

As Introduced

131st General Assembly

Regular Session

2015-2016

S. B. No. 302

Senators Schiavoni, Gentile

Cosponsors: Senators Cafaro, Hughes, Skindell

A BILL

To amend sections 323.152, 323.153, 4503.065, and 4503.066 of the Revised Code to exempt from property taxation the primary residence of military veterans who are disabled.

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

Section 1. That sections 323.152, 323.153, 4503.065, and 4503.066 of the Revised Code be amended to read as follows:

Sec. 323.152. In addition to the reduction in taxes required under section 319.302 of the Revised Code, taxes shall be reduced as provided in divisions (A) and (B) of this section.

(A) (1) (a) Division (A) (1) of this section applies to any of the following persons:

(i) A person who is permanently and totally disabled;

(ii) A person who is sixty-five years of age or older;

(iii) A person who is the surviving spouse of a deceased person who was permanently and totally disabled or sixty-five years of age or older and who applied and qualified for a reduction in taxes under this division in the year of death,

provided the surviving spouse is at least fifty-nine but not 18
sixty-five or more years of age on the date the deceased spouse 19
dies. 20

(b) Real property taxes on a homestead owned and occupied, 21
or a homestead in a housing cooperative occupied, by a person to 22
whom division (A) (1) of this section applies shall be reduced 23
for each year for which an application for the reduction has 24
been approved. The reduction shall equal one of the following 25
amounts, as applicable to the person: 26

(i) If the person received a reduction under division (A) 27
(1) of this section for tax year 2006, the greater of the 28
reduction for that tax year or the amount computed under 29
division (A) (1) (c) of this section; 30

(ii) If the person received, for any homestead, a 31
reduction under division (A) (1) of this section for tax year 32
2013 or under division (A) of section 4503.065 of the Revised 33
Code for tax year 2014 or the person is the surviving spouse of 34
such a person and the surviving spouse is at least fifty-nine 35
years of age on the date the deceased spouse dies, the amount 36
computed under division (A) (1) (c) of this section. For purposes 37
of divisions (A) (1) (b) (ii) and (iii) of this section, a person 38
receives a reduction under division (A) (1) of this section or 39
under division (A) of section 4503.065 of the Revised Code for 40
tax year 2013 or 2014, respectively, if the person files a late 41
application for that respective tax year that is approved by the 42
county auditor under section 323.153 or 4503.066 of the Revised 43
Code. 44

(iii) If the person is not described in division (A) (1) (b) 45
(i) or (ii) of this section and the person's total income does 46
not exceed thirty thousand dollars, as adjusted under division 47

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| (A) (1) (d) of this section, the amount computed under division | 48 |
| (A) (1) (c) of this section. | 49 |
| (c) The amount of the reduction under division (A) (1) (c) | 50 |
| of this section equals the product of the following: | 51 |
| (i) Twenty-five thousand dollars of the true value of the | 52 |
| property in money; | 53 |
| (ii) The assessment percentage established by the tax | 54 |
| commissioner under division (B) of section 5715.01 of the | 55 |
| Revised Code, not to exceed thirty-five per cent; | 56 |
| (iii) The effective tax rate used to calculate the taxes | 57 |
| charged against the property for the current year, where | 58 |
| "effective tax rate" is defined as in section 323.08 of the | 59 |
| Revised Code; | 60 |
| (iv) The quantity equal to one minus the sum of the | 61 |
| percentage reductions in taxes received by the property for the | 62 |
| current tax year under section 319.302 of the Revised Code and | 63 |
| division (B) of section 323.152 of the Revised Code. | 64 |
| (d) Each calendar year, the tax commissioner shall adjust | 65 |
| the total income threshold described in division (A) (1) (b) (iii) | 66 |
| of this section by completing the following calculations in | 67 |
| September of each year: | 68 |
| (i) Determine the percentage increase in the gross | 69 |
| domestic product deflator determined by the bureau of economic | 70 |
| analysis of the United States department of commerce from the | 71 |
| first day of January of the preceding calendar year to the last | 72 |
| day of December of the preceding calendar year; | 73 |
| (ii) Multiply that percentage increase by the total income | 74 |
| threshold for the current tax year; | 75 |

(iii) Add the resulting product to the total income 76
threshold for the current tax year; 77

(iv) Round the resulting sum to the nearest multiple of 78
one hundred dollars. 79

The commissioner shall certify the amount resulting from 80
the adjustment to each county auditor not later than the first 81
day of December each year. The certified amount applies to the 82
following tax year for persons described in division (A) (1) (b) 83
(iii) of this section. The commissioner shall not make the 84
adjustment in any calendar year in which the amount resulting 85
from the adjustment would be less than the total income 86
threshold for the current tax year. 87

