

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 1022

Representatives Hiner, Thomas, D.

To amend sections 319.36, 323.132, and 5715.22 of 1
the Revised Code and to amend Section 4 of H.B. 2
186 of the 136th General Assembly to modify the 3
rules governing property tax refunds. 4

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

Section 1. That sections 319.36, 323.132, and 5715.22 of 5
the Revised Code be amended to read as follows: 6

Sec. 319.36. If, after having delivered a duplicate to the 7
county treasurer for collection, the county auditor is satisfied 8
that any tax, assessment, recoupment charge, or any part thereof 9
has been erroneously charged as a result of a clerical error as 10
defined in section 319.35 of the Revised Code, the county 11
auditor shall give the person so charged a certificate to that 12
effect to be presented to the treasurer, who shall deduct the 13
amount from such tax, assessment, or charge. If, at any time, 14
the auditor discovers that erroneous taxes, assessments, or 15
charges have been charged or collected in previous years as a 16
result of a clerical error, except for public utility taxes 17
covered under section 5727.471 of the Revised Code, the auditor 18
shall call the attention of the county board of revision to such 19
charge or collection at a regular or special session of the 20
board. If the board finds that taxes, assessments, or charges 21

have been erroneously charged or collected, as a result of a
clerical error, it shall certify that finding to the county
auditor. Upon receipt of the board's certification, and in all
cases where the tax commissioner has certified such a
determination under section 5711.32 of the Revised Code, the
auditor shall do one of the following:

(A) In the event of erroneous charges that have not been
collected, give the person so charged a certificate of erroneous
assessments to be presented to the treasurer, who shall deduct
the amount from such taxes, assessments, or charges;

(B) In the event of erroneous charges that have been
collected, do one of the following:

(1) If the amount of the overpayment exceeds twenty-five
dollars, and if the person that paid the erroneous charges
applies for a refund within sixty days after receipt of the
board's or tax commissioner's certification, that person may
require the auditor to do either of the following:

(a) Draw a warrant on the treasurer in favor of the person
~~paying the erroneous charges,~~ or the personal representative of
the person ~~paying the erroneous charges,~~ for the full amount of
the taxes, assessments so charged and collected with any
applicable interest thereon as prescribed by division (E) of
this section or by section 5719.041 of the Revised Code;

~~(2)~~ (b) Refund a portion of the overpayment and any
interest and prorate the remaining balance as a credit against
future taxes that may be charged to the person~~+~~.

~~(3)~~ (2) In all other cases, the auditor may, at the
auditor's discretion, select either of the methods described in
division (B) (1) (a) or (b) of this section or do either of the

following:

(a) Prorate the full amount of the overpayment and any
interest as a credit against future taxes that may be charged to
the person that paid the erroneous charges;

~~(4)~~ (b) Enter into a written undertaking with the person
providing for refund of the overpayment in installments. The
terms of such an undertaking shall include the amount payable
and the due date of each installment, including the due date of
the final payment, which shall not be later than two years after
the due date of the first installment. Notwithstanding section
5719.041 of the Revised Code to the contrary, any applicable
interest on the overpayment allowed under that section shall not
accrue beyond the day on which the undertaking is entered into.

If proceeding under division (B) (2) of this section, the
auditor shall advise the person of the decision within sixty
days after receipt of the board's or tax commissioner's
certification.

~~(C) The auditor shall have discretion as to which method~~
~~to use and shall advise the person of the decision within sixty~~
~~days after receipt of the board's or tax commissioner's~~
~~certification.~~ The auditor shall draw a warrant for payment of
any refund under division ~~(B) (1)~~ (B) (1) (a) or ~~(2) (b)~~ of this
section within ninety days after receipt of the certification.
Any amount to be credited under division ~~(B) (2)~~ (B) (1) (b) or ~~(3)~~
(2) (a) of this section shall be applied to all or a part of the
taxes otherwise due from the person on any property tax due
dates after the date on which the certification was received,
but shall not be spread over more than the next ten ensuing due
dates. If any portion of the overpayment has not been refunded
or credited by the tenth such tax due date or by a time when the

auditor determines that the person and the property of the 81
person are not shown on any tax list for the county, the auditor 82
immediately shall draw a warrant to refund that portion. 83

Interest allowed under division (E) of this section or by 84
section 5719.041 of the Revised Code shall continue to accrue on 85
portions of overpayments credited against future taxes until the 86
last day of the month preceding the day the portion of the 87
overpayment is credited, and shall be computed separately on 88
each portion credited. In computing the interest on a portion of 89
an overpayment credited against current taxes due, the portion 90
shall be considered to have been credited on the last day on 91
which those taxes may be paid without penalty. 92

