

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 694

Representative Patton

A BILL

To amend sections 323.152 and 4503.065 of the
Revised Code to authorize a total property tax
exemption for the homesteads of totally disabled
veterans and their surviving spouses.

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

Section 1. That sections 323.152 and 4503.065 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

sixty-five or more years of age on the date the deceased spouse dies. 19
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(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
(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) ~~Real property taxes on a~~ A homestead owned and 88
occupied, ~~or a homestead in a housing cooperative occupied,~~ by a 89
disabled veteran shall be ~~reduced~~ exempted from taxation, and 90
real property taxes on a homestead in a housing cooperative 91
occupied by a disabled veteran shall be reduced by the portion 92
of taxes attributed to the homestead under section 323.159 of 93
the Revised Code, for each year for which an application for the 94
exemption or reduction has been approved. ~~The reduction shall~~ 95
~~equal the product obtained by multiplying fifty thousand dollars~~ 96
~~of the true value of the property in money by the amounts~~ 97
~~described in divisions (A) (1) (c) (ii) to (iv) of this section.~~ 98
The exemption or reduction is in lieu of any reduction under 99
section 323.158 of the Revised Code or division (A) (1) or (3) of 100
this section. The exemption or reduction applies to only one 101
homestead owned and occupied by, or one homestead in a housing 102
cooperative occupied by, a disabled veteran. For the purposes of 103
sections 323.153, 323.154, 323.155, 323.156, and 4503.064 of the 104
Revised Code, an exemption under division (A) (2) of this section 105
is a reduction in taxes of the amount of current taxes that 106

would have been charged and payable against the homestead if the 107
homestead had not been exempted. 108

If a homestead qualifies for ~~a~~ an exemption or reduction 109
~~in taxes~~ under division (A) (2) of this section for the year in 110
which the disabled veteran dies, and the disabled veteran is 111
survived by a spouse who occupied the homestead when the 112
disabled veteran died and who acquires ownership of the 113
homestead or, in the case of a homestead that is a unit in a 114
housing cooperative, continues to occupy the homestead, the 115
exemption or reduction shall continue through the year in which 116
the surviving spouse dies or remarries. 117

(3) Real property taxes on a homestead owned and occupied, 118
or a homestead in a housing cooperative occupied, by the 119
surviving spouse of a public service officer killed in the line 120
of duty shall be reduced for each year for which an application 121
for the reduction has been approved. The reduction shall equal 122
the product obtained by multiplying fifty thousand dollars of 123
the true value of the property in money by the amounts described 124
in divisions (A) (1) (c) (ii) to (iv) of this section. The 125
reduction is in lieu of any reduction under section 323.158 of 126
the Revised Code or division (A) (1) or (2) of this section. The 127
reduction applies to only one homestead owned and occupied by 128
such a surviving spouse. A homestead qualifies for a reduction 129
in taxes under division (A) (3) of this section for the tax year 130
in which the public service officer dies through the tax year in 131
which the surviving spouse dies or remarries. 132

(B) To provide a partial exemption, real property taxes on 133
any homestead, and manufactured home taxes on any manufactured 134
or mobile home on which a manufactured home tax is assessed 135
pursuant to division (D) (2) of section 4503.06 of the Revised 136

Code, shall be reduced for each year for which an application 137
for the reduction has been approved. The amount of the reduction 138
shall equal two and one-half per cent of the amount of taxes to 139
be levied by qualifying levies on the homestead or the 140
manufactured or mobile home after applying section 319.301 of 141
the Revised Code. For the purposes of this division, "qualifying 142
levy" has the same meaning as in section 319.302 of the Revised 143
Code. 144

(C) The reductions and exemption granted by this section 145
do not apply to special assessments or respread of assessments 146
levied against the homestead, ~~and if~~. If there is a transfer of 147
ownership subsequent to the filing of an application ~~for a~~ 148
~~reduction in taxes~~ under section 323.153 of the Revised Code, 149
~~such reductions are~~ the reduction or exemption is not forfeited 150
for such year by virtue of such transfer. 151

