



Ohio Revised Code

Section 2743.31 Assumption of liability in shared equipment service agreements.

Effective: September 14, 2016

Legislation: House Bill 5 - 131st General Assembly

(A) As used in this section:

"Governmental function," "political subdivision," and "proprietary function" have the same meanings as in section 2744.01 of the Revised Code.

"State agency" has the same meaning as in section 117.01 of the Revised Code.

(B) If a shared equipment service agreement is entered into by a contracting lender state agency or political subdivision to lend its capital equipment to a contracting recipient state agency for the temporary use by the recipient state agency in the performance of a governmental or proprietary function, the agreement may provide that the recipient state agency and its officers and employees, as the case may be, assume any potential liability under this chapter in a civil action for damages for injury, death, or loss to person or property allegedly caused by an act or omission of the recipient state agency or its officers or employees resulting from the use of the equipment in the performance of the recipient state agency's governmental or proprietary functions. This assumption of liability applies insofar as the recipient state agency under the agreement or any of its officers or employees is engaged in the use of the equipment covered by the agreement in the performance of a governmental or proprietary function.
