

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 187**

**Representatives Hall, Bird**

**Cosponsors: Representatives Roemer, White, Creech, Schmidt, Dean, Plummer, Lear, Young, T., Demetriou, Jones, Carruthers, Kick, Fowler Arthur, Lorenz, Click, Cutrona, Dobos, Edwards, Gross, John, Johnson, Miller, M., Peterson, Williams**

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**A BILL**

To amend sections 5713.01, 5713.03, 5715.01, 1  
5715.012, 5715.24, 5715.25, 5715.251, and 2  
5715.26 of the Revised Code to modify the 3  
procedures used to value real property for tax 4  
purposes and to abate property taxes on certain 5  
municipal and community improvement corporation 6  
property. 7

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

**Section 1.** That sections 5713.01, 5713.03, 5715.01, 8  
5715.012, 5715.24, 5715.25, 5715.251, and 5715.26 of the Revised 9  
Code be amended to read as follows: 10

**Sec. 5713.01.** (A) Each county shall be the unit for 11  
assessing real estate for taxation purposes. The county auditor 12  
shall be the assessor of all the real estate in the auditor's 13  
county for purposes of taxation, but this section does not 14  
affect the power conferred by Chapter 5727. of the Revised Code 15  
upon the tax commissioner regarding the valuation and assessment 16  
of real property used in railroad operations. 17

(B) The auditor shall assess all the real estate situated 18  
in the county at its taxable value in accordance with sections 19  
5713.03, 5713.31, and 5715.01 of the Revised Code and with the 20  
rules and methods applicable to the auditor's county adopted, 21  
prescribed, and promulgated by the tax commissioner. The auditor 22  
shall view and appraise or cause to be viewed and appraised at 23  
its true value in money, each lot or parcel of real estate, 24  
including land devoted exclusively to agricultural use, and the 25  
improvements located thereon at least once in each six-year 26  
period and the taxable values required to be derived therefrom 27  
shall be placed on the auditor's tax list and the county 28  
treasurer's duplicate for the tax year ordered by the 29  
commissioner pursuant to section 5715.34 of the Revised Code. 30  
The commissioner may grant an extension of one year or less if 31  
the commissioner finds that good cause exists for the extension. 32  
When the auditor so views and appraises, the auditor may enter 33  
each structure located thereon to determine by actual view what 34  
improvements have been made therein or additions made thereto 35  
since the next preceding valuation. The auditor shall revalue 36  
and assess at any time all or any part of the real estate in 37  
such county, including land devoted exclusively to agricultural 38  
use, where the auditor finds that the true or taxable values 39  
thereof have changed, and when a conservation easement is 40  
created under sections 5301.67 to 5301.70 of the Revised Code. 41  
The auditor may increase or decrease the true or taxable value 42  
of any lot or parcel of real estate in any township, municipal 43  
corporation, or other taxing district by an amount which will 44  
cause all real property on the tax list to be valued as required 45  
by law, or the auditor may increase or decrease the aggregate 46  
value of all real property, or any class of real property, in 47  
the county, township, municipal corporation, or other taxing 48  
district, or in any ward or other division of a municipal 49

corporation by a per cent or amount which will cause all 50  
property to be properly valued and assessed for taxation in 51  
accordance with Section 36, Article II, Section 2, Article XII, 52  
Ohio Constitution, this section, and sections 5713.03, 5713.31, 53  
and 5715.01 of the Revised Code. 54

(C) When the auditor determines to reappraise all the real 55  
estate in the county or any class thereof, ~~when the tax~~ 56  
~~commissioner orders an~~ or to increase in the aggregate true or 57  
taxable value of the real estate in any taxing subdivision, or 58  
when the taxable value of real estate is increased by the 59  
application of a uniform taxable value per cent of true value 60  
pursuant to the order of the commissioner, the auditor shall 61  
advertise the completion of the reappraisal or equalization 62  
action in a newspaper of general circulation in the county once 63  
a week for the three consecutive weeks next preceding the 64  
issuance of the tax bills, or as provided in section 7.16 of the 65  
Revised Code for the two consecutive weeks next preceding the 66  
issuance of the tax bills. When the auditor changes the true or 67  
taxable value of any individual parcels of real estate, the 68  
auditor shall notify the owner of the real estate, or the person 69  
in whose name the same stands charged on the duplicate, by mail 70  
or in person, of the changes the auditor has made in the 71  
assessments of such property. Such notice shall be given at 72  
least thirty days prior to the issuance of the tax bills. 73  
Failure to receive notice shall not invalidate any proceeding 74  
under this section. 75

(D) The auditor shall make the necessary abstracts from 76  
books of the auditor's office containing descriptions of real 77  
estate in such county, together with such platbooks and lists of 78  
transfers of title to land as the auditor deems necessary in the 79  
performance of the auditor's duties in valuing such property for 80

taxation. Such abstracts, platbooks, and lists shall be in such 81  
form and detail as the tax commissioner prescribes. 82

