

As Passed by the House

131st General Assembly

Regular Session

2015-2016

Am. S. B. No. 10

Senators Burke, LaRose

Cosponsors: Senators Coley, Balderson, Beagle, Brown, Cafaro, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Jones, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Widener, Williams, Yuko Representatives Perales, Bishoff, Landis, Retherford, Terhar, Amstutz, Anielski, Antani, Antonio, Arndt, Barnes, Blessing, Bocchieri, Boose, Boyce, Boyd, Brenner, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Conditt, Craig, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Henne, Hill, Howse, Johnson, G., Johnson, T., Koehler, Kuhns, Kunze, LaTourette, Lepore-Hagan, Maag, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Pelanda, Phillips, Ramos, Reece, Reineke, Rezabek, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slesnick, Smith, K., Smith, R., Sprague, Stinziano, Strahorn, Sweeney, Sykes, Thompson, Young, Zeltwanger, Speaker Rosenberger

A BILL

To amend section 323.151 and to enact sections 1
5160.471 and 5902.21 of the Revised Code to 2
establish a process for identifying individuals 3
who are medical assistance recipients that may 4
be eligible to receive federal military-related 5
health care benefits and to extend eligibility 6
for the enhanced homestead exemption for 7
disabled veterans to include veterans who 8
receive a total disability rating for 9
compensation based on individual unemployability 10
due to a service-connected disability. 11

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

Section 1. That section 323.151 be amended and sections 5160.471 and 5902.21 of the Revised Code be enacted to read as follows:

Sec. 323.151. As used in sections 323.151 to 323.159 of the Revised Code:

(A) (1) "Homestead" means either of the following:

(a) A dwelling, including a unit in a multiple-unit dwelling and a manufactured home or mobile home taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code, owned and occupied as a home by an individual whose domicile is in this state and who has not acquired ownership from a person, other than the individual's spouse, related by consanguinity or affinity for the purpose of qualifying for the real property tax reduction provided in section 323.152 of the Revised Code.

(b) A unit in a housing cooperative that is occupied as a home, but not owned, by an individual whose domicile is in this state.

(2) The homestead shall include so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for the use of the dwelling or unit as a home. An owner includes a holder of one of the several estates in fee, a vendee in possession under a purchase agreement or a land contract, a mortgagor, a life tenant, one or more tenants with a right of survivorship, tenants in common, and a settlor of a revocable or irrevocable inter vivos trust holding the title to a homestead occupied by the settlor as of right under the trust. The tax commissioner shall adopt rules for the uniform classification and valuation of real property or portions of

real property as homesteads. 41

(B) "Sixty-five years of age or older" means a person who 42
has attained age sixty-four prior to the first day of January of 43
the year of application for reduction in real estate taxes. 44

(C) "Total income" means Ohio adjusted gross income of the 45
owner and the owner's spouse for the year preceding the year in 46
which application for a reduction in taxes is made, as 47
determined under division (A) of section 5747.01 of the Revised 48
Code. 49

(D) "Permanently and totally disabled" means that a person 50
other than a disabled veteran has, on the first day of January 51
of the year of application for reduction in real estate taxes, 52
some impairment in body or mind that makes the person unable to 53
work at any substantially remunerative employment that the 54
person is reasonably able to perform and that will, with 55
reasonable probability, continue for an indefinite period of at 56
least twelve months without any present indication of recovery 57
therefrom or has been certified as permanently and totally 58
disabled by a state or federal agency having the function of so 59
classifying persons. 60

(E) "Housing cooperative" means a housing complex of at 61
least two units that is owned and operated by a nonprofit 62
corporation that issues a share of the corporation's stock to an 63
individual, entitling the individual to live in a unit of the 64
complex, and collects a monthly maintenance fee from the 65
individual to maintain, operate, and pay the taxes of the 66
complex. 67

(F) "Disabled veteran" means a person who is a veteran of 68
the armed forces of the United States, including reserve 69

components thereof, or of the national guard, who has ~~received-~~ 70
been discharged or released from active duty in the armed forces 71
under honorable conditions, and who has received a permanent- 72
total disability rating or a total disability rating for 73
compensation based on individual unemployability for a service- 74
connected disability or combination of service-connected 75
disabilities ~~for which the schedule for rating disabilities as~~ 76
prescribed in Schedule Title 38, Part 4 of the Code of Federal 77
Regulations, as amended, ~~prescribes a one hundred per cent-~~ 78
evaluation. 79

Sec. 5160.471. (A) As used in this section: 80

"Federal military-related health care benefits" means any 81
of the health care benefits provided by the United States 82
department of defense or the United States department of 83
veterans affairs to current or former service members and their 84
eligible dependents, including the benefits provided through the 85
programs known as tricare and champva. 86

(B) (1) The department of medicaid shall review information 87
in the public assistance reporting information system to 88
determine whether an individual who is a medical assistance 89
recipient may be eligible for federal military-related health 90
care benefits. If the department determines that the individual 91
may be eligible for federal military-related health care 92
benefits, it shall notify the individual of the potential 93
eligibility and encourage the individual to contact the veterans 94
service commission in the county in which the individual resides 95
for assistance in applying for the benefits. The department 96
shall provide the appropriate contact information to the 97
individual. 98

Sec. 5902.21. The director of veterans services shall 99

develop, institute, and monitor a program under which the 100
department of veterans services assists individuals, who are 101
medical assistance recipients, to obtain federal military- 102
related health care benefits. As used in this section, "federal 103
military-related health care benefits" has the meaning defined 104
in section 5160.471 of the Revised Code. 105

Section 2. That existing section 323.151 of the Revised 106
Code is hereby repealed. 107

Section 3. The amendment by this act of section 323.151 of 108
the Revised Code applies to tax year 2015 and thereafter. 109