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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 192
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Cutrona

Rocky Hernandez, Attorney

DETAILED ANALYSIS

The bill prohibits a political subdivision (defined as a township, county, or municipal corporation) from prohibiting or limiting any of the following:

- The use of fossil fuels for electricity generation;
- The construction or use of a pipeline to transport oil or gas.¹

COMMENT

Under the home rule provision of the Ohio Constitution, municipal corporations have the authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations as are not in conflict with general laws.² Furthermore, municipal corporations have the power to acquire, construct, own, lease, and operate a public utility to serve the municipal corporation or its inhabitants and others. This means that all municipal corporations can generally control their utilities and how they operate.³ There may be a question as to whether the bill's limitations as applied to municipal corporations violates these provisions. Please see the Ohio Legislative Service Commission's Members Brief "[Municipal Home Rule](#)" for a more detailed discussion of these constitutional provisions.

¹ R.C. 4933.40.

² Ohio Constitution, Article XVIII, Section 3.

³ Ohio Constitution, Article XVIII, Sections 4 and 6.

HISTORY

Action	Date
Introduced	03-09-21