(E) The auditor, with the approval of the tax 83  
commissioner, may appoint and employ such experts, deputies, 84  
clerks, or other employees as the auditor deems necessary to the 85  
performance of the auditor's duties as assessor, or, with the 86  
approval of the tax commissioner, the auditor may enter into a 87  
contract with an individual, partnership, firm, company, or 88  
corporation to do all or any part of the work; the amount to be 89  
expended in the payment of the compensation of such employees 90  
shall be fixed by the board of county commissioners. If, in the 91  
opinion of the auditor, the board of county commissioners fails 92  
to provide a sufficient amount for the compensation of such 93  
employees, the auditor may apply to the tax commissioner for an 94  
additional allowance, and the additional amount of compensation 95  
allowed by the commissioner shall be certified to the board of 96  
county commissioners, and the same shall be final. The salaries 97  
and compensation of such experts, deputies, clerks, and 98  
employees shall be paid upon the warrant of the auditor out of 99  
the general fund or the real estate assessment fund of the 100  
county, or both. If the salaries and compensation are in whole 101  
or in part fixed by the commissioner, they shall constitute a 102  
charge against the county regardless of the amount of money in 103  
the county treasury levied or appropriated for such purposes. 104

(F) Any contract for goods or services related to the 105  
auditor's duties as assessor, including contracts for mapping, 106  
computers, and reproduction on any medium of any documents, 107  
records, photographs, microfiche, or magnetic tapes, but not 108  
including contracts for the professional services of an 109  
appraiser, shall be awarded pursuant to the competitive bidding 110  
procedures set forth in sections 307.86 to 307.92 of the Revised 111

Code and shall be paid for, upon the warrant of the auditor, 112  
from the real estate assessment fund. 113

(G) Experts, deputies, clerks, and other employees, in 114  
addition to their other duties, shall perform such services as 115  
the auditor directs in ascertaining such facts, description, 116  
location, character, dimensions of buildings and improvements, 117  
and other circumstances reflecting upon the value of real estate 118  
as will aid the auditor in fixing its true and taxable value 119  
and, in the case of land valued in accordance with section 120  
5713.31 of the Revised Code, its current agricultural use value. 121  
The auditor may also summon and examine any person under oath in 122  
respect to any matter pertaining to the value of any real 123  
property within the county. 124

**Sec. 5713.03.** The county auditor, from the best sources of 125  
information available, shall determine, as nearly as 126  
practicable, the true value of the fee simple estate, as if 127  
unencumbered but subject to any effects from the exercise of 128  
police powers or from other governmental actions, of each 129  
separate tract, lot, or parcel of real property and of 130  
buildings, structures, and improvements located thereon and the 131  
current agricultural use value of land valued for tax purposes 132  
in accordance with section 5713.31 of the Revised Code, in every 133  
district, according to the rules prescribed by this chapter and 134  
section 5715.01 of the Revised Code, and in accordance with the 135  
uniform rules and methods of valuing and assessing real property 136  
as adopted, prescribed, and promulgated by the tax commissioner. 137  
The auditor shall determine the taxable value of all real 138  
property by reducing its true or current agricultural use value 139  
by the percentage ordered by the commissioner. In determining 140  
the true value of any tract, lot, or parcel of real estate under 141  
this section, if such tract, lot, or parcel has been the subject 142

of an arm's length sale between a willing seller and a willing 143  
buyer within a reasonable length of time, either before or after 144  
the tax lien date, the auditor may consider the sale price of 145  
such tract, lot, or parcel to be the true value for taxation 146  
purposes. However, the sale price in an arm's length transaction 147  
between a willing seller and a willing buyer shall not be 148  
considered the true value of the property sold if subsequent to 149  
the sale: 150

(A) The tract, lot, or parcel of real estate loses value 151  
due to some casualty; 152

(B) An improvement is added to the property. 153

Nothing in this section or section 5713.01 of the Revised 154  
Code and no rule adopted under section 5715.01 of the Revised 155  
Code shall require the county auditor to change the true value 156  
in money of any property in any year except a year ~~in to~~ which 157  
~~the tax commissioner is required to determine under section~~ 158  
5715.24 of the Revised Code ~~whether the property has been~~ 159  
~~assessed as required by law~~applies. 160

The county auditor shall adopt and use a real property 161  
record approved by the commissioner for each tract, lot, or 162  
parcel of real property, setting forth the true and taxable 163  
value of land and, in the case of land valued in accordance with 164  
section 5713.31 of the Revised Code, its current agricultural 165  
use value, the number of acres of arable land, permanent pasture 166  
land, woodland, and wasteland in each tract, lot, or parcel. The 167  
auditor shall record pertinent information and the true and 168  
taxable value of each building, structure, or improvement to 169  
land, which value shall be included as a separate part of the 170  
total value of each tract, lot, or parcel of real property. 171

**Sec. 5715.01.** (A) The tax commissioner shall direct and 172  
supervise the assessment for taxation of all real property. The 173  
commissioner shall adopt, prescribe, and promulgate rules for 174  
the determination of true value and taxable value of real 175  
property by uniform rule for such values and for the 176  
determination of the current agricultural use value of land 177  
devoted exclusively to agricultural use. 178

