



**State Representatives  
John Patterson & Steven Arndt**

House Bill 454  
Sponsor Testimony  
Senate Local Government, Public Safety, & Veterans Affairs Committee  
November 13, 2018

**State Representative Steve Arndt**

Chairman Uecker, Vice-Chair Wilson, Ranking Member Thomas, and distinguished members of the Senate Local Government, Public Safety, & Veteran Affairs Committee, thank you for the opportunity to offer sponsor testimony on House Bill 454, legislation that would address concerns brought to our attention related to Ohio's cemetery laws.

If this legislation sounds familiar to you, in the 131<sup>st</sup> General Assembly attempted to address the issue of vacated lots in House Bill 64. However, this fix only pertains to lots purchased after July 24, 1986 and not lots purchased before July 24, 1986.

This legislation would provide the same pathway for those looking to purchase lots sold before July 24, 1986 as currently outlined in Ohio Revised Code. Existing Ohio law allows townships to repurchase a cemetery lot or right from its owner at any time at a price mutually agreed upon. In addition, Ohio townships may also reenter or resell unused cemetery lots as long as the township notified or attempted to notify the current owner.

HB 454 would require a township to compensate the owner of unused cemetery lots purchased before July 24, 1986, which the township reenters after lack of response from the owner. Under House Bill 454, a lack of response would be determined if the owner has not contacted the township after 180 days for both Pre *and* Post 1986 cemetery lots. A township would be required to compensate the owners by providing an available lot at no cost. If a lot is not available or if the owner declines the lot, the township must pay the owner 80% of the owner's original purchase price or a price that is mutually agreed upon between the rightful owner and the township.

**State Representative John Patterson**

This issue was brought to my attention when a constituent of mine recently attempted to purchase an unused cemetery lot from a township in my district. The constituent verified with the cemetery personnel that the lot had been purchased in the early 1900s, yet no family member could be reached to determine if the lot would ever be used. In essence, the lot been "vacated." While the

township would like to sell the unused lot, because it was purchased prior to July 24, 1986, current law prohibits such a sale.

As Ohio's population ages and the need for new cemetery lots increases, cemeteries will be under increasing pressure to address this issue with limited space. This law protects the lot's original owner, the townships, and allows more flexibility for potential owners to be buried in the lot of their choice.

Thank you for your attention. We would be glad to answer any questions or address any concerns the committee may have.