



# OHIO TOWNSHIP ASSOCIATION

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November 27, 2018

The Honorable Joe Uecker, Chairman  
Senate Local Government, Public Safety  
& Veterans Affairs Committee  
Ohio Senate  
1 Capitol Square, 2<sup>nd</sup> Floor  
Columbus, OH 43215

Re: Proponent Testimony  
HB 454 Cemetery Reentry

Dear Chairman Uecker,

On behalf of the Ohio Township Association (OTA), I am writing in support of House Bill 454, which would require a township to offer compensation to responsive owners of certain unused cemetery lots and rights.

Included in HB 64 (131<sup>st</sup> G.A.), the FY '16 - '17 biennium budget, was language that granted townships the right of reentry for burial lots for which the deed of sale was executed prior to July 24, 1986. A board of township trustees must adopt a resolution creating a procedure for right of reentry in accordance with R.C. §517.073. Before reentering a lot or right, the board shall send a notice by certified mail to the last known owner at the owner's last known address to inform the owner that the owner's interest in the lot or right will cease unless the owner or owner's heir responds by a specified date. If the owner's address is unknown and cannot be obtained reasonably, a board shall publish the notice once in a newspaper of general circulation in the county. If the owner does not respond within 90 days, the board reclaims its interest in the lot or right.

Unfortunately, the new language did not permit the township to repurchase an unused lot from an owner that does respond within the 90 days. In R.C. §517.07, there is authorizing language permitting a township to buy back unused lots purchased after July 24, 1986. Pursuant to the change suggested in HB 454, a township that wishes to reenter a lot sold prior to July 24, 1986 would be authorized to purchase the unused lot at 80% of the owner's original purchase price, which mirrors the language in R.C. §517.07.

Additionally, HB 454 increases the time frame for reclaiming unused lots purchased prior to July 24, 1986 to 180 days, as opposed to 90 days. Lastly, the sub bill will require a township to post any notification of reentry (pre or post-1986) on the township's website, if they have one, in addition to the other prescribed methods in current law - certified mail and newspaper of general circulation.

Mr. Chairman, the OTA urges your support of HB 454 and the committee's favorable referral of this legislation to the full Senate for passage. Should you have any questions or concerns regarding this legislation or our position on the matter, please do not hesitate to contact me.

Sincerely,

Matthew J. DeTemple  
Executive Director

MJD:hf