(1) The uniform rules shall prescribe methods of 179  
determining the true value and taxable value of real property. 180  
The rules shall provide that in determining the true value of 181  
lands or improvements thereon for tax purposes, all facts and 182  
circumstances relating to the value of the property, its 183  
availability for the purposes for which it is constructed or 184  
being used, its obsolete character, if any, the income capacity 185  
of the property, if any, and any other factor that tends to 186  
prove its true value shall be used. In determining the true 187  
value of minerals or rights to minerals for the purpose of real 188  
property taxation, the tax commissioner shall not include in the 189  
value of the minerals or rights to minerals the value of any 190  
tangible personal property used in the recovery of those 191  
minerals. 192

(2) The uniform rules shall prescribe the method for 193  
determining the current agricultural use value of land devoted 194  
exclusively to agricultural use, which method shall reflect 195  
standard and modern appraisal techniques that take into 196  
consideration the productivity of the soil under normal 197  
management practices, typical cropping and land use patterns, 198  
the average price patterns of the crops and products produced 199  
and the typical production costs to determine the net income 200  
potential to be capitalized, and other pertinent factors. 201

In determining the agricultural land capitalization rate 202  
to be applied to the net income potential from agricultural use, 203  
the commissioner shall use standard and modern appraisal 204  
techniques. In calculating the capitalization rate for any year, 205  
the commissioner shall comply with both of the following 206  
requirements: 207

(a) The commissioner shall use an equity yield rate equal 208  
to the greater of (i) the average of the total rates of return 209  
on farm equity for the twenty-five most recent years for which 210  
those rates have been calculated and published by the United 211  
States department of agriculture economic research service or 212  
another published source or (ii) the loan interest rate the 213  
commissioner uses for that year to calculate the capitalization 214  
rate; 215

(b) The commissioner shall assume that the holding period 216  
for agricultural land is twenty-five years for the purpose of 217  
computing buildup of equity or appreciation with respect to that 218  
land. 219

The commissioner shall add to the overall capitalization 220  
rate a tax additur. The sum of the overall capitalization rate 221  
and the tax additur shall represent as nearly as possible the 222  
rate of return a prudent investor would expect from an average 223  
or typical farm in this state considering only agricultural 224  
factors. 225

The commissioner shall annually determine and announce the 226  
overall capitalization rate, tax additur, agricultural land 227  
capitalization rate, and the individual components used in 228  
computing such amounts in a determination, finding, computation, 229  
or order of the commissioner published simultaneously with the 230  
commissioner's annual publication of the per-acre agricultural 231



use values for each soil type.	232
(3) Notwithstanding any other provision of this chapter and Chapter 5713. of the Revised Code, the current agricultural use value of land devoted exclusively to agricultural use shall equal the following amounts for the years specified:	233 234 235 236
(a) In counties that undergo a reappraisal or triennial update in <del>2017</del> <u>2023</u> , the current agricultural use value of the land for each of the <del>2017, 2018, and 2019</del> <u>2023, 2024, and 2025</u> tax years shall equal the <del>sum</del> <u>average</u> of the following amounts <u>determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant to those sections:</u>	237 238 239 240 241 242
(i) The current agricultural use value of the land for that tax year, <del>as determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant those sections, without regard to the adjustment under division (A)(3)(a)(ii) of this section;</del>	243 244 245 246 247
(ii) <del>One half of the amount, if any, by which the value of the land for the 2016 tax year, as determined under this section, section 5713.31 of the Revised Code, and the rules adopted pursuant those sections and issued by the tax commissioner for counties undergoing a reappraisal or triennial update in the 2016 tax year, exceeds the value determined under division (A)(3)(a)(i) of this section</del> <u>The current agricultural use value of the land for the 2022 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2022 tax year;</u>	248 249 250 251 252 253 254 255 256 257
(iii) <u>The current agricultural use value of the land for the 2021 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2021 tax year.</u>	258 259 260

(b) In counties that undergo a reappraisal or triennial update in ~~2018~~2024, the current agricultural use value of the land for each of the ~~2018, 2019, and 2020~~2024, 2025, and 2026 tax years shall equal the ~~sum~~average of the following amounts determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant to those sections:

(i) The current agricultural use value of the land for that tax year, ~~as determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant those sections, without regard to the adjustment under division (A) (3) (b) (ii) of this section;~~

(ii) ~~One half of the amount, if any, by which the value of the land for the 2017 tax year, as determined under this section, section 5713.31 of the Revised Code, and the rules adopted pursuant those sections and issued by the tax commissioner for counties undergoing a reappraisal or triennial update in the 2017 tax year, exceeds the value determined under division (A) (3) (b) (i) of this section.~~The current agricultural use value of the land for the 2023 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2023 tax year;

(iii) The current agricultural use value of the land for the 2022 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2022 tax year.

