

As Reported by the House Economic and Workforce Development  
Committee

135th General Assembly

Regular Session  
2023-2024

Am. H. B. No. 547

Representatives Wiggam, Gross

Cosponsors: Representatives Johnson, Miller, K., Williams, Click, King, Dean,  
Lear, Klopfenstein, Barhorst, Creech, Miller, M.

---

**A BILL**

To enact section 175.061 of the Revised Code to 1  
limit state low-income housing tax credits to 2  
projects that verify tenant immigration status. 3

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

**Section 1.** That section 175.061 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 175.061.** (A) The Ohio housing finance agency shall 6  
not award the tax credit authorized under section 175.16 of the 7  
Revised Code to a project without first obtaining a written 8  
declaration from the project owner, on a form prescribed by the 9  
agency, that the owner will comply with all the requirements 10  
described in division (B) of this section. 11

(B) The owner of a project that is awarded a tax credit 12  
under section 175.16 of the Revised Code shall do all of the 13  
following: 14

(1) Prohibit any premises that are part of the project 15  
from being let to a person who is unlawfully present in the 16

<u>United States;</u>	17
<u>(2) Require every prospective tenant to present proof of</u>	18
<u>the person's legal presence in the United States in the form of</u>	19
<u>one of the following:</u>	20
<u>(a) An original or certified copy of a birth certificate</u>	21
<u>issued by an appropriate governmental agency of any state,</u>	22
<u>territory, or possession of the United States;</u>	23
<u>(b) A valid and unexpired United States passport or United</u>	24
<u>States passport card;</u>	25
<u>(c) A consular report of birth abroad issued by the United</u>	26
<u>States department of state or its successor agency;</u>	27
<u>(d) A certificate of naturalization issued by the United</u>	28
<u>States department of homeland security or its successor agency;</u>	29
<u>(e) A certificate of citizenship issued by the United</u>	30
<u>States department of homeland security or its successor agency;</u>	31
<u>(f) Other original and valid documentation issued by</u>	32
<u>United States citizenship and immigration services or its</u>	33
<u>successor agency, showing the person's dates of legal presence</u>	34
<u>in the United States;</u>	35
<u>(g) A valid and unexpired driver's license or</u>	36
<u>identification card, as those terms are defined in section</u>	37
<u>4507.01 of the Revised Code.</u>	38
<u>(3) Maintain a copy of the document provided by each</u>	39
<u>tenant under division (B) (2) of this section until that tenant's</u>	40
<u>tenancy ends;</u>	41
<u>(4) Allow the attorney general to access the records</u>	42
<u>maintained pursuant to division (B) (3) of this section upon</u>	43

request. 44

(C) If the agency determines that the owner of a project 45  
that has been awarded a tax credit under section 175.16 of the 46  
Revised Code has failed to comply with division (B) of this 47  
section, the agency shall notify the owner of each specific 48  
instance of noncompliance. 49

(D) If, by the date that is ninety days after a notice of 50  
noncompliance is delivered pursuant to division (B) of this 51  
section, or one hundred eighty days after such date if the 52  
agency determines there is good cause for an extension, the 53  
agency determines that one or more of the instances of 54  
noncompliance described in the notice has not been cured, the 55  
agency shall revoke the tax credit awarded to the project under 56  
section 175.16 of the Revised Code in proportion to the number 57  
of housing units in the project that remain out of compliance 58  
and the total number of housing units in the project. Following 59  
correction of any instance of noncompliance for which a portion 60  
of a tax credit issued under section 175.16 of the Revised Code 61  
has been revoked, the project owner may again claim the tax 62  
credit with respect to the unit or units brought back into 63  
compliance, beginning with the year that compliance was 64  
obtained. 65

In instances of noncompliance resulting from a housing 66  
unit being let to a person who is unlawfully present in the 67  
United States, the project owner shall be considered in 68  
compliance with division (B) of this section if the owner has, 69  
within forty-five days after the date the notice is delivered 70  
under division (C) of this section, instituted an action for 71  
restitution of the unit under Chapter 1923. of the Revised Code 72  
and not voluntarily dismissed that action, regardless of the 73

outcome of that action. 74

(E) The attorney general may investigate alleged 75  
violations of this section. When it appears, as the result of 76  
the investigation, that there is cause to believe that a 77  
violation of this section has occurred, the attorney general 78  
shall refer the evidence to the agency. 79