(D) The treasurer shall pay a refund warrant from the 93
undivided general property tax fund and such refund or any 94
prorated refund credit, including interest paid thereon, shall 95
be properly apportioned by the auditor among the subdivision 96
accounts to which the overpayment originally was paid. When the 97
auditor finds that there are insufficient funds present in the 98
undivided tax fund to the credit of any subdivision account for 99
the full repayment of a refund, the auditor may draw a warrant 100
in an amount not exceeding the amount present and the balance, 101
with accrued interest, shall be paid as funds become available. 102
In no instance shall taxes that are to be apportioned to any one 103
subdivision be used to refund erroneous payments that have been 104
previously distributed to any other subdivision. Except for 105
taxes required to be refunded by the county auditor pursuant to 106
division (A) of section 5711.32 of the Revised Code, no taxes or 107
assessments shall be refunded unless they have been erroneously 108
charged or collected in the five years next preceding the 109
discovery of such charge or collection by the auditor. 110

(E) In the event of an erroneous tax, assessment, or 111
charge against real property, the county auditor shall add the 112
accrued interest to the overpayment, which interest becomes part 113
of the overpayment. The interest accrues on the overpayment from 114
the first day of the month following the date of overpayment 115
until the last day of the month preceding the date of the 116
drawing of the warrant pursuant to division (A) of this section. 117
The date of overpayment with respect to persons who pay their 118
real property taxes in two installments is the date of the 119
second installment payment. The rate at which the interest 120
accrues is the rate per calendar month, rounded to the nearest 121
one-hundredth of one per cent, equal to one-twelfth of the rate 122
per annum prescribed by section 5703.47 of the Revised Code for 123
the calendar year that includes the month for which the charge 124
accrues. The interest shall be paid on a pro-rata basis from the 125
fund or funds to which the overpayment was credited. 126

(F) The payment of interest under division (E) of this 127
section shall not be made on an overpayment resulting from a 128
reduction in the appraised true value, other than such a 129
reduction resulting from the correction of a clerical error. 130

Sec. 323.132. If one-half of the current taxes charged 131
against an entry of real estate is not paid on or before the 132
thirty-first day of December of the year for which they are 133
charged or on or before the last day for such payment as 134
extended pursuant to section 323.17 of the Revised Code, that 135
amount, together with the penalty charged under division (A)(1) 136
of section 323.121 of the Revised Code and all delinquent taxes 137
or installment thereof charged against such entry may be paid at 138
any time prior to the date on which tax bills for the second 139
half collection are mailed and delivered, without at the same 140
time requiring payment of the second half of such taxes. 141

If the total amount of such current taxes, delinquent 142
taxes, and all installment payments due under section 323.31 of 143
the Revised Code are not paid on or before the twentieth day of 144
June, next thereafter, or on or before the last day for that 145
payment as extended pursuant to section 323.17 of the Revised 146
Code, the balance of the amount of such taxes, plus all 147
penalties and interest imposed by section 323.121 of the Revised 148
Code, constitutes the delinquent taxes on such entry, which 149
shall be placed on the delinquent land list and duplicate 150
pursuant to section 5721.011 of the Revised Code and shall be 151
collected in the manner prescribed by law, unless the property 152
against which such taxes are charged is the subject of an 153
application for exemption from taxation pursuant to section 154
5715.27 of the Revised Code. 155

A taxpayer may tender, and the treasurer shall accept, the 156
full amount of delinquent taxes charged against an entry of real 157
estate without having to tender at the same time the payment of 158
any current taxes that are due and payable. 159

A county treasurer may accept partial payments of taxes. 160
Any overpayment shall be refunded by the treasurer in the manner 161
most convenient to the treasurer. When the amount tendered and 162
accepted is less than the amount due, the unpaid balance shall 163
be treated as other unpaid taxes, and, except when the unpaid 164
amount is the penalty or interest and charges on the unpaid 165
taxes, the treasurer shall notify the taxpayer of such 166
deficiency. 167

If the taxpayer files with the payment of taxes a copy of 168
an application to the tax commissioner for remission of penalty, 169
or the payment is received within ten days after the last day 170
the taxes may be paid without penalty, the county treasurer 171

shall accept a partial payment in which the only unpaid amount 172
is the penalty for late payment. 173

