



## Ohio Revised Code

### Section 4933.41 Access to natural gas service, propane; political subdivision restriction.

Effective: September 30, 2021

Legislation: House Bill 201 - 134th General Assembly

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(A) (1) Every person seeking to obtain distribution service or retail natural gas service has the right to obtain any available distribution service or retail natural gas service from a natural gas company with capacity to provide service to the person in that location or any available competitive retail natural gas service from any competitive retail natural gas service supplier certified to provide that service to that person in that location. Nothing in this section shall be construed to require a natural gas company to obtain or continue any exemption under section 4929.04 of the Revised Code.

(2) Every person seeking to obtain propane has the right to obtain propane from any energy dealer willing to provide propane to that customer in that location.

(B) (1) Division (A) (1) of this section is limited by Chapters 4905., 4929., and 4933. of the Revised Code, any regulations enacted by the public utilities commission thereunder, and any tariffs approved by the public utilities commission, and subject to Sections 4 and 6 of Article XVIII, Ohio Constitution.

(2) Division (A)(2) of this section is limited by Chapter 936. of the Revised Code and any regulations enacted by the director of the department of agriculture thereunder, and subject to Sections 4 and 6 of Article XVIII, Ohio Constitution.

(C) No legislative or executive authority of any political subdivision shall enact any ordinance or resolution or promulgate or impose any building code, contractual provision, or other requirement that limits, prohibits, or prevents residential, commercial, or industrial consumers within their boundaries from using the following:

(1) Distribution service or retail natural gas service that would otherwise be available to those consumers under Title 49 and regulations promulgated thereunder ;



(2) Propane.

(D) Except as set forth in division (C) of this section, nothing in section 4933.41 of the Revised Code is intended to inhibit or restrict a municipality's right and ability to enter into and administer franchise agreements pursuant to Sections 4 and 6 of Article XVIII, Ohio Constitution, and sections 4939.01 to 4939.09 of the Revised Code.

(E) Nothing in this section shall be construed either to limit a natural gas company's ability to provide service to new customers or to require free extensions of service.

(F) Nothing in this section shall be construed to prevent or limit a municipal corporation from exercising its authority pursuant to sections 4928.20 to 4928.28 of the Revised Code.