moved to amend as follows:

In line 182 of the title, after "5709.51," insert "5709.54,"

In line 355, after "5709.51," insert "5709.54,"

After line 70309, insert:

"Sec. 5709.54. (A) As used in this section:

(1) "Pre-residential development property" means a subdivided parcel of unimproved real property on which construction of one or more residential buildings is planned but has not yet commenced. The construction of streets, sidewalks, curbs, or driveways or the installation of water, sewer, or other utility lines on a subdivided parcel does not cause construction of a residential building to commence for purposes of division (A)(1) or (B) of this section.

(2) "Residential building" means a building or structure any part of which is to be used as a dwelling.

(3) "Unexempted value" means, for any subdivided parcel, one of the following:

(a) Except as provided in division (A)(3)(b) of this section, the nonagricultural taxable value of the original property for the
tax year preceding the tax year the subdivided property first appears on the tax list as a subdivided parcel multiplied by a fraction, the numerator of which is the true value in money of the subdivided parcel for the tax year the subdivided parcel first appears on the tax list and the denominator of which is the true value in money of all subdivided parcels subdivided from that original parcel for that tax year.

(b) If a subdivided parcel exempted under this section is itself subdivided, the "unexempted value" of the newly subdivided parcel equals the unexempted value, as defined in division (A)(3)(a) of this section, of the parcel from which the newly subdivided parcel was subdivided for the tax year preceding the tax year the newly subdivided parcel first appears on the tax list multiplied by a fraction, the numerator of which is the true value in money of the newly subdivided parcel for the tax year it first appears on the tax list and the denominator of which is the true value in money for that year of all newly subdivided parcels resulting from the most recent subdivision.

(4) "Subdivided parcel" means a parcel resulting from the subdivision of original property pursuant to a plat subdividing that property presented to the county auditor under section 5713.18 of the Revised Code.

(5) "Original property" means the parcel from which a subdivided parcel is subdivided.

(6) "Qualifying owner" means the owner of pre-residential development property for any portion of a tax year ending on or after the effective date of the enactment of this section by H.B. 166 of the 133rd general assembly that includes the date a plat subdividing land including such property is presented to the county auditor under section 5713.18 of the Revised Code, or any
other person to which title to the property is transferred, without consideration, by another qualifying owner.

(7) "Nonagricultural taxable value" means the taxable value of land as if such land were valued and assessed for a tax year pursuant to Section 2 of Article XII, Ohio Constitution, and not in accordance with Section 36 of Article II, Ohio Constitution.

(B) Any increase in taxable value above the unexempted value of pre-residential development property owned by a qualifying owner is exempted from taxation beginning with the first tax year the pre-residential development property appears on the tax list after a plat subdividing land including that property is presented to the county auditor under section 5713.18 of the Revised Code and for each of the two ensuing tax years or, if later, each of the ensuing tax years until, but not including, the tax year in which a sexennial reappraisal is completed, except that the exemption shall not apply beginning with the tax year that begins after the tax year in which the earlier of the following occurs:

(1) Construction of a residential building on that property commences;

(2) Title to the property is transferred for consideration by a qualifying owner to another person.

(C) The tax commissioner shall not approve an application for an exemption authorized under this section unless the applicant for the exemption certifies that the parcel that is the subject of the exemption satisfies the requirements of division (A)(1) of this section for pre-residential development property.

(D) Nothing in this section shall be construed to authorize a parcel subject to the partial exemption authorized by this section to be valued and assessed for taxation in any manner other than in
accordance with Section 36 of Article II or Section 2 of Article XII, Ohio Constitution, as applicable to the parcel."

The motion was __________ agreed to.

SYNOPSIS

Exemption of residential development property

R.C. 5709.54

Restores a provision added by the House, but removed by the Senate, exempting from property tax the value of unimproved land subdivided for residential development in excess of the fair market value of the property from which that land was subdivided, apportioned according to the relative value of each subdivided parcel. Authorizes the exemption for the greater of three years or the number of years that elapse until the year before a sexennial reappraisal is completed, unless construction begins or the land is sold before the end of that period.