(2) A homestead owned and occupied by a disabled veteran 88
shall be exempted from taxation. Real property taxes on a 89
homestead ~~owned and occupied, or a homestead in a housing~~ 90
~~cooperative occupied,~~ by a disabled veteran shall be reduced ~~for~~ 91
~~each year for which an application for the reduction has been~~ 92
~~approved. The reduction shall equal the product obtained by~~ 93
~~multiplying fifty thousand dollars of the true value of the~~ 94
~~property in money by the amounts described in divisions (A) (1)~~ 95
~~(c) (ii) to (iv) of this section~~ by the portion of taxes 96
attributed to the homestead under section 323.159 of the Revised 97
Code. The exemption or reduction is in lieu of any reduction 98
under section 323.158 of the Revised Code or division (A) (1) of 99
this section. The exemption or reduction applies to only one 100
homestead owned and occupied by a disabled veteran. For the 101
purposes of sections 323.153, 323.154, 323.155, 323.156, and 102
4503.064 of the Revised Code, the exemption under division (A) 103
(2) of this section is a reduction in taxes in the amount of the 104
current taxes that would have been charged and payable against 105

the homestead if the homestead had not been exempted. 106

If a homestead qualifies for ~~a~~an exemption or reduction 107
in taxes under division (A) (2) of this section for the year in 108
which the disabled veteran dies, and the disabled veteran is 109
survived by a spouse who occupied the homestead when the 110
disabled veteran died and who acquires ownership of the 111
homestead or, in the case of a homestead that is a unit in a 112
housing cooperative, continues to occupy the homestead, the 113
exemption or reduction shall continue through the year in which 114
the surviving spouse dies or remarries. 115

(B) To provide a partial exemption, real property taxes on 116
any homestead, and manufactured home taxes on any manufactured 117
or mobile home on which a manufactured home tax is assessed 118
pursuant to division (D) (2) of section 4503.06 of the Revised 119
Code, shall be reduced for each year for which an application 120
for the reduction has been approved. The amount of the reduction 121
shall equal two and one-half per cent of the amount of taxes to 122
be levied by qualifying levies on the homestead or the 123
manufactured or mobile home after applying section 319.301 of 124
the Revised Code. For the purposes of this division, "qualifying 125
levy" has the same meaning as in section 319.302 of the Revised 126
Code. 127

(C) The reductions and exemption granted by this section 128
do not apply to special assessments or respread of assessments 129
levied against the homestead, and if there is a transfer of 130
ownership subsequent to the filing of an application for a 131
reduction in taxes, such reductions are not forfeited for such 132
year by virtue of such transfer. 133

(D) The reductions in taxable value referred to in this 134
section shall be applied solely as a factor for the purpose of 135

computing the reduction of taxes under this section, and the 136
reductions and the exemption shall not affect the total value of 137
property in any subdivision or taxing district as listed and 138
assessed for taxation on the tax lists and duplicates, or any 139
direct or indirect limitations on indebtedness of a subdivision 140
or taxing district. If after application of sections 5705.31 and 141
5705.32 of the Revised Code, including the allocation of all 142
levies within the ten-mill limitation to debt charges to the 143
extent therein provided, there would be insufficient funds for 144
payment of debt charges not provided for by levies in excess of 145
the ten-mill limitation, the reduction of taxes provided for in 146
sections 323.151 to 323.159 of the Revised Code shall be 147
proportionately adjusted to the extent necessary to provide such 148
funds from levies within the ten-mill limitation. 149

(E) No reduction in taxes or exemption from taxation shall 150
be made ~~on the taxes due on~~ under this section for the homestead 151
of any person convicted of violating division (D) or (E) of 152
section 323.153 of the Revised Code for a period of three years 153
following the conviction. 154

Sec. 323.153. (A) To obtain a reduction in real property 155
taxes under division (A) or (B) of section 323.152 of the 156
Revised Code or in manufactured home taxes under division (B) of 157
section 323.152 of the Revised Code, the owner shall file an 158
application with the county auditor of the county in which the 159
owner's homestead is located. 160

To obtain a reduction in real property taxes under 161
division (A) of section 323.152 of the Revised Code, the 162
occupant of a homestead in a housing cooperative shall file an 163
application with the nonprofit corporation that owns and 164
operates the housing cooperative, in accordance with this 165

paragraph. Not later than the first day of March each year, the 166
corporation shall obtain applications from the county auditor's 167
office and provide one to each new occupant. Not later than the 168
first day of May, any occupant who may be eligible for a 169
reduction in taxes under division (A) of section 323.152 of the 170
Revised Code shall submit the completed application to the 171
corporation. Not later than the fifteenth day of May, the 172
corporation shall file all completed applications, and the 173
information required by division (B) of section 323.159 of the 174
Revised Code, with the county auditor of the county in which the 175
occupants' homesteads are located. Continuing applications shall 176
be furnished to an occupant in the manner provided in division 177
(C) (4) of this section. 178

