As Introduced

136th General Assembly Regular Session 2025-2026

S. B. No. 316

Senator Brenner

To enact section 4963.50 of the Revised Code to	1
give specified local governments the authority	2
to unilaterally approve an encroachment on a	3
railroad company's right-of-way for certain	4
utility work.	5
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:	

Section 1. That section 4963.50 of the Revised Code be	6
enacted to read as follows:	7
Sec. 4963.50. (A) As used in this section, "utility	8
provider" has the same meaning as in section 5515.10 of the	9
Revised Code.	10
(B) Notwithstanding any provision of law to the contrary,	11
if a utility provider seeks to conduct work in the interest of	12
nealth, safety, or public benefit and that work will result in	13
an encroachment on a railroad company's right-of-way or near the	14
railroad company's right-of-way, the utility provider may, in	15
lieu of obtaining the railroad company's permission to engage in	16
such work, apply to either of the following for permission to	17
conduct the work:	18
(1) If the encroachment is proposed inside the territory	19
of a municipal corporation, the logicality authority of the	20

S. B. No. 316 As Introduced	Page 2
municipal corporation where the encroachment is proposed;	21
(2) If the encroachment is proposed outside of a municipal	22
corporation, the board of county commissioners of the county	23
where the encroachment is proposed.	24
(C) The legislative authority or board of county	25
commissioners may grant permission to a utility provider after	26
giving reasonable notice to any affected railroad company.	27