If, at any time, and having been provided such 174
documentation as may be found acceptable by the county 175
treasurer, the county treasurer determines that due to a 176
clerical error, a taxpayer has overpaid either the first one- 177
half or second one-half payment of current taxes as charged on 178
the tax list and duplicate, the treasurer ~~may refund the amount~~ 179
~~of the overpayment to the taxpayer in the manner most convenient~~ 180
~~to the treasurer~~ shall proceed in the same manner as is 181
prescribed in section 319.36 of the Revised Code for the 182
refunding or crediting of overpayments. 183

Sec. 5715.22. (A) If upon consideration of any complaint 184
against the valuation or assessment of real property filed under 185
section 5715.19 of the Revised Code, or any appeal from the 186
determination on such complaint, it is found that the amount of 187
taxes, assessments, or recoupment charges paid for the year to 188
which the complaint relates was in excess of the amount due, 189
then, whether or not the payment of said taxes, assessments, or 190
charges was made under protest or duress, the county auditor 191
shall, within thirty days after the certification to the auditor 192
of the final action upon such complaint or appeal, ~~credit~~ do one 193
of the following: 194

(1) If the amount of the overpayment exceeds twenty-five 195
dollars, then upon application of the person overpaying such 196
taxes, the auditor shall forthwith draw a warrant on the county 197
treasurer in favor of that person for the amount of the 198
overpayment. 199

(2) In all other cases, the auditor may either proceed as 200
described in division (A)(1) of this section or credit the 201

amount of such overpayment upon the amount of any taxes, 202
assessments, or charges then due from the person having made 203
such overpayment, ~~and at~~. At the next or any succeeding 204
settlement the amount of any such credit shall be deducted from 205
the amounts of any taxes, assessments, or charges distributable 206
to the county or any taxing unit therein in the same proportions 207
that the amount of real and public utility property taxes levied 208
by the county or each taxing unit in the county in the preceding 209
tax year bears to the amount of such taxes levied by the county 210
and all such units in the county in the preceding tax year. If 211
after such credit has been made, there remains any balance of 212
such overpayment, or if there are no taxes, assessments, or 213
charges due from such person, ~~upon application of the person~~ 214
~~overpaying such taxes the auditor shall forthwith draw a warrant~~ 215
~~on the county treasurer in favor of the person who has made such~~ 216
~~overpayment for the amount of~~ proceed as described in division 217
(A) (1) of this section with respect to such balance. ~~The~~ 218

(B) The treasurer shall pay such a refund warrant from the 219
general revenue fund of the county. If there is insufficient 220
money in said general revenue fund to make such payment, the 221
treasurer shall pay such warrant out of any undivided tax funds 222
thereafter received by the treasurer for distribution to any 223
county or any taxing unit therein in the same proportions that 224
the amount of real and public utility property taxes levied by 225
the county or each taxing unit in the preceding tax year bears 226
to the amount of such taxes levied by the county and all such 227
units in the preceding tax year, and the amount paid from the 228
undivided tax funds shall be deducted from the money otherwise 229
distributable to such county or other taxing unit of the county 230
at the next or any succeeding settlement. At the next or any 231
succeeding settlement after the refunding of such taxes, 232

assessments, or charges, the treasurer shall reimburse the 233
general revenue fund of the county for any payment made from 234
such fund by deducting the amount of such payment from the money 235
otherwise distributable to the county or other taxing unit in 236
the county in the same proportions that the amount of real and 237
public utility property taxes levied by the county or each 238
taxing unit in the county in the preceding tax year bears to the 239
amount of such taxes levied by the county and all such units in 240
the preceding tax year. 241

Section 2. That existing sections 319.36, 323.132, and 242
5715.22 of the Revised Code are hereby repealed. 243

Section 3. That Section 4 of H.B. 186 of the 136th General 244
Assembly be amended to read as follows: 245

Sec. 4. (A) All terms used in this section have the same 246
meanings as in section 319.303 of the Revised Code, as enacted 247
by ~~this act~~ H.B 186 of the 136th General Assembly. 248

(B) Within sixty days after ~~the effective date of this~~ 249
~~section~~ March 20, 2026, the Tax Commissioner shall do all of the 250
following: 251

(1) For all property located in a county that underwent a 252
reappraisal or triennial update in tax year 2023 or 2024, 253
determine whether the property would have been eligible for a 254
reduction in taxes under section 319.303 of the Revised Code for 255
that tax year if that section had been in effect for that tax 256
year; 257

(2) For all property that would have been eligible for a 258
reduction in taxes, as determined under division (B) (1) of this 259
section, compute the credit factor that would have been 260
calculated for that property in the tax year in which the 261

property was subject to the reappraisal or triennial update as 262
if ~~this act~~ H.B. 186 of the 136th General Assembly had been in 263
effect for that tax year; 264

