

TIMOTHY C. LONG
ATTORNEY AT LAW
4877 Galway Drive
Dublin, Ohio 43017

May 20, 2024

The Honorable Nathan Manning
Chairman, Ohio Seante Judiciary Committee
Ohio Statehouse, 1 Capital Square
Ohio Senate Building
Columbus, Ohio 43215

Re: Amendment No. AM_135_1808 to H.B. No. 305 (the “Amendment”)

Dear Chairman Manning:

I am writing on behalf of The Ohio Cemetery Association, Inc. (the “OCA”) to address above-referenced Amendment. A few months ago, Mike Dittoe and Scott Gilligan approached the OCA on behalf of their mutual client, Gilbane Construction, regarding possible amendments to the Ohio disinterment laws. The desired revisions would streamline the process wherein a cemetery would be permitted to disinter remains necessary to make repairs to or replacements of mausoleum or columbarium structures.

While the OCA has no involvement in and only limited understanding of Gilbane Construction’s underlying construction project which was the genesis of the Amendment, the OCA reviewed and commented on several drafts with the goal of making the Amendment work going forward from the perspectives of the cemetery, those owning the impacted entombment or inurnment rights and the impacted communities.

As the OCA’s primary requested revisions have now been incorporated in the Amendment, the OCA supports the Amendment (whether standing alone as an amendment or incorporated in a Substitute House Bill 305) . As written, not only will cemeteries be able to more efficiently make necessary repairs or replacements to their mausoleum or columbarium structures, but the disinterment process will also include the following safeguards:

(1) No disinterments required to facilitate repairs or replacements of the impacted structures will be allowed until the cemetery obtains an appropriate Order of Disinterment from the probate court;

(2) Before granting the requested Order, the probate court will conduct a hearing to analyze the facts and circumstances related to the specific project; and

(3) The applicant will provide notice of the hearing to the families of the deceased individuals whose remains will be disinterred, all as required by the probate court.

Please let me know if you have any questions or concerns. I would be happy to elaborate.

Very truly yours,

A handwritten signature in black ink, appearing to read 'TCL', written in a cursive style.

Timothy C. Long

cc: Matt Oyster
Mike Dittoe
Scott Gilligan