

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 722

Representative Boggs

A BILL

To enact section 9.78 of the Revised Code to 1
prohibit a person or public entity from using 2
state funds in exchange for an individual to 3
agree not to make any disparaging or negative 4
statement about the person or public entity. 5

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

Section 1. That section 9.78 of the Revised Code be 6
enacted to read as follows: 7

Sec. 9.78. (A) As used in this section, "public entity" 8
means the state or any agency or instrumentality of the state, 9
any municipal corporation, county, township, school district, 10
community school established under Chapter 3314. of the Revised 11
Code, or other political subdivision or any agency or 12
instrumentality thereof. 13

(B) No person or public entity shall use state funds in 14
exchange for an individual to agree not to make any disparaging 15
or negative statement about the person or public entity. 16

(C) Whoever violates division (B) of this section is 17
liable for a civil penalty in an amount that equals one and one- 18
half times the amount of the state funds used for the agreement. 19

The attorney general shall bring an action for a civil 20
penalty under this section in a court of competent jurisdiction 21
against any person or public entity who violates this section. 22
The court shall order whoever is found to have violated this 23
section to pay the civil penalty. In addition to the civil 24
penalty assessed under this section, the person or public entity 25
also shall pay any fee assessed by the attorney general for the 26
costs of bringing the action and reasonable attorney's fees. 27