(c) In counties that undergo a reappraisal or triennial update in ~~2019~~2025, the current agricultural use value of the land for each of the ~~2019, 2020, and 2021~~2025, 2026, and 2027 tax years shall equal the ~~sum~~average of the following amounts determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant to those sections:

(i) The current agricultural use value of the land for 291  
that tax year, ~~as determined under this section and section~~ 292  
~~5713.31 of the Revised Code, and rules adopted pursuant those~~ 293  
~~sections, without regard to the adjustment under division (A) (3)~~ 294  
~~(c) (ii) of this section;~~ 295

(ii) ~~One half of the amount, if any, by which the value of~~ 296  
~~the land for the 2018 tax year, as determined under this~~ 297  
~~section, section 5713.31 of the Revised Code, and the rules~~ 298  
~~adopted pursuant those sections and issued by the tax~~ 299  
~~commissioner for counties undergoing a reappraisal or triennial~~ 300  
~~update in the 2018 tax year, exceeds the value determined under~~ 301  
~~division (A) (3) (c) (i) of this section~~ 302  
The current agricultural 302  
use value of the land for the 2024 tax year, as determined for 303  
counties undergoing a reappraisal or triennial update in the 304  
2024 tax year; 305

(iii) The current agricultural use value of the land for 306  
the 2023 tax year, as determined for counties undergoing a 307  
reappraisal or triennial update in the 2023 tax year. 308

(4) The uniform rules shall prescribe the method for 309  
determining the value of federally subsidized residential rental 310  
property through the use of a formula that accounts for the 311  
following factors: 312

(a) Up to three years of operating income of the property, 313  
which includes gross potential rent, and any income derived from 314  
other sources as reported by the property owner to the county 315  
auditor under section 5713.031 of the Revised Code. Operating 316  
income shall include an allowance for vacancy losses, which 317  
shall be presumed to be four per cent of gross potential rent, 318  
and unpaid rent losses, which shall be presumed to be three per 319  
cent of gross potential rent. These presumptive amounts may be 320

exceeded with evidence demonstrating the actual income of the 321  
property. 322

(b) Operating expenses of the property, which shall be 323  
presumed to be forty-eight per cent of operating income plus 324  
utility expenses as reported by the property owner to the county 325  
auditor under section 5713.031 of the Revised Code. Operating 326  
expenses shall also include replacement reserve fund or account 327  
contributions which shall be presumed to be five per cent of 328  
gross potential rent. These presumptive amounts may be exceeded 329  
with evidence demonstrating the actual expenses of the property. 330  
Real property taxes, depreciation, and amortization expenses and 331  
replacement of short-term capitalized assets shall be excluded 332  
from operating expenses. 333

(c) A market-appropriate, uniform capitalization rate plus 334  
a tax additur accounting for the real property tax rate of the 335  
property's location. For federally subsidized residential rental 336  
property described in division (A)(1) of section 5713.031 of the 337  
Revised Code, one percentage point shall be subtracted from the 338  
uniform capitalization rate. 339

The uniform rules shall also prescribe a minimum total 340  
value for federally subsidized residential rental property of 341  
five thousand dollars multiplied by the number of dwelling units 342  
comprising the property or one hundred fifty per cent of the 343  
property's unimproved land value, whichever is greater. The 344  
formula and other rules adopted by the commissioner pursuant to 345  
this division shall comply with Ohio Constitution, Article XII, 346  
Section 2. 347

As used in division (A)(4) of this section, "federally 348  
subsidized residential rental property" has the same meaning as 349  
in section 5713.031 of the Revised Code and "dwelling unit" has 350

the same meaning as in section 5321.01 of the Revised Code. 351

(B) The taxable value shall be that per cent of true value 352  
in money, or current agricultural use value in the case of land 353  
valued in accordance with section 5713.31 of the Revised Code, 354  
the commissioner by rule establishes, but it shall not exceed 355  
thirty-five per cent. The uniform rules shall also prescribe 356  
methods of making the appraisals set forth in section 5713.03 of 357  
the Revised Code. The taxable value of each tract, lot, or 358  
parcel of real property and improvements thereon, determined in 359  
accordance with the uniform rules and methods prescribed 360  
thereby, shall be the taxable value of the tract, lot, or parcel 361  
for all purposes of sections 5713.01 to 5713.26, 5715.01 to 362  
5715.51, and 5717.01 to 5717.06 of the Revised Code. County 363  
auditors shall, under the direction and supervision of the 364  
commissioner, be the chief assessing officers of their 365  
respective counties, and shall list and value the real property 366  
within their respective counties for taxation in accordance with 367  
this section and sections 5713.03 and 5713.31 of the Revised 368  
Code and with such rules of the commissioner. There shall also 369  
be a board in each county, known as the county board of 370  
revision, which shall hear complaints and revise assessments of 371  
real property for taxation. 372

(C) The commissioner shall neither adopt nor enforce any 373  
rule that requires true value for any tax year to be any value 374  
other than the true value in money on the tax lien date of such 375  
tax year or that requires taxable value to be obtained in any 376  
way other than by reducing the true value, or in the case of 377  
land valued in accordance with section 5713.31 of the Revised 378  
Code, its current agricultural use value, by a specified, 379  
uniform percentage. 380

