



Representative Al Cutrona
59th Ohio House District

Chair Hillyer, Vice Chair Grendell, Ranking member Galonski, and members of the House Civil Justice Committee, thank you for the opportunity to provide sponsor testimony for HB 63.

Since I was appointed as a State Representative last May, I have been approached by property owners in my district who are at risk of losing their property for the creation of a bike trail. Several farm owners are facing the very real possibility that acres of their land are about to be cut off from the rest of their property. Another constituent is concerned about the fact that the trail will run fifteen feet from his young daughter's bedroom window.

After talking with my fellow legislators, similar situations exist across the state, and I have been contacted by numerous Ohioans sharing their similar stories. Many of these individuals are not able to afford the expensive court battle that is sure to occur. This legislation gives our constituents another avenue to protect their property from the government's reach. It will allow them to go to their local legislative authority and request that they veto the use of eminent domain for the trail. This will help create a collaborative atmosphere between property owners, local legislative bodies, and the unelected authority, which will help meet the needs of all individuals involved.

The opponents of this bill claim that they rarely have to use eminent domain to secure property. Instead, they make the assertion that they simply use eminent domain as a tool to bring people to the table. To claim that you are not using eminent domain but to then say you hold the possibility of eminent domain over their heads simply does not make sense. The threat of the use of eminent domain and the court battle that comes with it, in my view, is using eminent domain to get what they want.

This bill prevents individuals from having to worry about the threat of eminent domain hanging over their heads. They will have the ability to escape a lengthy and expensive legal battle by going to their local elected officials for help. I would like to thank you all again for the opportunity to provide sponsor testimony and now turn it over to my joint-sponsor to provide his testimony.

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