

Committees:

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**Diane V. Grendell, State Representative
Ohio's 76th House District**

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Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Ohio Senate Judiciary Committee,

Thank you for the opportunity to provide sponsor testimony on House Bill 7, the Probate Omnibus Bill. House Bill 7 creates simple, but important, changes to Ohio's probate and trust laws for the benefit of our constituents.

As House Bill 464, this bill passed unanimously last general assembly in the House 89-0 and in the Senate 31-0, with no opponents. I look forward to continued support for this legislation in the 134th General Assembly.

This legislation is the result of conversations that we have had with:

- The Ohio Supreme Court,
- Ohio Judicial Conference,
- Ohio Association of Probate Judges,
- The Ohio Bar Association,
- Ohio Association of Domestic Relation Judges,
- and Ohio Prosecuting Attorneys Association.

In essence, this legislation is the same legislation from the 133rd with two minor changes. The first is a technical correction to the Legacy Trust Act language that addresses a typographical error and better clarifies the provision. The second is a small change to a fee collection reporting for probate judges from January 1 to January 15, as the auditor's offices are closed on the current statutorily required deadline of New Year's Day.

Notable provisions I would like to touch on include:

Name Change Statute Adjustments: H.B. 7 modernizes Chapter 2717 of the Revised Code by amending the existing name change procedure to make the process faster, more efficient and at a lower cost to applicants by eliminating hearing and publication notice mandates and granting probate courts more discretion to determine the best way to administer each action on a case-by-case basis. The proposal would also enact a new statutory procedure to allow probate courts the ability to correct specific errors in a person's chain of identity so the individual's current legal name is conformed for all purposes in all identity documents. This is especially important and timely; many Ohioans are still facing delays with licensing documents due to the

initial closures our state agencies faced earlier this year. The inclusion of probate courts in correcting identity errors seeks to quicken this process. Also, per LSC's fiscal analysis of the legislation, "it is likely that the efficiencies created under the bill will lead to cost savings for the courts." In a nutshell, this creates expedited procedures to change or correct names on identity documents.

Guardianship: With court approval, guardians can obtain estate planning and tax planning for incompetent wards. This bill would expand the power of legal guardians, subject to the approval of the probate court, to take appropriate estate planning actions to protect the ward's assets.

Guardianship Non Profit Appointment: In a nutshell, Ohio nonprofit corporations can be created to provide guardianship protective services if appointed by a probate court.

Trusts: H.B. 7 modifies the treatment of non-charitable trusts by updating rules governing non-charitable trusts.

Mental Health APRN Changes: In a nutshell, H.B. 7 would permit specially trained mental health nurse practitioners to testify and provide opinions on civil commitment hearings at both the initial phase and at extension hearings, correcting an issue regarding shortage of doctors that are available to testify.

Actions Referred to Retired Judges: H.B. 7 allows for an assigned judge to have a say on parties' decision to use a retired judge as an alternative and requires that the parties agree on terms for terminating such retired judge.

Proponents of this legislation include:

- Ohio Supreme Court,
- Ohio Judicial Conference,
- Ohio Association of Probate Judges,
- The Ohio State Bar Association,
- Ohio Association of Domestic Relation Judges,
- The Fitzgibbon Group
- Ohio Association of County Boards of Developmental Disabilities

Through the direct input of our interested parties and members, this legislation concisely addresses their suggestions of improvements to Probate and Trust law. All of these hardworking individuals collaborated to create the bill that is before you today.

When presented to our chamber this general assembly, House Bill was passed 98-0 and had no opposition throughout its committee hearings. I urge your continued unanimous support for House Bill 7 this General Assembly.

Representative Stewart and I will answer any questions you may have upon the conclusion of our testimony.