

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 430

Representative Cross

Cosponsors: Representatives Johnson, Holmes, Fraizer

A BILL

To enact section 713.28 of the Revised Code 1
relating to property development. 2

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

Section 1. That section 713.28 of the Revised Code be 3
enacted to read as follows: 4

Sec. 713.28. (A) As used in this section, "natural gas 5
transmission pipeline" means an interstate pipeline, as that 6
term is defined in 15 U.S.C. 3301(15), and an intrastate 7
pipeline, as that term is defined in 15 U.S.C. 3301(16). 8

(B) For any new residential or nonresidential building 9
development that is located in whole or in part within six 10
hundred sixty feet of the center point of any natural gas 11
transmission pipeline that was constructed or operated prior to 12
the development, the developer shall notify the operator of the 13
natural gas transmission pipeline of the planned development not 14
later than ten days from the date of application for approval of 15
the development, or ninety days prior to commencement of 16
construction, whichever is earlier. 17

(C) The developer of the new residential or nonresidential 18

development shall provide on any plat filed with the county or 19
city engineer a notice stating that the developer has utilized 20
reasonable means to notify the operator of the pipeline to 21
verify the location of the pipeline and the pipeline easement. 22
The developer has reviewed, or attempted to review, preliminary 23
information about the proposed development with the pipeline 24
operator. 25

(D) Within sixty days of the effective date of this 26
section, each county and city engineer shall gather raw national 27
pipeline mapping geospatial data about the locations of 28
pipelines from the pipeline and hazardous materials safety 29
administration within the United States department of 30
transportation. A county or city engineer is immune from 31
liability related to the approval or construction of such a 32
development when the approval is based upon information as 33
provided in this division. 34

(E) Upon receiving notice of a planned development in 35
accordance with this section, a pipeline operator shall provide 36
pipeline location information to the developer within forty-five 37
days. The most current and reliable location information shall 38
be provided, which may include any of the following: 39

(1) Documents reflecting the actual location of the 40
pipeline; 41

(2) Marking facilities on design drawings; 42

(3) Maps. 43

(F) Not later than January 1, 2022, a pipeline operator 44
shall file the name and contact information of its primary 45
contact person with the county or city engineer having 46
jurisdiction. 47

(G) A county or city engineer shall not give final approval to a development until the requirements of this section have been satisfied by the developer. A county or city engineer may rely solely upon the notice submitted under division (C) of this section, the geospatial data gathered under division (D) of this section, and the recordation required under division (F) of this section when determining whether the requirements of this section have been satisfied for purposes of granting final approval of such development. A county or city engineer is immune from liability related to the approval or construction of such development when the approval is based upon information as provided in this division. 48
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(H) Nothing in this section exempts developers or natural gas pipeline operators from the requirements of sections 3781.25 to 3781.32 of the Revised Code. 60
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(I) This section only applies to both of the following: 63

(1) Counties and municipalities that require a county or city engineer to approve residential and nonresidential developments; 64
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(2) Preliminary development plans filed on or after the effective date of this section. 67
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