**Sec. 5715.012.** The tax commissioner shall make sales- 381  
assessment ratio studies of sales and assessments of real 382  
property for the purpose of determining the common level of 383  
assessment of real property within the counties pursuant to 384  
section 5715.19 of the Revised Code and for the purpose of 385  
making equalization determinations, for tax years before 2024, 386  
or recommendations, for tax year 2024 and thereafter, pursuant 387  
to section 5715.24 of the Revised Code. ~~Such~~ 388

(A) Division (A) of this section shall apply to all tax 389  
years other than tax years 2023, 2024, and 2025. Sales- 390  
assessment ratio studies shall be based on a representative 391  
sampling during the three years prior to the tax year to which 392  
the sample is applied of open market arms' length sales by a 393  
willing seller to a willing buyer for a current like use within 394  
the class or classes of real property sampled by the board. 395  
Where there are not sufficient arms' length sales to constitute 396  
a representative sampling for such studies within a class, the 397  
commissioner may also conduct appraisals of real property in 398  
that class, which shall be a part of such studies. Such studies 399  
and other information of the commissioner may be used by the 400  
commissioner as guidelines, where applicable, in ~~the making~~ 401  
~~equalization of recommendations with respect to~~ a class or 402  
classes of real property. ~~Such~~ The commissioner shall not use 403  
such studies or other information of the commissioner ~~shall not~~ 404  
~~be applied by the commissioner in making equalization~~ 405  
recommendations on a taxing district, countywide, or statewide 406  
basis ~~for the purpose of equalization~~ unless the commissioner 407  
first finds there are sufficient arms' length sales for a like 408  
use included in the sample in a class, or arms' length sales and 409  
appraisals conducted by the commissioner for a like use included 410  
in the sample in a class, to provide an indication that said 411

sales or sales and appraisals in the class are representative of 412  
all parcels in the class. 413

In addition, the commissioner shall make other studies of 414  
the value of real property within the counties which may be used 415  
as guidelines, where applicable, in the equalization of a class 416  
or classes of real property. 417

(B) Division (B) of this section shall apply to tax years 418  
2023, 2024, and 2025. Sales-assessment ratio studies shall be 419  
based on all open market arms' length sales during the three 420  
calendar years prior to the tax year to which the study is 421  
applied between a willing seller and a willing buyer for a 422  
current like use within the class or classes of real property 423  
studied. In conducting such studies, the commissioner shall not 424  
give more weight to sales occurring in any particular year 425  
during that three-year period. The commissioner shall confirm 426  
the sales data with data collected by county auditors. If the 427  
number of arms' length sales for a like use within a class of 428  
property in a county during that three-year period does not 429  
equal at least five per cent of the total number of properties 430  
in the county within that class, the commissioner may also 431  
require that the county auditor conduct appraisals of real 432  
property in that class, which shall be a part of such studies. 433  
The commissioner shall use such studies and other information, 434  
including current economic conditions, in making equalization 435  
determinations, for tax year 2023, or recommendations, for tax 436  
years 2024 and 2025, with respect to a class or classes of real 437  
property. The commissioner shall not use such studies or other 438  
information of the commissioner or a county auditor in making 439  
equalization determination or recommendations, as applicable, on 440  
a taxing district, countywide, or statewide basis unless the 441  
commissioner first finds there are sufficient arms' length sales 442

for a like use included in the sample in a class, or arms' 443  
length sales and appraisals conducted by an auditor for a like 444  
use included in the sample in a class, to provide an indication 445  
that said sales or sales and appraisals in the class are 446  
representative of all parcels in the class. 447

In addition, the commissioner shall collaborate with 448  
county auditors to collect data and make other studies of the 449  
value of real property within the counties, which may be used as 450  
guidelines, where applicable, in the equalization of a class or 451  
classes of real property. 452

**Sec. 5715.24.** (A) The tax commissioner, annually, shall 453  
~~determine~~analyze whether the real property and the various 454  
classes thereof in the several counties, municipal corporations, 455  
and taxing districts which have completed a sexennial 456  
reappraisal in the current year and which will have the new 457  
taxable values placed on the tax list and duplicate have been 458  
assessed as required by law, and whether the values set forth in 459  
the agricultural land tax list in such taxing districts 460  
correctly reflect the true and agricultural use values of the 461  
lands contained therein. The ~~determination shall be made~~ 462  
commissioner shall complete this analysis prior to the first 463  
Monday in August unless the commissioner, for good cause, 464  
extends the date. If, in the ~~commissioner finds that~~ 465  
commissioner's opinion, the real property or any class thereof 466  
in any such county, municipal corporation, or taxing district, 467  
as reported to it by the several county auditors of the counties 468  
that have completed such reappraisal, is not listed for taxation 469  
or recorded on the agricultural land tax list in accordance 470  
therewith, the commissioner shall recommend an increase or 471  
decrease in the appropriate aggregate value of the real property 472  
or any class thereof in any such county, township, municipal 473



