



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

Aida S. Montano

Sub. S.B. 232

131st General Assembly
(H. Judiciary)

Provides that no descendant of an intestate inherits under the law on descent and distribution unless surviving the intestate for at least 120 hours, or unless born within 300 days after the intestate's death and living for at least 120 hours after birth.

Prevents a person born more than 300 days after a testator's death from inheriting under the testator's will unless the will clearly provides otherwise, and specifies that if the will clearly provides for such posthumously born child to inherit, the child must be born within one year and 300 days after the testator's death.

Expands the exceptions to the current final and distributive account requirement if the decedent's will provides that a posthumously born child or heir, which includes a child or heir born through the use of "assisted reproductive technologies," inherits under the will as described in the preceding clause.

Defines "assisted reproductive technologies" as 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 developed after the bill's effective date.

Prevents a settlor's child born by means of assisted reproductive technologies more than 300 days after the settlor's death from being considered the settlor's child unless the terms of the trust clearly provide otherwise.

Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies and also provide for a time period in which the child must be born, that time period applies for the child to benefit from the trust, subject to a maximum period of five years from the settlor's death.

* This synopsis does not address amendments that may have been adopted on the House Floor.

Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies but do not provide for a time period in which the child must be born, the child must be born within one year and 300 days from the settlor's death in order for the child to benefit from the trust.

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05/25/16