



## Ohio Revised Code

### Section 4767.04 Qualifications of registrants.

Effective: October 29, 2018

Legislation: House Bill 168 - 132nd General Assembly

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(A) To qualify a cemetery for a certificate of registration, the applicant shall submit to the division of real estate the following information:

- (1) The name of the cemetery;
- (2) The street address, city, village, or township, and county where the cemetery is located, and the mailing address if different from the street address;
- (3) The name and address of the person who owns the cemetery;
- (4) The name and address of the person responsible for the operation and maintenance of the cemetery;
- (5) A copy of the cemetery's financial statement, including account statements, for the previous fiscal year if required by the division of real estate pursuant to section 1721.211 of the Revised Code. If the cemetery is owned by a cemetery company or association, a copy of the financial statement, including account statements, for the previous fiscal year of all of the assets and investments of the endowment care trust of the company or association as prepared pursuant to division (J)(1) of section 1721.21 of the Revised Code shall be submitted to the division.
- (6) A copy of the cemetery's current rules and regulations provided in written or electronic format;
- (7) A copy of the cemetery's endowment care trust fund agreement required under section 1721.21 of the Revised Code and preneed cemetery merchandise and services trust fund agreement required under section 1721.211 of the Revised Code;
- (8) If required under section 1721.21 or 1721.211 of the Revised Code, proof that trustees who are individuals are bonded or insured as required.



(B) If any of the information required in divisions (A) (1) to (A)(5) of this section changes at any time, the owner or the person responsible for the operation and maintenance of the cemetery shall submit written notification of the change to the division within thirty days of the change occurring. The owner or the person responsible for the operation and maintenance of the cemetery shall submit to the division annually with the cemetery's registration renewal any revised rules and regulations, revised trust agreements, or revised proof of bonding or insurance.

(C) In addition to satisfying the requirements set forth in divisions (A) and (B) of this section, if a political subdivision intends to acquire additional land to increase the size of an existing cemetery that it is operating and maintaining or intends to open a new cemetery, its governing body shall notify the division at least thirty days before the acquisition or opening to renew the registration of the existing cemetery or to register the new cemetery.