(1) An application for reduction based upon a physical 179
disability shall be accompanied by a certificate signed by a 180
physician, and an application for reduction based upon a mental 181
disability shall be accompanied by a certificate signed by a 182
physician or psychologist licensed to practice in this state, 183
attesting to the fact that the applicant is permanently and 184
totally disabled. The certificate shall be in a form that the 185
tax commissioner requires and shall include the definition of 186
permanently and totally disabled as set forth in section 323.151 187
of the Revised Code. An application for reduction based upon a 188
disability certified as permanent and total by a state or 189
federal agency having the function of so classifying persons 190
shall be accompanied by a certificate from that agency. An 191
application by a disabled veteran for the exemption or reduction 192
under division (A) (2) of section 323.152 of the Revised Code 193
shall be accompanied by a letter or other written confirmation 194
from the United States department of veterans affairs, or its 195
predecessor or successor agency, showing that the veteran 196

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| qualifies as a disabled veteran. | 197 |
| An application for a reduction under division (A) of | 198 |
| section 323.152 of the Revised Code constitutes a continuing | 199 |
| application for a reduction in taxes for each year in which the | 200 |
| dwelling is the applicant's homestead. | 201 |
| (2) An application for a reduction in taxes under division | 202 |
| (B) of section 323.152 of the Revised Code shall be filed only | 203 |
| if the homestead or manufactured or mobile home was transferred | 204 |
| in the preceding year or did not qualify for and receive the | 205 |
| reduction in taxes under that division for the preceding tax | 206 |
| year. The application for homesteads transferred in the | 207 |
| preceding year shall be incorporated into any form used by the | 208 |
| county auditor to administer the tax law in respect to the | 209 |
| conveyance of real property pursuant to section 319.20 of the | 210 |
| Revised Code or of used manufactured homes or used mobile homes | 211 |
| as defined in section 5739.0210 of the Revised Code. The owner | 212 |
| of a manufactured or mobile home who has elected under division | 213 |
| (D) (4) of section 4503.06 of the Revised Code to be taxed under | 214 |
| division (D) (2) of that section for the ensuing year may file | 215 |
| the application at the time of making that election. The | 216 |
| application shall contain a statement that failure by the | 217 |
| applicant to affirm on the application that the dwelling on the | 218 |
| property conveyed is the applicant's homestead prohibits the | 219 |
| owner from receiving the reduction in taxes until a proper | 220 |
| application is filed within the period prescribed by division | 221 |
| (A) (3) of this section. Such an application constitutes a | 222 |
| continuing application for a reduction in taxes for each year in | 223 |
| which the dwelling is the applicant's homestead. | 224 |
| (3) Failure to receive a new application filed under | 225 |
| division (A) (1) or (2) or notification under division (C) of | 226 |

this section after an application for reduction has been 227
approved is prima-facie evidence that the original applicant is 228
entitled to the reduction in taxes calculated on the basis of 229
the information contained in the original application. The 230
original application and any subsequent application, including 231
any late application, shall be in the form of a signed statement 232
and shall be filed after the first Monday in January and not 233
later than the first Monday in June. The original application 234
and any subsequent application for a reduction in real property 235
taxes shall be filed in the year for which the reduction is 236
sought. The original application and any subsequent application 237
for a reduction in manufactured home taxes shall be filed in the 238
year preceding the year for which the reduction is sought. The 239
statement shall be on a form, devised and supplied by the tax 240
commissioner, which shall require no more information than is 241
necessary to establish the applicant's eligibility for the 242
reduction in taxes and the amount of the reduction, and, except 243
for homesteads that are units in a housing cooperative, shall 244
include an affirmation by the applicant that ownership of the 245
homestead was not acquired from a person, other than the 246
applicant's spouse, related to the owner by consanguinity or 247
affinity for the purpose of qualifying for the real property or 248
manufactured home tax reduction provided for in division (A) or 249
(B) of section 323.152 of the Revised Code. The form shall 250
contain a statement that conviction of willfully falsifying 251
information to obtain a reduction in taxes or failing to comply 252
with division (C) of this section results in the revocation of 253
the right to the reduction for a period of three years. In the 254
case of an application for a reduction in taxes for persons 255
described in division (A) (1) (b) (iii) of section 323.152 of the 256
Revised Code, the form shall contain a statement that signing 257
the application constitutes a delegation of authority by the 258

applicant to the tax commissioner or the county auditor, 259
individually or in consultation with each other, to examine any 260
tax or financial records relating to the income of the applicant 261
as stated on the application for the purpose of determining 262
eligibility for the exemption or a possible violation of 263
division (D) or (E) of this section. 264

