



Ohio Legislative Service Commission

Bill Analysis

Daniel M. DeSantis

H.B. 449

128th General Assembly
(As Introduced)

Reps. Ujvagi, Yuko

BILL SUMMARY

- Permits the use of the federal DD form 98, "Record of Emergency Data Form," to satisfy the written declaration requirements for designating a person who is authorized to direct disposition of a person's remains.

CONTENT AND OPERATION

Right of disposition of a person's remains

(R.C. 2108.72 and 2108.73)

Under current law, an adult who is of sound mind may execute a written declaration assigning to a representative the right to direct the disposition, after death, of the declarant's body. The law specifies information that must be included in the declaration, and specifies that the declaration must be signed and dated by the declarant in the presence of either a notary public or two witnesses who are not related to the declarant.

The bill declares that completion of a DD Form 93 is sufficient to constitute a written declaration under Ohio law (R.C. 2108.72(C)). A "DD Form 93" is the federal "Record of Emergency Data Form" established for use by military personnel and Department of Defense civilian and contractor personnel. If a person uses DD Form 93 for the purposes of a written declaration under Ohio law, it must be signed and dated in the presence of whomever the form requires (R.C. 2108.73(C)).

HISTORY

ACTION

DATE

Introduced

02-11-10

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