corporation, taxing district, or ward or division of a municipal 474  
corporation, by a per cent or amount that, in the commissioner's 475  
opinion, will cause such property to be correctly valued on the 476  
agricultural land tax list and to be correctly assessed on the 477  
tax list at its taxable value so that every class of real 478  
property shall be listed and valued for taxation and valued for 479  
purposes of sections 5713.33 to 5713.35 of the Revised Code as 480  
required by law. In ~~determining~~ analyzing whether a class of 481  
real property has been assessed at its correct taxable value and 482  
in ~~determining~~ recommending any per cent or amount by which the 483  
aggregate value of the class from a prior year ~~shall~~ should be 484  
increased or decreased to be correctly assessed, the 485  
commissioner shall consider only the aggregate values of 486  
property that existed in the prior year and that is to be taxed 487  
in the current year. In addition to any other adjustments the 488  
commissioner ~~considers~~ recommends as necessary to comply with 489  
this requirement, the value of new construction shall not be 490  
regarded as an increase in such aggregate value from the prior 491  
year, and the value of property destroyed or demolished since 492  
the prior year shall be deducted from the aggregate value of 493  
that class for the prior year. 494

~~In implementing~~ A county auditor may implement all or a 495  
portion of any increase or decrease in valuation of real 496  
property ~~ordered~~ recommended by the commissioner pursuant to 497  
this section, ~~the county~~. When implementing any such increase 498  
or decrease, the auditor shall, when practicable, increase or 499  
decrease the taxable valuation of parcels in accordance with 500  
actual changes in valuation of real property which occur in 501  
different subdivisions, neighborhoods, or among classes of real 502  
property in the county. 503

(B) Division (A) of this section also applies to a county 504

in the third calendar year following the year in which a 505  
sexennial reappraisal is completed. 506

**Sec. 5715.25.** If the tax commissioner ~~increases~~ recommends 507  
an increase or decreases ~~decrease in~~ the aggregate value of the 508  
real property or any class thereof on the tax list or 509  
agricultural land tax list in any taxing district or subdivision 510  
of the state under section 5715.24 of the Revised Code, ~~he~~ the 511  
commissioner shall transmit to each county auditor a statement 512  
which specifies the amount or per cent ~~to that the commissioner~~ 513  
recommends be added to or deducted from the valuation of such 514  
property or class thereof in each taxing district or subdivision 515  
in ~~his~~ the county auditor's county. 516

**Sec. 5715.251.** The ~~county auditor~~ tax commissioner may 517  
appeal to the board of tax appeals any ~~determination of change~~ 518  
county auditor's adjustment, or lack of adjustment, in the 519  
abstract of real property of a taxing district in the auditor's 520  
county that ~~is made by~~ does not conform with the recommendations 521  
made by the tax commissioner under section 5715.24 of the 522  
Revised Code. The ~~appeal~~ commissioner shall ~~be taken~~ file the 523  
notice of appeal with the board and the auditor within thirty 524  
days after receipt of ~~the statement by the county auditor of the~~ 525  
~~commissioner's determination by the filing by the county auditor~~ 526  
~~of a notice of appeal with the board and the commissioner~~ an 527  
adjusted abstract or notice declining to make adjustments under 528  
division (A) of section 5715.26 of the Revised Code. Such notice 529  
of appeal shall set forth the ~~determination~~ recommendations of 530  
the commissioner, as well as the auditor's abstract or adjusted 531  
abstract appealed from and the errors therein complained of. 532  
Proof of the filing of such notice with the ~~commissioner~~ auditor 533  
shall be filed with the board. The board shall have exclusive 534  
jurisdiction of the appeal. 535

In all such appeals, ~~the commissioner~~county auditor shall 536  
be made appellee. Unless waived, notice of the appeal shall be 537  
served upon the ~~commissioner~~auditor by certified mail. The 538  
prosecuting attorney shall represent the ~~county~~ auditor in such 539  
an appeal. 540

The ~~commissioner~~auditor, upon written demand filed by the 541  
~~county auditor~~commissioner, shall within thirty days after the 542  
filing of such demand file with the board ~~a certified transcript~~ 543  
~~of the record of the commissioner's proceedings pertaining any~~ 544  
records or evidence that the auditor used to compile the 545  
determination abstract or adjusted abstract complained of and, 546  
including the evidence the commissioner auditor considered in 547  
making such determination declining to make the commissioner's 548  
recommended changes. 549

If upon hearing and consideration of such record and 550  
evidence the board decides that the ~~determination abstract or~~ 551  
adjusted abstract appealed from is reasonable and lawful, it 552  
shall affirm the same, but if the board decides that such 553  
~~determination abstract~~ is unreasonable or unlawful, the board 554  
shall ~~reverse and vacate the determination or~~ order the auditor 555  
to modify it and shall enter final order in accordance with such 556  
modification. 557

The secretary of the board shall send the order of the 558  
board to the county auditor and to the commissioner, and they 559  
shall take such action in connection therewith as is required to 560  
give effect to the order of the board. At the request of the 561  
county auditor, the board of tax appeal's order shall be sent by 562  
certified mail at the county auditor's expense. 563

