



H.B. 382

126th General Assembly
(As Introduced)

Reps. Widener, Brown, Reidelbach, Coley, Fende, C. Evans, Faber

BILL SUMMARY

- Permits boards of township trustees to sell cemetery-related items, with the proceeds to go to the care and maintenance of their township cemeteries.

CONTENT AND OPERATION

Current law

Under current law, townships may establish a township cemetery. In addition, the Township Law vests in the relevant board of township trustees the title to and control of all public cemeteries located in the township and outside a municipal corporation that have been dedicated as public cemeteries, and any grounds that have been used by the public as a public cemetery even though they have not been expressly dedicated as a cemetery--unless such a cemetery is owned or cared for by a religious or benevolent society or an incorporated company or association or is under the control of the authorities of a municipal corporation. (R.C. 517.01, 517.04, 517.05, 517.06, 517.08, and 517.10--not in the bill.)

A township is charged with the protection and preservation of these public cemeteries (R.C. 517.11--not in the bill). The board trustees may sell burial lots in them and use the proceeds for improving and embellishing a cemetery's grounds or, upon the board's unanimous consent, for the purchase of additional land for cemetery purposes (R.C. 517.07 and 517.08--not in the bill). Fences around these cemeteries are paid for from township funds, and a tax may be levied to pay for the fences and re-erecting fallen tombstones (R.C. 517.08 and 517.11--not in the bill).

A board of township trustees may create a permanent cemetery endowment fund for the purpose of maintaining, improving, and beautifying township cemeteries and burial lots in them. The moneys in this fund may come from gifts, devises, or bequests, from burial lot purchase add-on charges, from agreements

with burial lot purchasers that part of the purchase price is to be used with respect to the particular lot for these purposes, and from contributions from the township general fund (R.C. 517.15--not in the bill).

Changes proposed by the bill

The bill permits a board of township trustees to sell cemetery-related items and use all the revenue from these sales to provide for the care and maintenance of any township cemetery in that township, in the manner approved by the board. "Cemetery-related items" include, but are not limited to, monuments, vaults, outer burial containers, markers, and urns. "Cemetery-related items" do not include burial lots. (R.C. 517.16.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	10-18-05	p. 1725

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