



*Synopsis of House Committee Amendments**

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Legislative Service Commission

Sub. S.B. 167

126th General Assembly
(H. Civil and Commercial Law)

The Committee made the following changes to the Senate-passed version of the bill:

(1) Replaced the duty of the Task Force to study the use of eminent domain and its impact on property rights and economic development in the state with the duty to study the use of eminent domain and its *impact on the state*. It expanded the duties of the Task Force to include the study of the overall impact of state laws governing the use of eminent domain on economic development, residents, and local governments in Ohio. (Section 3(C)(1).)

(2) Replaced a Task Force member who is a statewide advocate for land use planning in Ohio with a member who is a statewide advocate on the issues raised in *Kelo v. City of New London* (2005), 125 S. Ct. 2655, insofar as they affect eminent domain (Section 3(A)(4)).

(3) Changed the Task Force reporting dates to a report due April 1, 2006 (instead of December 31, 2005), to include the findings of its study and recommendations concerning the use of eminent domain and its *impact on the state* (instead of its *impact on property rights and economic development*), and a report due August 1, 2006 (instead of April 1, 2005), to include findings and recommendations regarding the updating of state law governing eminent domain (not changed) (Section 3(C)(2)).

(4) Added a provision that states that nothing in the bill is to be construed to imply that any public body with eminent domain authority has prior to the enactment of the bill abused that authority or engaged in any wrongdoing in the exercise of its eminent domain authority conferred by statute or the Ohio Constitution (Section 7).

(5) Expanded the exceptions to the use of eminent domain for the taking of private property to include the taking of private property to be used as follows: (a) in the construction, maintenance, or repair of streets or walkways, paths, or other ways open to

* This synopsis does not address amendments that may have been adopted on the House floor.

the public's use, including rights of way immediately adjacent to those public ways; (b) for parks or recreation areas open to the public; and (c) in the construction, maintenance, or repair of buildings and grounds used for governmental purposes. (Section 2(C)(1), (4), and (5).)

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