



May 23, 2022

Chairman Honorable Brett Hillyer
House Civil Justice Committee
77 S. High St., 13th Floor
Columbus, OH 43215

RE: House Bill 64 Written Opponent Testimony

Dear Chairman Hillyer:

The Ohio Oil and Gas Association (OOGA) is a statewide trade association formed in 1947 representing both independent conventional producers and large independent horizontal operators exploring Ohio's shale play. OOGA membership also consists of midstream and downstream companies all playing an important role in the exploration, production, processing, transportation and refining of Ohio's oil and natural gas.

House Bill 64 would amend Ohio's eminent domain law, with the proposed changes of increasing certain burdens on development and giving property owners increased rights of recovery. More importantly, House Bill 64 could hinder Ohio's oil and gas industry from providing reliable and affordable energy to unserved and underserved communities as well as stifling economic development in our state.

Potential oil and gas development that may ultimately require utilization of eminent domain would face a variety of new, unnecessary, and costly burdens under House Bill 64. The bill changes the legal standard for what is a necessary taking under Ohio's eminent domain laws. Currently, Ohio uses the standard of "preponderance of evidence." House Bill 64 increases the legal standard to "clear and convincing evidence," just shy of "beyond a reasonable doubt." The bill also relaxes procedural time limits which could take longer for eminent domain and ultimately slow down projects and development.

House Bill 64 adds additional legal burdens and uncertainty to the oil and gas industry as it produces, transports, processes and generates energy for Ohioans. For this reason, we ask the House Civil Justice Committee to oppose House Bill 64. You can contact me with any questions at stephanie@ooga.org.

Sincerely,

A handwritten signature in black ink that reads "Stephanie Kromer".

Stephanie Kromer
Director of Legislative and Regulatory Affairs