



Ohio Revised Code

Section 2743.15 Settle or compromise civil action against state.

Effective: September 30, 2021

Legislation: House Bill 110

(A) The director or other administrative chief, or the governing body, of any department, board, office, commission, agency, institution, or other instrumentality of the state:

(1) With the approval of the attorney general and the court of claims, may settle or compromise any civil action against the state insofar as the department, board, office, commission, agency, institution, or other instrumentality is named as a defendant;

(2) Shall notify the office of risk management in the department of administrative services of any settlement or compromise to allow for the proper reservation of funds.

(B) The acceptance by the claimant of any such compromise or settlement shall be final and conclusive on the claimant and is a complete release of the civil action against the state insofar as the particular department, board, office, commission, agency, institution, or other instrumentality is named, or could be named, as a defendant. A compromise or settlement that requires the payment of money by the state may be implemented and enforced, insofar as the payment of money is concerned, only through the procedure specified in section 2743.19 of the Revised Code, which shall be commenced by the attorney general forwarding a clerk's certified copy of the settlement instrument to the director of budget and management. A copy of the settlement instrument of actions involving the office of risk management in the department of administrative services shall be forwarded to the office of risk management for payment via the risk management reserve fund created in section 9.823 of the Revised Code.

No interest of any kind, including any kind set forth in sections 2743.18 and 2743.19 of the Revised Code, is allowed on any compromise or settlement of any civil action against the state under this section.

The authority of the department of administrative services to compromise claims does not extend to other statutory and agency programs with direct settlement authority, including activities by the



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department of transportation, inmate property actions described in division (H) of section 2743.02 of the Revised Code, and wrongful imprisonment actions provided for in section 2743.48 of the Revised Code.