



March 22, 2017

Dear Chairman Schaffer, Ranking Member Rogers and Members of the House Ways and Means Committee,

On behalf of the 1,300 members of Ohio Nursery and Landscape Association (ONLA) and our allied associations, please accept this letter of opposition to the landscape design tax as proposed in the "as introduced" version of HB 49.

Our opposition is based upon a number of factors as enumerated below:

- landscape design is a concept that may never come to fruition;
- the anticipated revenue from this tax will be minimal and is not justified by the burden the tax would place on landscape designers, most of whom are small businesses;
- many "landscapers" (substitute landscape contractors and design/build companies?) do not charge separately for design work. They are already required to collect sales tax on landscape labor for construction and installation which, incidentally, is not required of builders.
- landscapers treat and charge for design work differently (lack of uniform application of the tax);
- landscape design is not a luxury, it is vital, and it prevents those wishing to change their landscapes from making costly mistakes. Building a landscape project without a design is like building a house without a blueprint.
- the tax may discourage companies from charging for design work which is ill-advised. Design is essential to the long-term success of landscape installation projects, along with our environment and quality of life.

Further, we question the validity of the anticipated revenue that allegedly would be generated from this tax. Since a large portion of Ohio's landscape contractors do not itemize charges for design and installation, we wonder "how did you arrive at these numbers"? We are baffled as to whatever prompted someone to decide there should be a tax on landscape design?

Finally, we heartily support and have been pleased with the many changes that have been advanced during the Kasich Administration that have benefitted small businesses. As such, we are perplexed and frustrated at the inclusion of the landscape design tax in HB 49. As mentioned above, in many cases, landscape designers are small businesses. We believe the proposed landscape design tax is in direct contravention to the overall mantra of the Kasich Administration and that of Speaker Rosenberger.

In sum, we respectfully request that in HB 49 on PG 2679, you delete lines 82571 – 82575.

Toward that end, know that we stand ready to be a resource for all of you as you continue to endeavor to do the right things for Ohioans.

Best Regards,

Ken Fisher, Executive Director  
Ohio Nursery and Landscape Association

*Allied associations, with whom we have overlapping members, include: Ohio Landscape Association, Ohio Chapter of American Society of Landscape Architects, Ohio Chapter of Association of Professional Landscape Designers*