(D) The reductions in taxable value referred to in this 152
section shall be applied solely as a factor for the purpose of 153
computing the reduction of taxes under this section and the 154
reductions and the exemption shall not affect the total value of 155
property in any subdivision or taxing district as listed and 156
assessed for taxation on the tax lists and duplicates, or any 157
direct or indirect limitations on indebtedness of a subdivision 158
or taxing district. If after application of sections 5705.31 and 159
5705.32 of the Revised Code, including the allocation of all 160
levies within the ten-mill limitation to debt charges to the 161
extent therein provided, there would be insufficient funds for 162
payment of debt charges not provided for by levies in excess of 163
the ten-mill limitation, the reduction of taxes provided for in 164
sections 323.151 to 323.159 of the Revised Code shall be 165
proportionately adjusted to the extent necessary to provide such 166
funds from levies within the ten-mill limitation. 167

(E) No reduction in taxes or exemption from taxation shall 168
be made ~~on the taxes due on~~ under this section for the homestead 169
of any person convicted of violating division (D) or (E) of 170
section 323.153 of the Revised Code for a period of three years 171
following the conviction. 172

Sec. 4503.065. (A)(1) Division (A) of this section applies 173
to any of the following persons: 174

(a) An individual who is permanently and totally disabled; 175

(b) An individual who is sixty-five years of age or older; 176

(c) An individual who is the surviving spouse of a 177
deceased person who was permanently and totally disabled or 178
sixty-five years of age or older and who applied and qualified 179
for a reduction in assessable value under this section in the 180
year of death, provided the surviving spouse is at least fifty- 181
nine but not sixty-five or more years of age on the date the 182
deceased spouse dies. 183

(2) The manufactured home tax on a manufactured or mobile 184
home that is paid pursuant to division (C) of section 4503.06 of 185
the Revised Code and that is owned and occupied as a home by an 186
individual whose domicile is in this state and to whom this 187
section applies, shall be reduced for any tax year for which an 188
application for such reduction has been approved, provided the 189
individual did not acquire ownership from a person, other than 190
the individual's spouse, related by consanguinity or affinity 191
for the purpose of qualifying for the reduction. An owner 192
includes a settlor of a revocable or irrevocable inter vivos 193
trust holding the title to a manufactured or mobile home 194
occupied by the settlor as of right under the trust. 195

(a) For manufactured and mobile homes for which the tax 196

imposed by section 4503.06 of the Revised Code is computed under 197
division (D) (2) of that section, the reduction shall equal one 198
of the following amounts, as applicable to the person: 199

(i) If the person received a reduction under this section 200
for tax year 2007, the greater of the reduction for that tax 201
year or the amount computed under division (A) (2) (b) of this 202
section; 203

(ii) If the person received, for any homestead, a 204
reduction under division (A) of this section for tax year 2014 205
or under division (A) (1) of section 323.152 of the Revised Code 206
for tax year 2013 or the person is the surviving spouse of such 207
a person and the surviving spouse is at least fifty-nine years 208
of age on the date the deceased spouse dies, the amount computed 209
under division (A) (2) (b) of this section. For purposes of 210
divisions (A) (2) (a) (ii) and (iii) of this section, a person 211
receives a reduction under division (A) of this section or 212
division (A) (1) of section 323.152 of the Revised Code for tax 213
year 2014 or 2013, respectively, if the person files a late 214
application for that respective tax year that is approved by the 215
county auditor under section 4503.066 or 323.153 of the Revised 216
Code. 217

(iii) If the person is not described in division (A) (2) (a) 218
(i) or (ii) of this section and the person's total income does 219
not exceed thirty thousand dollars, as adjusted under division 220
(A) (2) (e) of this section, the amount computed under division 221
(A) (2) (b) of this section. 222

(b) The amount of the reduction under division (A) (2) (b) 223
of this section equals the product of the following: 224

(i) Twenty-five thousand dollars of the true value of the 225

property in money; 226

(ii) The assessment percentage established by the tax 227
commissioner under division (B) of section 5715.01 of the 228
Revised Code, not to exceed thirty-five per cent; 229

(iii) The effective tax rate used to calculate the taxes 230
charged against the property for the current year, where 231
"effective tax rate" is defined as in section 323.08 of the 232
Revised Code; 233

(iv) The quantity equal to one minus the sum of the 234
percentage reductions in taxes received by the property for the 235
current tax year under section 319.302 of the Revised Code and 236
division (B) of section 323.152 of the Revised Code. 237

