



Ohio Revised Code

Section 2108.75 Disqualification of assignee of right of disposition.

Effective: October 12, 2006

Legislation: House Bill 426 - 126th General Assembly

(A) A person shall be disqualified from serving as a representative or successor representative, or from having the right of disposition for a deceased adult pursuant to section 2108.81 of the Revised Code, if any of the following occurs:

- (1) The person dies.
- (2) A probate court declares or determines that the person is incompetent.
- (3) The person resigns or declines to exercise the right as described in section 2108.88 of the Revised Code.
- (4) The person refuses to exercise the right within two days after notification of the declarant's death.
- (5) The person cannot be located with reasonable effort.
- (6) The person meets the criteria described in section 2108.76 or 2108.77 of the Revised Code.

(B) No owner, employee, or agent of a funeral home, cemetery, or crematory providing funeral, burial, or cremation services for a declarant shall serve as a representative or successor representative for the declarant unless the owner, employee, or agent is related to the declarant by blood, marriage, or adoption.

(C) Subject to divisions (C)(2) and (D)(2) of section 2108.70 of the Revised Code, if a person is disqualified from serving as the declarant's representative or successor representative, or from having the right of disposition for a deceased adult pursuant to section 2108.81 of the Revised Code, as described in division (A) of this section, the right is automatically reassigned to, and vests in, the next person who has the right pursuant to the declarant's written declaration or pursuant to the order of priority in section 2108.81 of the Revised Code.



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