OHIO HISTORY CONNECTION

- Requires burial sites used by the Ohio History Connection (OHC) for the repatriating American Indian remains to have an easement, enforceable by OHC, to preserve the burial sites.
- Exempts records related to the burial sites from disclosure under the Ohio Public Records Act, and excludes them from the 75-year disclosure requirement.

Burial sites

(R.C. 149.3010 and 149.43)

Continuing law allows the Ohio History Connection (OHC) to use land under its control as burial sites for repatriating American Indian human remains. The land must be owned or leased (as lessee or lessor) by OHC, or owned by the state and under OHC's custody and control. The act requires OHC – for any burial site established on or after September 30, 2025 (the act's effective date) – to include a perpetual easement to preserve the land as a burial site. For each burial site established before that date, OHC must include a perpetual easement if legally feasible. The easement is enforceable by OHC or by any person assigned by OHC.

The act also exempts records related to the burial sites from disclosure under the Ohio Public Records Act, which generally requires public offices to make public records available for inspection upon request. The records also are excluded from the 75-year disclosure requirement that makes an exempt record public after 75 years if that record is permanently retained.