(B) A late application for a tax reduction for the year 265
preceding the year in which an original application is filed, or 266
for a reduction in manufactured home taxes for the year in which 267
an original application is filed, may be filed with the original 268
application. If the county auditor determines the information 269
contained in the late application is correct, the auditor shall 270
determine the amount of the reduction in taxes to which the 271
applicant would have been entitled for the preceding tax year 272
had the applicant's application been timely filed and approved 273
in that year. 274

The amount of such reduction shall be treated by the 275
auditor as an overpayment of taxes by the applicant and shall be 276
refunded in the manner prescribed in section 5715.22 of the 277
Revised Code for making refunds of overpayments. On the first 278
day of July of each year, the county auditor shall certify the 279
total amount of the reductions in taxes made in the current year 280
under this division to the tax commissioner, who shall treat the 281
full amount thereof as a reduction in taxes for the preceding 282
tax year and shall make reimbursement to the county therefor in 283
the manner prescribed by section 323.156 of the Revised Code, 284
from money appropriated for that purpose. 285

(C) (1) If, in any year after an application has been filed 286
under division (A) (1) or (2) of this section, the owner does not 287
qualify for a reduction in taxes on the homestead or on the 288

manufactured or mobile home set forth on such application, the 289
owner shall notify the county auditor that the owner is not 290
qualified for a reduction in taxes. 291

(2) If, in any year after an application has been filed 292
under division (A) (1) of this section, the occupant of a 293
homestead in a housing cooperative does not qualify for a 294
reduction in taxes on the homestead, the occupant shall notify 295
the county auditor that the occupant is not qualified for a 296
reduction in taxes or file a new application under division (A) 297
(1) of this section. 298

(3) If the county auditor or county treasurer discovers 299
that the owner of property not entitled to the reduction in 300
taxes under division (B) of section 323.152 of the Revised Code 301
failed to notify the county auditor as required by division (C) 302
(1) of this section, a charge shall be imposed against the 303
property in the amount by which taxes were reduced under that 304
division for each tax year the county auditor ascertains that 305
the property was not entitled to the reduction and was owned by 306
the current owner. Interest shall accrue in the manner 307
prescribed by division (B) of section 323.121 or division (G) (2) 308
of section 4503.06 of the Revised Code on the amount by which 309
taxes were reduced for each such tax year as if the reduction 310
became delinquent taxes at the close of the last day the second 311
installment of taxes for that tax year could be paid without 312
penalty. The county auditor shall notify the owner, by ordinary 313
mail, of the charge, of the owner's right to appeal the charge, 314
and of the manner in which the owner may appeal. The owner may 315
appeal the imposition of the charge and interest by filing an 316
appeal with the county board of revision not later than the last 317
day prescribed for payment of real and public utility property 318
taxes under section 323.12 of the Revised Code following receipt 319

of the notice and occurring at least ninety days after receipt 320
of the notice. The appeal shall be treated in the same manner as 321
a complaint relating to the valuation or assessment of real 322
property under Chapter 5715. of the Revised Code. The charge and 323
any interest shall be collected as other delinquent taxes. 324

(4) Each year during January, the county auditor shall 325
furnish by ordinary mail a continuing application to each person 326
receiving a reduction under division (A) of section 323.152 of 327
the Revised Code. The continuing application shall be used to 328
report changes in total income, ownership, occupancy, 329
disability, and other information earlier furnished the auditor 330
relative to the reduction in taxes on the property. The 331
continuing application shall be returned to the auditor not 332
later than the first Monday in June; provided, that if such 333
changes do not affect the status of the homestead exemption or 334
the amount of the reduction to which the owner is entitled under 335
division (A) of section 323.152 of the Revised Code or to which 336
the occupant is entitled under section 323.159 of the Revised 337
Code, the application does not need to be returned. 338

