

As Introduced

**129th General Assembly
Regular Session
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H. B. No. 51

Representative Snitchler

Cosponsors: Representatives Schuring, Blessing

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A B I L L

To enact section 743.50 of the Revised Code to 1
require a municipal utility supplying surplus 2
electricity to nonresidents to provide written 3
notice of termination one year before terminating 4
the service. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 743.50 of the Revised Code be enacted 6
to read as follows: 7

Sec. 743.50. If the auditor of state has determined that a 8
municipal corporation is supplying to nonresidents more than fifty 9
per cent of the total electrical service supplied by the municipal 10
corporation within the municipal corporation, and if the municipal 11
corporation intends to discontinue service to a nonresident for 12
the purpose of complying with the limitation of Section 6 of 13
Article XVIII, Ohio Constitution, the municipal corporation shall 14
provide written notice to the nonresident that the service will be 15
terminated not less than one year before the date service will be 16
terminated. For not less than one year after such notice has been 17
provided, the municipal corporation shall continue to supply to 18
the nonresident electricity and any other utility service that it 19

supplied to the nonresident on the date of the notice under the 20
same terms the service was supplied on that date, except as 21
follows: 22

(A) Service may be terminated before the end of the one-year 23
period if service is terminated to residents. 24

(B) Charges assessed for providing the service to the 25
nonresident may be increased by a percentage that does not exceed 26
the percentage by which such charges to residents increased. 27

If a municipal corporation to which this section applies 28
terminates service to a nonresident after the one-year notice 29
period has expired, the municipal corporation, the nonresident, 30
and the public utility supplying electricity to the nonresident 31
each shall be responsible for one-third of the reasonable costs 32
incurred by the nonresident or public utility in establishing new 33
electricity service, unless the municipal corporation also 34
terminates service to residents. If the municipal corporation does 35
not terminate service to the nonresident after the one-year notice 36
period has expired, it shall continue to supply electricity to the 37
nonresident under the same terms as the service was supplied on 38
the date of the notice, except as provided in divisions (A) and 39
(B) of this section. 40

A person aggrieved by a municipal corporation's or public 41
utility's failure to comply with this section may bring an action 42
for damages and injunctive relief against the municipal 43
corporation or public utility in the court of common pleas of the 44
county in which the municipal corporation or public utility has 45
territory. 46