



**State Representative Brian Stewart**  
Joint-Sponsor Testimony on House Bill 7  
February 8<sup>th</sup> 2021

Thank you for your time today Chairman Hillyer, Vice-Chairwoman Grendell and Ranking Member Galonski. I want to thank this bill's prior joint sponsor Speaker Cupp for asking me to serve as the new joint sponsor of this House Bill 7 alongside Representative Grendell. As a practicing attorney who handles a variety of probate matters myself, I am confident that the bill will make a variety of important improvements to many areas of law that affect our courts, and the families they serve, all across Ohio

HB 464 passed the House in the 133<sup>rd</sup> General Assembly with a vote of 89 to 0 and passed this Civil Justice Committee with a vote of 12 to 0. Helpfully for me, and (hopefully) helpfully for you, House Bill 7 of this 134<sup>th</sup> General Assembly is the same piece of legislation with a new number.

As Representative Grendell mentioned, the bill is the product of extensive collaboration between our appellate judges, our common pleas and probate judges, practicing attorneys, bar associations, prosecutors, and the bill's prior sponsors, all of whom continue to advocate for its passage.

To highlight a few items in the bill at a very high level, House Bill 7 modifies the treatment of non-charitable trusts and clarifies the procedure for removing trustees. It provides greater clarity in how surviving spouses are provided for when electing to receive vehicles from their deceased loved ones. The bill improves the law as it relates to guardianship and will allow guardians to have a greater involvement in estate planning for their wards, subject to the approval of the responsible probate court. House Bill 7 would also allow probate courts to appoint an appropriate Ohio non-profit to serve as guardians of a person in certain situations where it would be in the best interests of the ward. The bill would improve a number of provisions governing Cemetery Endowment Care Trusts and their financial management, and also updates the Ohio Legacy Trust Act to enable a "family trust company" to fall within the definition of a "qualified trustee." Lastly, the bill makes some important clarifications to ensure the wishes of organ donors are carried out in accordance with their wishes.

Simply put, House Bill 7 is a "nuts and bolt," good government bill that we can embrace in a bipartisan way for the benefit of all our constituents. I thank you for the chance to speak on it today and am happy to try to answer any questions you may have.