

*****DRAFT - NOT FOR FILING*****

1301:13-5-01 Sale or transfer of cemetery assets.

- (A) A cemetery owner or operator intending to purchase cemetery assets, management rights, or stock from another cemetery owner or operator and intending to register the cemetery with this division, must provide the division with an audited financial statement to be reviewed by the commission, completed in compliance with generally accepted accounting principles, certifying either that the funds required to be maintained by sections 1721.21 and 1721.211 of the Revised Code are funded in accordance with the law or identifying any deficiency. In the case of a deficiency, the commission ~~shall review the audited financial statement~~ must approve a plan agreed to by the parties to properly correct any deficiencies and, if necessary, may conduct a mediation between the buyer and seller to reach an agreed plan which will cause the funds to be funded in accordance with the law. A registration shall not be issued to the purchaser until the commission is satisfied that all current funds required to be deposited and maintained pursuant to sections 1721.21 and 1721.211 of the Revised Code have been deposited and maintained.
- (B) Upon receipt and review of the audit, if the division concludes that all registration requirements have been met, and the commission is satisfied that all current funds required to be deposited and maintained pursuant to sections 1721.21 and 1721.211 of the Revised Code have been deposited and maintained, the division shall issue registration in the name of the new owner or operator.