



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 222  
133<sup>rd</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Stoltzfus and Howse

Michael Hinel, Attorney

### SUMMARY

- Authorizes a nonrefundable income tax credit of up to \$25,000 per year for training expenses paid by employers to train employees to operate a commercial vehicle.
- Limits the total amount of credits that may be awarded each year to \$3 million.
- Applies to training expenses incurred on or after January 1, 2020.

### DETAILED ANALYSIS

#### Tax credit for commercial vehicle operator training expenses

The bill authorizes a nonrefundable personal income tax credit of up to \$25,000 for employers that train their employees to be commercial vehicle operators.<sup>1</sup> As a credit against the income tax, it may be claimed by employers that are sole proprietors or organized as a pass-through entity such as a partnership, limited liability company, or S corporation owned at least in part by an individual, estate, or trust; it would not be available to corporations other than those electing S corporation status.

#### Application process

The credit is available for expenses, other than wages, paid to train employees to obtain a commercial driver's license (CDL) or to operate a commercial motor vehicle. To obtain the credit, an employer must first apply to the Director of Development Services with an estimate of the training expenses that the employer expects to pay in the upcoming year. The Director may certify up to \$50,000 of estimated training expenses as eligible for the tax credit.

<sup>1</sup> R.C. 122.91, 5747.82, and 5747.98; conforming changes in R.C. 5747.02(D)(3).

Then, in January of the year after the year the expenses are incurred, the employer applies to the Director for the tax credit, which equals one-half of the employer's actual training expenses. Upon approval, the Director issues the employer a tax credit certificate indicating the amount of the credit. The Director must also notify the Department of Taxation of each certificate issued.<sup>2</sup>

### **Credit limits**

The maximum credit allowed to any employer per year is \$25,000 (one-half of \$50,000, the maximum amount of certifiable training expenses). The total amount of credits awarded in any year may not exceed \$3 million. However, if, in any year, the amount of credits awarded is less than \$3 million, the difference may be carried forward and added to the maximum amount to be awarded to the following year.<sup>3</sup>

### **Carry forward**

The credit is nonrefundable, which means that the credit may not exceed a taxpayer's tax liability in any year. However, if the credit does exceed a taxpayer's liability for a particular year, the taxpayer may carry forward and apply the difference to a future tax liability for up to five years.<sup>4</sup>

### **Application date**

The bill applies to training expenses paid on or after January 1, 2020.<sup>5</sup>

---

## **HISTORY**

Action	Date
Introduced	04-29-19

---

H0222-I-133/ec

---

<sup>2</sup> R.C. 122.91.

<sup>3</sup> R.C. 122.91(B) and (C).

<sup>4</sup> R.C. 5747.82.

<sup>5</sup> Section 3.