

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
health, 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 legislative authority of the 20

<u>municipal corporation where the encroachment is proposed;</u>	21
<u>(2) If the encroachment is proposed outside of a municipal</u>	22
<u>corporation, the board of county commissioners of the county</u>	23
<u>where the encroachment is proposed.</u>	24
<u>(C) The legislative authority or board of county</u>	25
<u>commissioners may grant permission to a utility provider after</u>	26
<u>giving reasonable notice to any affected railroad company.</u>	27