

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Am. S. B. No. 9**

**Senator Bacon**

**Cosponsors: Senators Hottinger, Manning, Obhof, Eklund, Hoagland, Balderson, Uecker, Gardner, Beagle, Yuko, Hite, Lehner, LaRose, Williams, Schiavoni, O'Brien, Hackett, Wilson, Peterson, Brown, Burke, Dolan, Oelslager, Sykes, Thomas Representatives Schaffer, Scherer, Rogers, Cera, Green, Hambley, Patmon, Retherford, Ryan, Anielski, Antani, Antonio, Arndt, Barnes, Brenner, Carfagna, Celebrezze, Clyde, Conditt, Craig, DeVitis, Duffey, Edwards, Faber, Gavarone, Ginter, Greenspan, Hagan, Hill, Holmes, Householder, Huffman, Hughes, Ingram, Johnson, Keller, Kelly, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reece, Reineke, Rezabek, Roegner, Romanchuk, Schuring, Seitz, Sheehy, Slaby, Sprague, Stein, Strahorn, Sweeney, Thompson, West, Wiggam, Young, Speaker Rosenberger**

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**A BILL**

To provide for a three-day sales tax "holiday" in 1  
August 2017 during which sales of clothing and 2  
school supplies are exempt from sales and use 3  
taxes and to declare an emergency. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** (A) All terms used in this section have the 5  
same meanings as in sections 5739.01 and 5741.01 of the Revised 6  
Code. As used in this section: 7

(1) "Clothing" means all human wearing apparel suitable 8  
for general use. "Clothing" includes, but is not limited to, 9  
aprons, household and shop; athletic supporters; baby receiving 10

blankets; bathing suits and caps; beach capes and coats; belts 11  
and suspenders; boots; coats and jackets; costumes; diapers, 12  
children and adult, including disposable diapers; ear muffs; 13  
footlets; formal wear; garters and garter belts; girdles; gloves 14  
and mittens for general use; hats and caps; hosiery; insoles for 15  
shoes; lab coats; neckties; overshoes; pantyhose; rainwear; 16  
rubber pants; sandals; scarves; shoes and shoe laces; slippers; 17  
sneakers; socks and stockings; steel-toed shoes; underwear; 18  
uniforms, athletic and nonathletic; and wedding apparel. 19

"Clothing" does not include items purchased for use in a trade 20  
or business; clothing accessories or equipment; protective 21  
equipment; sports or recreational equipment; belt buckles sold 22  
separately; costume masks sold separately; patches and emblems 23  
sold separately; sewing equipment and supplies including, but 24  
not limited to, knitting needles, patterns, pins, scissors, 25  
sewing machines, sewing needles, tape measures, and thimbles; 26  
and sewing materials that become part of "clothing" including, 27  
but not limited to, buttons, fabric, lace, thread, yarn, and 28  
zippers. 29

(2) "School supplies" means items commonly used by a 30  
student in a course of study. "School supplies" includes only 31  
the following items: binders; book bags; calculators; cellophane 32  
tape; blackboard chalk; compasses; composition books; crayons; 33  
erasers; folders, expandable, pocket, plastic, and manila; glue, 34  
paste, and paste sticks; highlighters; index cards; index card 35  
boxes; legal pads; lunch boxes; markers; notebooks; paper, 36  
loose-leaf ruled notebook paper, copy paper, graph paper, 37  
tracing paper, manila paper, colored paper, poster board, and 38  
construction paper; pencil boxes and other school supply boxes; 39  
pencil sharpeners; pencils; pens; protractors; rulers; scissors; 40  
and writing tablets. "School supplies" does not include any item 41

purchased for use in a trade or business. 42

(3) "School instructional material" means written material 43  
commonly used by a student in a course of study as a reference 44  
and to learn the subject being taught. "School instructional 45  
material" includes only the following items: reference books, 46  
reference maps and globes, textbooks, and workbooks. "School 47  
instructional material" does not include any material purchased 48  
for use in a trade or business. 49

(B) Taxes levied by or under sections 5739.02, 5739.021, 50  
5739.023, 5739.026, 5741.02, 5741.021, 5741.022, and 5741.023 of 51  
the Revised Code do not apply to the sale or storage, use, or 52  
other consumption of any of the following if the sale or 53  
purchase occurs on August 4, 5, or 6, 2017: 54

(1) An item of clothing, the price of which is seventy- 55  
five dollars or less; 56

(2) An item of school supplies, the price of which is 57  
twenty dollars or less; 58

(3) An item of school instructional material, the price of 59  
which is twenty dollars or less. 60

(C) This section is repealed effective August 11, 2017. 61

**Section 2.** This act is hereby declared to be an emergency 62  
measure necessary for the immediate preservation of the public 63  
peace, health, and safety. The reason for such necessity is to 64  
enable consumers to take advantage of the sales tax holiday 65  
authorized by the act. Therefore, this act shall go into 66  
immediate effect. 67