(5) Each year during February, the county auditor, except 339
as otherwise provided in this paragraph, shall furnish by 340
ordinary mail an original application to the owner, as of the 341
first day of January of that year, of a homestead or a 342
manufactured or mobile home that transferred during the 343
preceding calendar year and that qualified for and received a 344
reduction in taxes under division (B) of section 323.152 of the 345
Revised Code for the preceding tax year. In order to receive the 346
reduction under that division, the owner shall file the 347
application with the county auditor not later than the first 348
Monday in June. If the application is not timely filed, the 349
auditor shall not grant a reduction in taxes for the homestead 350

for the current year, and shall notify the owner that the 351
reduction in taxes has not been granted, in the same manner 352
prescribed under section 323.154 of the Revised Code for 353
notification of denial of an application. Failure of an owner to 354
receive an application does not excuse the failure of the owner 355
to file an original application. The county auditor is not 356
required to furnish an application under this paragraph for any 357
homestead for which application has previously been made on a 358
form incorporated into any form used by the county auditor to 359
administer the tax law in respect to the conveyance of real 360
property or of used manufactured homes or used mobile homes, and 361
an owner who previously has applied on such a form is not 362
required to return an application furnished under this 363
paragraph. 364

(D) No person shall knowingly make a false statement for 365
the purpose of obtaining a reduction in the person's real 366
property or manufactured home taxes under section 323.152 of the 367
Revised Code. 368

(E) No person shall knowingly fail to notify the county 369
auditor of changes required by division (C) of this section that 370
have the effect of maintaining or securing a reduction in taxes 371
under section 323.152 of the Revised Code. 372

(F) No person shall knowingly make a false statement or 373
certification attesting to any person's physical or mental 374
condition for purposes of qualifying such person for tax relief 375
pursuant to sections 323.151 to 323.159 of the Revised Code. 376

Sec. 4503.065. (A) (1) Division (A) of this section applies 377
to any of the following persons: 378

(a) An individual who is permanently and totally disabled; 379

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| (b) An individual who is sixty-five years of age or older; | 380 |
| (c) An individual who is the surviving spouse of a | 381 |
| deceased person who was permanently and totally disabled or | 382 |
| sixty-five years of age or older and who applied and qualified | 383 |
| for a reduction in assessable value under this section in the | 384 |
| year of death, provided the surviving spouse is at least fifty- | 385 |
| nine but not sixty-five or more years of age on the date the | 386 |
| deceased spouse dies. | 387 |
| (2) The manufactured home tax on a manufactured or mobile | 388 |
| home that is paid pursuant to division (C) of section 4503.06 of | 389 |
| the Revised Code and that is owned and occupied as a home by an | 390 |
| individual whose domicile is in this state and to whom this | 391 |
| section applies, shall be reduced for any tax year for which an | 392 |
| application for such reduction has been approved, provided the | 393 |
| individual did not acquire ownership from a person, other than | 394 |
| the individual's spouse, related by consanguinity or affinity | 395 |
| for the purpose of qualifying for the reduction. An owner | 396 |
| includes a settlor of a revocable or irrevocable inter vivos | 397 |
| trust holding the title to a manufactured or mobile home | 398 |
| occupied by the settlor as of right under the trust. | 399 |
| (a) For manufactured and mobile homes for which the tax | 400 |
| imposed by section 4503.06 of the Revised Code is computed under | 401 |
| division (D)(2) of that section, the reduction shall equal one | 402 |
| of the following amounts, as applicable to the person: | 403 |
| (i) If the person received a reduction under this section | 404 |
| for tax year 2007, the greater of the reduction for that tax | 405 |
| year or the amount computed under division (A)(2)(b) of this | 406 |
| section; | 407 |
| (ii) If the person received, for any homestead, a | 408 |

reduction under division (A) of this section for tax year 2014 409
or under division (A) (1) of section 323.152 of the Revised Code 410
for tax year 2013 or the person is the surviving spouse of such 411
a person and the surviving spouse is at least fifty-nine years 412
of age on the date the deceased spouse dies, the amount computed 413
under division (A) (2) (b) of this section. For purposes of 414
divisions (A) (2) (a) (ii) and (iii) of this section, a person 415
receives a reduction under division (A) of this section or 416
division (A) (1) of section 323.152 of the Revised Code for tax 417
year 2014 or 2013, respectively, if the person files a late 418
application for that respective tax year that is approved by the 419
county auditor under section 4503.066 or 323.153 of the Revised 420
Code. 421

(iii) If the person is not described in division (A) (2) (a) 422
(i) or (ii) of this section and the person's total income does 423
not exceed thirty thousand dollars, as adjusted under division 424
(A) (2) (e) of this section, the amount computed under division 425
(A) (2) (b) of this section. 426

(b) The amount of the reduction under division (A) (2) (b) 427
of this section equals the product of the following: 428

(i) Twenty-five thousand dollars of the true value of the 429
property in money; 430

(ii) The assessment percentage established by the tax 431
commissioner under division (B) of section 5715.01 of the 432
Revised Code, not to exceed thirty-five per cent; 433

