



## Ohio Revised Code

### Section 5801.12 Children born through the use of assisted reproductive technologies.

Effective: March 14, 2017

Legislation: Senate Bill 232 - 131st General Assembly

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(A) As used in this section:

(1) "Assisted reproductive technologies" means any medical or scientific technology or method designed to assist one or more persons to cause a pregnancy through means other than by sexual intercourse, including technologies that are developed after the date of this amendment.

(2) "Trust" includes a revocable or irrevocable trust.

(B) Notwithstanding any other section of the Revised Code, this section governs the beneficial rights under a trust of any child born through the use of any assisted reproductive technologies, and also applies to the exercise of any power of appointment granted under a trust instrument or any other power to otherwise expand the class of beneficiaries under a trust instrument.

(C) No child of a settlor born through the use of any assisted reproductive technologies more than three hundred days after the date of death of the settlor of a trust instrument shall be considered the settlor's child under that trust instrument, under the exercise of any power to appoint trust assets in favor of the settlor's children, or under the exercise of any other power to otherwise expand the class of beneficiaries under the trust instrument, unless the terms of the trust clearly provide otherwise. No other person born through the use of any assisted reproductive technologies more than three hundred days after the date of the event that caused a class of beneficiaries to close under the terms of a trust shall be included in that class unless the terms of the trust clearly provide otherwise.

(D)(1) If the terms of a trust provide for a child or other person born through the use of assisted reproductive technologies and further provide for a time period in which that child or other person must be born in order to benefit under the terms of the trust, that time period shall apply in order for the child or other person to benefit under the terms of the trust, subject to a maximum time period of five years from the date of death of the settlor or the date of the event that caused a class of



beneficiaries to close, whichever is applicable.

(2) If the terms of a trust provide for a child or other person born through the use of assisted reproductive technologies but do not provide for a time period in which that child or other person must be born in order to benefit under the terms of the trust, that child or other person must be born within a period of one year and three hundred days from the date of death of the settlor or the date of the event that caused a class of beneficiaries to close, whichever is applicable, in order for the child or other person to benefit under the terms of the trust.