(c) For manufactured and mobile homes for which the tax 238
imposed by section 4503.06 of the Revised Code is computed under 239
division (D)(1) of that section, the reduction shall equal one 240
of the following amounts, as applicable to the person: 241

(i) If the person received a reduction under this section 242
for tax year 2007, the greater of the reduction for that tax 243
year or the amount computed under division (A)(2)(d) of this 244
section; 245

(ii) If the person received, for any homestead, a 246
reduction under division (A) of this section for tax year 2014 247
or under division (A)(1) of section 323.152 of the Revised Code 248
for tax year 2013 or the person is the surviving spouse of such 249
a person and the surviving spouse is at least fifty-nine years 250
of age on the date the deceased spouse dies, the amount computed 251
under division (A)(2)(d) of this section. For purposes of 252
divisions (A)(2)(c)(ii) and (iii) of this section, a person 253
receives a reduction under division (A) of this section or under 254

division (A) (1) of section 323.152 of the Revised Code for tax 255
year 2014 or 2013, respectively, if the person files a late 256
application for a refund of overpayments for that respective tax 257
year that is approved by the county auditor under section 258
4503.066 of the Revised Code. 259

(iii) If the person is not described in division (A) (2) (c) 260
(i) or (ii) of this section and the person's total income does 261
not exceed thirty thousand dollars, as adjusted under division 262
(A) (2) (e) of this section, the amount computed under division 263
(A) (2) (d) of this section. 264

(d) The amount of the reduction under division (A) (2) (d) 265
of this section equals the product of the following: 266

(i) Twenty-five thousand dollars of the cost to the owner, 267
or the market value at the time of purchase, whichever is 268
greater, as those terms are used in division (D) (1) of section 269
4503.06 of the Revised Code; 270

(ii) The percentage from the appropriate schedule in 271
division (D) (1) (b) of section 4503.06 of the Revised Code; 272

(iii) The assessment percentage of forty per cent used in 273
division (D) (1) (b) of section 4503.06 of the Revised Code; 274

(iv) The tax rate of the taxing district in which the home 275
has its situs. 276

(e) Each calendar year, the tax commissioner shall adjust 277
the income threshold described in divisions (A) (2) (a) (iii) and 278
(A) (2) (c) (iii) of this section by completing the following 279
calculations in September of each year: 280

(i) Determine the percentage increase in the gross 281
domestic product deflator determined by the bureau of economic 282

analysis of the United States department of commerce from the 283
first day of January of the preceding calendar year to the last 284
day of December of the preceding calendar year; 285

(ii) Multiply that percentage increase by the total income 286
threshold for the ensuing tax year; 287

(iii) Add the resulting product to the total income 288
threshold for the ensuing tax year; 289

(iv) Round the resulting sum to the nearest multiple of 290
one hundred dollars. 291

The commissioner shall certify the amount resulting from 292
the adjustment to each county auditor not later than the first 293
day of December each year. The certified amount applies to the 294
second ensuing tax year. The commissioner shall not make the 295
adjustment in any calendar year in which the amount resulting 296
from the adjustment would be less than the total income 297
threshold for the ensuing tax year. 298

(B) ~~The manufactured home tax levied pursuant to division~~ 299
~~(C) of section 4503.06 of the Revised Code on a~~ 300
A manufactured 301
or mobile home that is owned and occupied by a disabled veteran 302
shall be ~~reduced~~ exempted from the manufactured home tax levied 303
under division (C) of section 4503.06 of the Revised Code for 304
any tax year for which an application for ~~such reduction~~ 305
exemption has been approved, provided the disabled veteran did 306
not acquire ownership from a person, other than the disabled 307
veteran's spouse, related by consanguinity or affinity for the 308
purpose of qualifying for the ~~reduction~~ exemption. An owner 309
includes an owner within the meaning of division (A) (2) of this 310
section. 311

~~(1) For manufactured and mobile homes for which the tax~~ 311

~~imposed by section 4503.06 of the Revised Code is computed under~~ 312
~~division (D) (2) of that section, the reduction shall equal the~~ 313
~~product obtained by multiplying fifty thousand dollars of the~~ 314
~~true value of the property in money by the amounts described in~~ 315
~~divisions (A) (2) (b) (ii) to (iv) of this section.~~ 316