(iii) The effective tax rate used to calculate the taxes 434
charged against the property for the current year, where 435
"effective tax rate" is defined as in section 323.08 of the 436
Revised Code; 437

(iv) The quantity equal to one minus the sum of the 438
percentage reductions in taxes received by the property for the 439
current tax year under section 319.302 of the Revised Code and 440
division (B) of section 323.152 of the Revised Code. 441

(c) For manufactured and mobile homes for which the tax 442
imposed by section 4503.06 of the Revised Code is computed under 443
division (D)(1) of that section, the reduction shall equal one 444
of the following amounts, as applicable to the person: 445

(i) If the person received a reduction under this section 446
for tax year 2007, the greater of the reduction for that tax 447
year or the amount computed under division (A)(2)(d) of this 448
section; 449

(ii) If the person received, for any homestead, a 450
reduction under division (A) of this section for tax year 2014 451
or under division (A)(1) of section 323.152 of the Revised Code 452
for tax year 2013 or the person is the surviving spouse of such 453
a person and the surviving spouse is at least fifty-nine years 454
of age on the date the deceased spouse dies, the amount computed 455
under division (A)(2)(d) of this section. For purposes of 456
divisions (A)(2)(c)(ii) and (iii) of this section, a person 457
receives a reduction under division (A) of this section or under 458
division (A)(1) of section 323.152 of the Revised Code for tax 459
year 2014 or 2013, respectively, if the person files a late 460
application for a refund of overpayments for that respective tax 461
year that is approved by the county auditor under section 462
4503.066 of the Revised Code. 463

(iii) If the person is not described in division (A)(2)(c) 464
(i) or (ii) of this section and the person's total income does 465
not exceed thirty thousand dollars, as adjusted under division 466
(A)(2)(e) of this section, the amount computed under division 467

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| (A) (2) (d) of this section. | 468 |
| (d) The amount of the reduction under division (A) (2) (d) of this section equals the product of the following: | 469 470 |
| (i) Twenty-five thousand dollars of the cost to the owner, or the market value at the time of purchase, whichever is greater, as those terms are used in division (D) (1) of section 4503.06 of the Revised Code; | 471 472 473 474 |
| (ii) The percentage from the appropriate schedule in division (D) (1) (b) of section 4503.06 of the Revised Code; | 475 476 |
| (iii) The assessment percentage of forty per cent used in division (D) (1) (b) of section 4503.06 of the Revised Code; | 477 478 |
| (iv) The tax rate of the taxing district in which the home has its situs. | 479 480 |
| (e) Each calendar year, the tax commissioner shall adjust the income threshold described in divisions (A) (2) (a) (iii) and (A) (2) (c) (iii) of this section by completing the following calculations in September of each year: | 481 482 483 484 |
| (i) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States department of commerce from the first day of January of the preceding calendar year to the last day of December of the preceding calendar year; | 485 486 487 488 489 |
| (ii) Multiply that percentage increase by the total income threshold for the ensuing tax year; | 490 491 |
| (iii) Add the resulting product to the total income threshold for the ensuing tax year; | 492 493 |
| (iv) Round the resulting sum to the nearest multiple of | 494 |

one hundred dollars. 495

The commissioner shall certify the amount resulting from 496
the adjustment to each county auditor not later than the first 497
day of December each year. The certified amount applies to the 498
second ensuing tax year. The commissioner shall not make the 499
adjustment in any calendar year in which the amount resulting 500
from the adjustment would be less than the total income 501
threshold for the ensuing tax year. 502

~~(B) The manufactured home tax levied pursuant to division~~ 503
~~(C) of section 4503.06 of the Revised Code on a A~~ 504
or mobile home that is owned and occupied by a disabled veteran 505
shall be ~~reduced for any tax year for which an application for~~ 506
~~such reduction has been approved~~exempted from the manufactured 507
home tax imposed under division (C) of section 4503.06 of the 508
Revised Code, provided the disabled veteran did not acquire 509
ownership from a person, other than the disabled veteran's 510
spouse, related by consanguinity or affinity for the purpose of 511
qualifying for the ~~reduction~~exemption. An owner includes an 512
owner within the meaning of division (A) (2) of this section. 513

~~(1) For manufactured and mobile homes for which the tax~~ 514
~~imposed by section 4503.06 of the Revised Code is computed under~~ 515
~~division (D) (2) of that section, the reduction shall equal the~~ 516
~~product obtained by multiplying fifty thousand dollars of the~~ 517
~~true value of the property in money by the amounts described in~~ 518
~~divisions (A) (2) (b) (ii) to (iv) of this section.~~ 519

