

House Bill 64 – 135th General Assembly
Written Opponent Testimony
Central Ohio Mayors and Managers Association (COMMA)
Submitted May 22, 2023

Chair Hillyer, Vice Chair Mathews, Ranking Member Galonski, and members of the House Civil Justice Committee:

Thank you for the opportunity to provide opponent testimony on House Bill 64. My name is Michelle Crandall and I serve as the Chair of the Central Ohio Mayors and Managers Association (COMMA), along with being the City Manager of the City of Hilliard. COMMA represents 20+ central Ohio cities on matters of regional importance.

I am submitting testimony in opposition to House Bill 64, as it would significantly impede our communities from completing greatly needed public infrastructure improvements. As these needs continually change, our duly elected and appointed local government officials must have the flexibility and authority to meet the demands of our residents.

COMMA has been in place for several years, representing Columbus and all of the surrounding suburban cities. We hold monthly meetings with our 20+ member communities to discuss and act on issues of regional importance, including legislation that could positively or negatively impact our ability to develop and redevelop in a thoughtful and fiscally responsible way.

We are deeply concerned about language in House Bill 64 that would significantly change current eminent domain law and would result in increased costs to taxpayers for their local governments to move forward with public infrastructure, recreation, and open space projects.

House Bill 64 would result in time delays to complete public projects and subject local governments to additional litigation, also adding time and costs to critical projects. Additionally, the bill sets an unreasonable “burden of proof” for justifying the public need for an acquisition, expands provisions for property owners to seek damages and attorney’s fees from local governments, and is written to be retroactive to January 1, 2019.

Finally of great concern is that House Bill 64 removes recreational trails from the definition of “public use” in Ohio’s eminent domain law. Trails are a critical asset to central Ohio, both for recreational purposes and commuting, and are widely used across the region. Trails are integral to a community’s quality of life and offer numerous benefits to residents and visitors alike. They provide space for health and wellness activities, and are a key component in our transportation network, connecting neighborhoods to jobs, schools, health care, retail, and greenspace. Residents also like them. In a statewide survey conducted by the Ohio Department of Natural Resources, over 82 percent of respondents indicated trails are “extremely important” or “very important” to their daily lives. When asked what prevents them from using trails, 42 percent of respondents answered that there are not enough trails, and 35 percent said trails are too far away. This survey reaffirms what we already hear from our residents: trails and greenways are a resource people value. Restricting our ability to expand and enhance them will only hinder us

Chair Hillyer and members of the House Civil Justice Committee, thank you again for the opportunity to submit opponent testimony on House Bill 64. We strongly urge you to reject these measures and protect our ability to meet our residents’ needs. If you have any questions, please do not hesitate to contact me at 614-206-4886 (cell) or mcrandall@hilliardohio.gov.