**Sec. 5715.26.** (A) (1) Upon receiving the statement required 564  
by section 5715.25 of the Revised Code, the county auditor ~~shall~~ 565

~~forthwith~~ may add to or deduct from each tract, lot, or parcel 566  
of real property or class of real property all or a portion of 567  
the ~~required~~ recommended percentage or amount of the valuation 568  
thereof, adding or deducting any sum less than five dollars so 569  
that the value of any separate tract, lot, or parcel of real 570  
property shall be ten dollars or some multiple thereof. 571

(2) After making ~~the~~ any additions or deductions ~~required~~ 572  
~~by~~ under this section, the auditor shall transmit to the tax 573  
commissioner the appropriate adjusted abstract of the real 574  
property of each taxing district in the auditor's county in 575  
which an adjustment was ~~required~~ made. If the auditor does not 576  
make any adjustments to the abstract of real property of any 577  
taxing district, the auditor shall so notify the tax 578  
commissioner. 579

~~(3) If the commissioner increases or decreases the~~ 580  
~~aggregate value of the real property or any class thereof in any~~ 581  
~~county or taxing district thereof and does not receive within~~ 582  
~~ninety days thereafter an adjusted abstract conforming to its~~ 583  
~~statement for such county or taxing district therein, the~~ 584  
~~commissioner shall withhold from such county or taxing district~~ 585  
~~therein fifty per cent of its share in the distribution of state~~ 586  
~~revenues to local governments pursuant to sections 5747.50 to~~ 587  
~~5747.55 of the Revised Code and shall direct the department of~~ 588  
~~education and workforce to withhold therefrom fifty per cent of~~ 589  
~~state revenues to school districts pursuant to Chapter 3317. of~~ 590  
~~the Revised Code. The commissioner shall withhold the~~ 591  
~~distribution of such funds until such county auditor has~~ 592  
~~complied with this division, and the department shall withhold~~ 593  
~~the distribution of such funds until the commissioner has~~ 594  
~~notified the department that such county auditor has complied~~ 595  
~~with this division.~~ 596

(B) (1) If the ~~commissioner's determination is appealed~~ 597  
commissioner files an appeal under section 5715.251 of the 598  
Revised Code, the county auditor, treasurer, and all other 599  
officers shall forthwith proceed with the levy and collection of 600  
the current year's taxes in the manner prescribed by law. The 601  
taxes shall be determined and collected as ~~if the commissioner~~ 602  
~~had determined under section 5715.24 of the Revised Code that~~ 603  
~~the real property and the various classes thereof in the county~~ 604  
~~as shown in the auditor's abstract were assessed for taxation~~ 605  
~~and the true and agricultural use values were recorded on the~~ 606  
~~agricultural land tax list as required by law, as adjusted under~~ 607  
division (A) of this section. 608

(2) If as a result of the appeal to the board it is 609  
finally determined either that all real property and the various 610  
classes thereof have not been assessed as required by law or 611  
that the values set forth in the agricultural land tax list do 612  
not correctly reflect the true and agricultural use values of 613  
the lands contained therein, the county auditor shall forthwith 614  
add to or deduct from each tract, lot, or parcel of real 615  
property or class of real property the required percentage or 616  
amount of the valuation in accordance with the order of the 617  
board or judgment of the court to which the board's order was 618  
appealed, and the taxes on each tract, lot, or parcel and the 619  
percentages required by section 319.301 of the Revised Code 620  
shall be recomputed using the valuation as finally determined. 621  
The order or judgment making the final determination shall 622  
prescribe the time and manner for collecting, crediting, or 623  
refunding the resultant increases or decreases in taxes. 624

**Section 2.** That existing sections 5713.01, 5713.03, 625  
5715.01, 5715.012, 5715.24, 5715.25, 5715.251, and 5715.26 of 626  
the Revised Code are hereby repealed. 627

<b>Section 3.</b> (A) As used in this section:	628
(1) "Community improvement corporation" means a community improvement corporation created under Chapter 1724. of the Revised Code.	629 630 631
(2) "Qualified property" means property that satisfies the qualifications for tax exemption under section 5709.08 of the Revised Code or any other section of the Revised Code that provides a tax exemption for property owned or used by a municipal corporation or community improvement corporation and that meets either of the following requirements:	632 633 634 635 636 637
(a) The property is owned by a municipal corporation or a community improvement corporation and was acquired by a municipal corporation which recorded the deed for the property between the following dates:	638 639 640 641
(i) April 15, 2013, and April 30, 2013;	642
(ii) January 1, 2008, and January 31, 2008;	643
(iii) January 1, 2006, and January 15, 2006;	644
(iv) February 1, 2000, and February 15, 2000.	645
(b) The property is a parcel of real property that is owned by a municipal corporation or community improvement corporation and to which one of the following applies:	646 647 648
(i) The parcel was created pursuant to the subdivision, between August 1, 2004, and August 15, 2004, of an existing parcel that had been previously acquired by a municipal corporation and where the deed for the previously existing parcel was recorded by a municipal corporation between December 15, 1999, and December 31, 1999;	649 650 651 652 653 654