~~(2) For manufactured and mobile homes for which the tax~~ 520
~~imposed by section 4503.06 of the Revised Code is computed under~~ 521
~~division (D) (1) of that section, the reduction shall equal the~~ 522
~~product obtained by multiplying fifty thousand dollars of the~~ 523
~~cost to the owner, or the market value at the time of purchase,~~ 524

~~whichever is greater, as those terms are used in division (D) (1) of section 4503.06 of the Revised Code, by the amounts described in divisions (A) (2) (d) (ii) to (iv) of this section.~~ 525
526
527

The ~~reduction exemption~~ is in lieu of any reduction under 528
section 4503.0610 of the Revised Code or division (A) of this 529
section. The ~~reduction exemption~~ applies to only one 530
manufactured or mobile home owned and occupied by a disabled 531
veteran. For the purposes of sections 4503.064 to 4503.069 of 532
the Revised Code, the exemption under division (B) of this 533
section is a reduction in manufactured home taxes in the amount 534
of the current manufactured home taxes that would have been 535
charged and payable against the homestead if the homestead had 536
not been exempted. 537

If a manufactured or mobile home ~~qualifies for a reduction~~ 538
~~in taxes~~ is exempted from taxation under this division for the 539
year in which the disabled veteran dies, and the disabled 540
veteran is survived by a spouse who occupied the home when the 541
disabled veteran died and who acquires ownership of the home, 542
the reduction shall continue through the year in which the 543
surviving spouse dies or remarries. 544

(C) If the owner or the spouse of the owner of a 545
manufactured or mobile home is eligible for a homestead 546
exemption on the land upon which the home is located, the 547
reduction to which the owner or spouse is entitled under this 548
section shall not exceed the difference between the reduction to 549
which the owner or spouse is entitled under division (A) or (B) 550
of this section and the amount of the reduction under the 551
homestead exemption. 552

(D) No reduction shall be made with respect to the home of 553
any person convicted of violating division (C) or (D) of section 554

4503.066 of the Revised Code for a period of three years 555
following the conviction. 556

Sec. 4503.066. (A) (1) To obtain a tax reduction under 557
section 4503.065 of the Revised Code, the owner of the home 558
shall file an application with the county auditor of the county 559
in which the home is located. An application for reduction in 560
taxes based upon a physical disability shall be accompanied by a 561
certificate signed by a physician, and an application for 562
reduction in taxes based upon a mental disability shall be 563
accompanied by a certificate signed by a physician or 564
psychologist licensed to practice in this state. The certificate 565
shall attest to the fact that the applicant is permanently and 566
totally disabled, shall be in a form that the department of 567
taxation requires, and shall include the definition of totally 568
and permanently disabled as set forth in section 4503.064 of the 569
Revised Code. An application for reduction in taxes based upon a 570
disability certified as permanent and total by a state or 571
federal agency having the function of so classifying persons 572
shall be accompanied by a certificate from that agency. An 573
application by a disabled veteran for the ~~reduction~~ exemption 574
under division (B) of section 4503.065 of the Revised Code shall 575
be accompanied by a letter or other written confirmation from 576
the United States department of veterans affairs, or its 577
predecessor or successor agency, showing that the veteran 578
qualifies as a disabled veteran. 579

(2) Each application shall constitute a continuing 580
application for a reduction in taxes for each year in which the 581
manufactured or mobile home is occupied by the applicant. 582
Failure to receive a new application or notification under 583
division (B) of this section after an application for reduction 584
has been approved is prima-facie evidence that the original 585

applicant is entitled to the reduction calculated on the basis 586
of the information contained in the original application. The 587
original application and any subsequent application shall be in 588
the form of a signed statement and shall be filed not later than 589
the first Monday in June. The statement shall be on a form, 590
devised and supplied by the tax commissioner, that shall require 591
no more information than is necessary to establish the 592
applicant's eligibility for the reduction in taxes and the 593
amount of the reduction to which the applicant is entitled. The 594
form shall contain a statement that signing such application 595
constitutes a delegation of authority by the applicant to the 596
tax commissioner or the county auditor, individually or in 597
consultation with each other, to examine any tax or financial 598
records that relate to the income of the applicant as stated on 599
the application for the purpose of determining eligibility 600
under, or possible violation of, division (C) or (D) of this 601
section. The form also shall contain a statement that conviction 602
of willfully falsifying information to obtain a reduction in 603
taxes or failing to comply with division (B) of this section 604
shall result in the revocation of the right to the reduction for 605
a period of three years. 606

