



**Ohio General Assembly**  
**House of Representatives**  
**Columbus**

**Sponsor Testimony of Representative Jonathan Dever**  
**Regarding House Bill 407**  
**Before the Senate Judiciary Committee**  
**Tuesday, November 27<sup>th</sup>, 2018**

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to offer sponsor testimony on behalf of House Bill 407, which will abolish the estate of dower in Ohio.

By way of background, dower rights in Ohio is the right of a spouse to claim a life estate in one-third of the real property owned by a spouse any time during the marriage. The practice of dower is antiquated, dating back to 1310. It provided for the maintenance and care of a widow in a time of no social service protections. This European tradition was designed to provide for one's daughter upon marriage in the event she lost her spouse. In those times, land, titles, and estates often followed the oldest heir, leaving the widow destitute. Ohio remains only one of three states to still have dower in its laws.

In practical application, dower's purpose is to protect the spouse that is not on title that the spouse owns real property. Today, electronic records and court-mandated disclosure in legal family law proceedings largely make this provision moot.

This single issue is the largest cause of bad title, creating the inability to sell real estate because marital status or release of dower were omitted from a deed or mortgage.

Simply put, House Bill 407 abolishes the estate of dower in Ohio after the effective date of the legislation, joining 47 other states.

Thank you, again, for allowing me the opportunity to offer sponsor testimony on House Bill 407. I would be happy to answer any questions at this time.