



State Representative Brian Stewart

Joint-Sponsor Testimony on House Bill 7

April 20th 2021

Thank you for your time today Chairman Manning, Vice-Chairwoman McColley and Ranking Member Thomas. 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

Most recently, HB 7 passed out of the House Civil Justice committee with 14 votes in favor of the legislation and zero opposed. HB 7 was then voted through the House with 98 "yea" votes and 0 "Nays".

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 as they intended. I've described organ donation as one of the first real adult decisions our young people make, because I remember going to get my driver's license at age 16, and being asked if I

wanted to become an organ donor. I said yes 20 years ago and have been blessed to attend multiple events as an elected official in which the surviving relatives of organ donors, and the recipients of organ donations, are gathered together to celebrate these literal gifts of life. By eliminating certain duplicative options which currently exist under Ohio law, House Bill 7 makes clear that a person's enrollment Ohio's Organ Donor Registry is all that is required to make an organ donation.

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.