



Ohio Revised Code

Section 188.23 Servient estate damage action prohibited.

Effective: May 17, 2021

Legislation: House Bill 2 - 134th General Assembly

The owner of a servient estate of an easement described in section 188.02 of the Revised Code may not bring an action described in section 188.05 of the Revised Code if any of the following apply:

- (A) The owner, either directly or through the owner's membership in the electric cooperative or otherwise, authorized the electric cooperative's electric delivery system for the provision of broadband services.
 - (B) The owner, or any of the previous owners of the property that makes up the servient estate, has agreed to, or granted permission for, the use of the easement to provide broadband service.
 - (C) The facilities providing broadband service are used or are capable of being used to assist in the transmission, delivery, or use of electric service.
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