



Ohio Revised Code Section 4767.11 Ceased operations.

Effective: October 29, 2018

Legislation: House Bill 168 - 132nd General Assembly

Upon receipt of information that the owner or person responsible for the operation of a registered cemetery or a cemetery that was required to be registered has ceased operation of that cemetery, the division of real estate in the department of commerce may investigate for purposes of determining the cemetery's current status.

If the division finds evidence that the cemetery has ceased operation and a municipal corporation or township has not assumed day-to-day management of the cemetery, the division may apply to the court of common pleas of the county in which the cemetery is located for appointment of a temporary receiver or trustee. The order appointing the temporary receiver or trustee shall order the trustee or trustees of the endowment care trust of the cemetery to make distributions to the receiver or trustee in accordance with section 1721.21 of the Revised Code.

The receiver shall only be paid from the income of interest and dividends in the endowment care trust being held pursuant to section 1721.21 of the Revised Code. The receiver may not invade the principal or capital gains of the trust.