(ii) The parcel was created pursuant to the subdivision, 655  
between January 1, 2008, and January 31, 2008, of an existing 656  
parcel that had been previously acquired by a municipal 657  
corporation and where the deed for the previously existing 658  
parcel was recorded by a municipal corporation between February 659  
15, 2002, and March 1, 2002; 660

(iii) The parcel was created pursuant to the subdivision, 661  
between January 1, 2008, and January 15, 2008, of an existing 662  
parcel that had been previously acquired by a municipal 663  
corporation and where the deed for the previously existing 664  
parcel was recorded by a municipal corporation between December 665  
20, 2007, and January 10, 2008. 666

(B) Notwithstanding sections 5713.08, 5713.081, and 667  
5715.27 of the Revised Code, and without regard to any time or 668  
payment limitations under any section of the Revised Code, the 669  
owner of qualified property at any time within twelve months 670  
after the effective date of this section may file an application 671  
with the Tax Commissioner requesting that the qualified property 672  
be placed on the exempt list and that all unpaid taxes, 673  
penalties, and interest on the property be abated, including 674  
taxes, penalties, and interest that have become a lien prior to 675  
the date of acquisition of title to the property by the 676  
qualified property's owner. 677

(C) The application shall be made on the form prescribed 678  
by the Tax Commissioner under section 5715.27 of the Revised 679  
Code and shall list the name of the county in which the property 680  
is located; the property's legal description, taxable value, and 681  
the amount, in dollars, of the unpaid taxes, penalties, and 682  
interest; the date of acquisition of title to the property; the 683  
use of the property during any time that the unpaid taxes 684

accrued; and any other information required by the Commissioner. 685  
The county auditor shall supply the required information upon 686  
request of the applicant. 687

(D) Upon request of the applicant, the county treasurer 688  
shall determine if all taxes, penalties, and interest that 689  
became a lien on the qualified property before it was first used 690  
by the property's owner or a prior owner for an exempt purpose 691  
have been paid in full. If so, the county treasurer shall issue 692  
a certificate to the applicant stating that all such taxes, 693  
penalties, and interest have been paid in full. The applicant 694  
shall attach the county treasurer's certificate to the 695  
application filed with the Tax Commissioner under this section. 696

(E) Upon receipt of an application, the Tax Commissioner 697  
shall determine if the qualified property meets the 698  
qualifications set forth in this section and if so shall issue 699  
an order directing that the property be placed on the exempt 700  
list of the county in which it is located and that all unpaid 701  
taxes, penalties, and interest for each year that the property 702  
met the qualifications for exemption described in section 703  
5709.08 or another section of the Revised Code be abated. If the 704  
Commissioner finds that the property is or previously was being 705  
used for a purpose that would disqualify it for such exemption, 706  
the Tax Commissioner shall issue an order denying the 707  
application with respect to such tax years where the 708  
Commissioner finds that disqualifying use. 709

(F) If the Tax Commissioner finds that the property is not 710  
entitled to the tax exemption and abatement of unpaid taxes, 711  
penalties, and interest for any of the years for which the 712  
applicant claims an exemption or abatement, the Commissioner 713  
shall order the county treasurer of the county in which the 714



property is located to collect all taxes, penalties, and 715  
interest on the property for those years as required by law. 716

**Section 4.** (A) Notwithstanding any provision of the 717  
Revised Code to the contrary, the Tax Commissioner shall modify 718  
the determinations made under section 5715.24 of the Revised 719  
Code in tax year 2023 to comply with the amendment by this act 720  
of section 5715.012 of the Revised Code and, within fifteen days 721  
after the effective date of this section, shall transmit to each 722  
applicable county auditor a statement reflecting that updated 723  
determination in the same manner as required in section 5715.25 724  
of the Revised Code. A county auditor may appeal the updated 725  
determination by filing an appeal within thirty days after the 726  
receipt of such statement in the same manner as authorized in 727  
section 5715.251 of the Revised Code. In any county that 728  
receives an updated determination under this section, the time 729  
for delivery of the tax duplicate of the county treasurer by the 730  
county auditor as provided in section 319.28 of the Revised Code 731  
shall be extended to the first Monday in December and may be 732  
extended further in accordance with section 323.17 of the 733  
Revised Code. The times for payment of taxes shall similarly be 734  
extended in the same manner as other delays in the delivery of 735  
the tax list under that section. 736

(B) The amendment by this act of sections 5713.01, 737  
5713.03, 5715.24, 5715.25, 5715.251, and 5715.26 of the Revised 738  
Code applies to tax year 2024 and every tax year thereafter. 739

**Section 5.** Notwithstanding any provision of the Revised 740  
Code to the contrary, if necessary, the Tax Commissioner shall 741  
issue updated 2023 current agricultural use value tables to 742  
reflect the amendment by this act of section 5715.01 of the 743  
Revised Code. The updated values shall be issued within fifteen 744

days after the effective date of this section.

745