dies and the cause of action survives, may commence a new wrongful death action within one year after the date of reversal of the judgment or the plaintiff's failure otherwise than upon the merits or within the applicable period of limitations, whichever occurs later.

(2) It modified the residence requirements for a guardian by requiring a guardian to be a resident of this state instead of a resident of the county, except that the court may appoint a nonresident of this state as a guardian if any of the same circumstances as in existing law applies, and providing that subject to those circumstances, a guardian may be removed on proof that the guardian is no longer a resident of the state.

(3) It applied the termination of guardianship procedure only to the whole estate of a ward by removing its application under existing law to the estates of several wards jointly under the same guardianship.