(3) Certify the credit factors determined under division 265
(B) (2) of this section to the appropriate county auditors. 266

(C) Notwithstanding section 319.303 of the Revised Code, 267
as enacted by ~~this act~~ H.B. 186 of the 136th General Assembly, 268
property that was located in a county that underwent a 269
reappraisal or triennial update in tax year 2023 and for which a 270
credit factor is certified under division (B) (3) of this section 271
is eligible for a reduction in taxes for tax year 2025, in the 272
case of property on the real property tax list, or tax year 273
2026, in the case of property on the manufactured home tax list. 274
The reduction shall equal the product obtained by multiplying 275
that credit factor by the taxes charged and payable against the 276
property for that tax year. 277

(D) Notwithstanding section 319.303 of the Revised Code, 278
as enacted by ~~this act~~ H.B. 186 of the 136th General Assembly, 279
property that was located in a county that underwent a 280
reappraisal or triennial update in tax year 2024 and for which a 281
credit factor is certified under division (B) (3) of this section 282
is eligible for a reduction in taxes for tax years 2025 and 283
2026, in the case of property on the real property tax list, or 284
tax years 2026 and 2027, in the case of property on the 285
manufactured home tax list. The reduction shall equal the 286
product obtained by multiplying that credit factor by the taxes 287
charged and payable against the property for each such tax year. 288

(E) Notwithstanding section 319.303 of the Revised Code, 289
as enacted by ~~this act~~ H.B. 186 of the 136th General Assembly, 290
the Tax Commissioner, rather than county auditors, shall compute 291

the credit factor for property that is located in a county that 292
is undergoing a reappraisal or triennial update in tax year 2025 293
and that is eligible for the reduction in taxes under that 294
section. Within sixty days after ~~the effective date of this~~ 295
~~section~~ March 20, 2026, the Commissioner shall determine whether 296
property located in such counties is eligible for the reduction 297
and, if so, compute the credit factor for that property. The 298
Commissioner shall certify the credit factors determined under 299
division (E) of this section to the appropriate county auditors. 300

(F) Within thirty days after ~~the effective date of this~~ 301
~~section~~ March 20, 2026, each county auditor shall certify to the 302
Tax Commissioner, in the form prescribed by the Commissioner, 303
each of the following for each school district and each joint 304
vocational school district with territory in the county: 305

(1) The total value of qualifying nonbusiness property; 306

(2) The total value of qualifying business property; 307

(3) The taxes charged and payable, as described in 308
division (A) (5) (a) of section 319.303 of the Revised Code, as 309
enacted by ~~this act~~ H.B. 186 of the 136th General Assembly, for 310
the property described in divisions (F) (1) and (2) of this 311
section; 312

(4) The taxes charged and payable, as described in 313
division (A) (5) (b) of section 319.303 of the Revised Code, as 314
enacted by ~~this act~~ H.B. 186 of the 136th General Assembly, for 315
the property described in divisions (F) (1) and (2) of this 316
section; 317

(5) The floor tax revenue for the property described in 318
divisions (F) (1) and (2) of this section. 319

If the county is scheduled to undergo a reappraisal or 320

triennial update for tax year 2025, the certifications required 321
in division (F) of this section shall be for that tax year. If 322
the county is not scheduled to undergo a reappraisal or 323
triennial update for that tax year, the certifications shall be 324
for the tax year in which the county most recently underwent a 325
reappraisal or triennial update. 326

(G) Notwithstanding any provision of the Revised Code to 327
the contrary, the reduction authorized for any property under 328
this section or section 319.303 of the Revised Code for tax year 329
2025, in the case of property on the real property tax list, or 330
tax year 2026, in the case of property on the manufactured home 331
tax list, shall be applied entirely against the second-half tax 332
bill issued for such property for that respective tax year. To 333
the extent that such reduction has resulted in a taxpayer 334
overpayment for the applicable tax year, the county treasurer 335
shall proceed in the same manner as is prescribed for the 336
refunding or crediting of overpayments under section 319.36 of 337
the Revised Code, as amended by this act. 338

Section 4. That existing Section 4 of H.B. 186 of the 339
136th General Assembly is hereby repealed. 340

Section 5. The amendment by this act of sections 319.36, 341
323.132, and 5715.22 of the Revised Code applies to property tax 342
overpayments required to be refunded or credited on or after the 343
effective date of this section. 344