~~(2) For manufactured and mobile homes for which the tax~~ 317
~~imposed by section 4503.06 of the Revised Code is computed under~~ 318
~~division (D) (1) of that section, the reduction shall equal the~~ 319
~~product obtained by multiplying fifty thousand dollars of the~~ 320
~~cost to the owner, or the market value at the time of purchase,~~ 321
~~whichever is greater, as those terms are used in division (D) (1)~~ 322
~~of section 4503.06 of the Revised Code, by the amounts described~~ 323
~~in divisions (A) (2) (d) (ii) to (iv) of this section.~~ 324

The ~~reduction exemption~~ is in lieu of any reduction under 325
section 4503.0610 of the Revised Code or division (A) or (C) of 326
this section. The reduction applies to only one manufactured or 327
mobile home owned and occupied by a disabled veteran. For the 328
purposes of sections 4503.064 to 4503.069 of the Revised Code, 329
the exemption under division (B) of this section is a reduction 330
in manufactured home taxes of the amount of current manufactured 331
home taxes that would have been charged and payable against the 332
homestead if the homestead had not been exempted. 333

If a manufactured or mobile home qualifies for ~~a reduction~~ 334
~~in taxes~~ an exemption under this division for the year in which 335
the disabled veteran dies, and the disabled veteran is survived 336
by a spouse who occupied the home when the disabled veteran died 337
and who acquires ownership of the home, the ~~reduction exemption~~ 338
shall continue through the year in which the surviving spouse 339
dies or remarries. 340

(C) The manufactured home tax levied pursuant to division 341

(C) of section 4503.06 of the Revised Code on a manufactured or 342
mobile home that is owned and occupied by the surviving spouse 343
of a public service officer killed in the line of duty shall be 344
reduced for any tax year for which an application for such 345
reduction has been approved, provided the surviving spouse did 346
not acquire ownership from a person, other than the surviving 347
spouse's deceased public service officer spouse, related by 348
consanguinity or affinity for the purpose of qualifying for the 349
reduction. An owner includes an owner within the meaning of 350
division (A)(2) of this section. 351

(1) For manufactured and mobile homes for which the tax 352
imposed by section 4503.06 of the Revised Code is computed under 353
division (D)(2) of that section, the reduction shall equal the 354
product obtained by multiplying fifty thousand dollars of the 355
true value of the property in money by the amounts described in 356
divisions (A)(2)(b)(ii) to (iv) of this section. 357

(2) For manufactured and mobile homes for which the tax 358
imposed by section 4503.06 of the Revised Code is computed under 359
division (D)(1) of that section, the reduction shall equal the 360
product obtained by multiplying fifty thousand dollars of the 361
cost to the owner, or the market value at the time of purchase, 362
whichever is greater, as those terms are used in division (D)(1) 363
of section 4503.06 of the Revised Code, by the amounts described 364
in divisions (A)(2)(d)(ii) to (iv) of this section. 365

The reduction is in lieu of any reduction under section 366
4503.0610 of the Revised Code or division (A) or (B) of this 367
section. The reduction applies to only one manufactured or 368
mobile home owned and occupied by such a surviving spouse. A 369
manufactured or mobile home qualifies for a reduction in taxes 370
under this division for the tax year in which the public service 371

officer dies through the tax year in which the surviving spouse 372
dies or remarries. 373

(D) If the owner or the spouse of the owner of a 374
manufactured or mobile home is eligible for a homestead 375
exemption on the land upon which the home is located, the 376
reduction to which the owner or spouse is entitled under 377
divisions (A) or (C) of this section shall not exceed the 378
difference between the reduction to which the owner or spouse is 379
entitled under division (A), (B), or (C) of this section and the 380
amount of the reduction under the homestead exemption. 381

(E) No reduction shall be made with respect to the home of 382
any person convicted of violating division (C) or (D) of section 383
4503.066 of the Revised Code for a period of three years 384
following the conviction. 385

Section 2. That existing sections 323.152 and 4503.065 of 386
the Revised Code are hereby repealed. 387

Section 3. The amendment by this act of section 323.152 of 388
the Revised Code applies to tax year 2022 and every tax year 389
thereafter. The amendment by this act of section 4503.065 of the 390
Revised Code applies to tax year 2023 and every tax year 391
thereafter. 392