(3) A late application for a reduction in taxes for the 607
year preceding the year for which an original application is 608
filed may be filed with an original application. If the auditor 609
determines that the information contained in the late 610
application is correct, the auditor shall determine both the 611
amount of the reduction in taxes to which the applicant would 612
have been entitled for the current tax year had the application 613
been timely filed and approved in the preceding year, and the 614
amount the taxes levied under section 4503.06 of the Revised 615
Code for the current year would have been reduced as a result of 616

the reduction. When an applicant is permanently and totally 617
disabled on the first day of January of the year in which the 618
applicant files a late application, the auditor, in making the 619
determination of the amounts of the reduction in taxes under 620
division (A)(3) of this section, is not required to determine 621
that the applicant was permanently and totally disabled on the 622
first day of January of the preceding year. 623

The amount of the reduction in taxes pursuant to a late 624
application shall be treated as an overpayment of taxes by the 625
applicant. The auditor shall credit the amount of the 626
overpayment against the amount of the taxes or penalties then 627
due from the applicant, and, at the next succeeding settlement, 628
the amount of the credit shall be deducted from the amount of 629
any taxes or penalties distributable to the county or any taxing 630
unit in the county that has received the benefit of the taxes or 631
penalties previously overpaid, in proportion to the benefits 632
previously received. If, after the credit has been made, there 633
remains a balance of the overpayment, or if there are no taxes 634
or penalties due from the applicant, the auditor shall refund 635
that balance to the applicant by a warrant drawn on the county 636
treasurer in favor of the applicant. The treasurer shall pay the 637
warrant from the general fund of the county. If there is 638
insufficient money in the general fund to make the payment, the 639
treasurer shall pay the warrant out of any undivided 640
manufactured or mobile home taxes subsequently received by the 641
treasurer for distribution to the county or taxing district in 642
the county that received the benefit of the overpaid taxes, in 643
proportion to the benefits previously received, and the amount 644
paid from the undivided funds shall be deducted from the money 645
otherwise distributable to the county or taxing district in the 646
county at the next or any succeeding distribution. At the next 647

or any succeeding distribution after making the refund, the 648
treasurer shall reimburse the general fund for any payment made 649
from that fund by deducting the amount of that payment from the 650
money distributable to the county or other taxing unit in the 651
county that has received the benefit of the taxes, in proportion 652
to the benefits previously received. On the second Monday in 653
September of each year, the county auditor shall certify the 654
total amount of the reductions in taxes made in the current year 655
under division (A) (3) of this section to the tax commissioner 656
who shall treat that amount as a reduction in taxes for the 657
current tax year and shall make reimbursement to the county of 658
that amount in the manner prescribed in section 4503.068 of the 659
Revised Code, from moneys appropriated for that purpose. 660

(B) If in any year for which an application for reduction 661
in taxes has been approved the owner no longer qualifies for the 662
reduction, the owner shall notify the county auditor that the 663
owner is not qualified for a reduction in taxes. 664

During January of each year, the county auditor shall 665
furnish each person whose application for reduction has been 666
approved, by ordinary mail, a form on which to report any 667
changes in total income, ownership, occupancy, disability, and 668
other information earlier furnished the auditor relative to the 669
application. The form shall be completed and returned to the 670
auditor not later than the first Monday in June if the changes 671
would affect the person's eligibility for the reduction. 672

(C) No person shall knowingly make a false statement for 673
the purpose of obtaining a reduction in taxes under section 674
4503.065 of the Revised Code. 675

(D) No person shall knowingly fail to notify the county 676
auditor of any change required by division (B) of this section 677

that has the effect of maintaining or securing a reduction in 678
taxes under section 4503.065 of the Revised Code. 679

(E) No person shall knowingly make a false statement or 680
certification attesting to any person's physical or mental 681
condition for purposes of qualifying such person for tax relief 682
pursuant to sections 4503.064 to 4503.069 of the Revised Code. 683

(F) Whoever violates division (C), (D), or (E) of this 684
section is guilty of a misdemeanor of the fourth degree. 685

Section 2. That existing sections 323.152, 323.153, 686
4503.065, and 4503.066 of the Revised Code are hereby repealed. 687

Section 3. (A) The amendment by this act of sections 688
323.152 and 323.153 of the Revised Code applies to tax year 2016 689
and each tax year thereafter. An individual who first qualifies 690
for the exemption under division (A)(2) of section 323.152 of 691
the Revised Code, as amended by this act, for tax year 2016 692
because of the amendment may file a late application for the 693
exemption for that year during the 2017 filing period in the 694
manner prescribed by division (B) of section 323.153 of the 695
Revised Code, and a refund shall be issued as provided in that 696
division if the late application is approved for tax year 2016. 697

(B) The amendment by this act of sections 4503.065 and 698
4503.066 of the Revised Code applies to tax year 2017 and each 699
tax year thereafter. 700