

As Introduced

136th General Assembly

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H. B. No. 156

Representatives Hall, T., Isaacsohn

**Cosponsors: Representatives Brennan, Rader, Mullins, Sweeney, Daniels,
Johnson, Cockley, Miller, J., Brent, Jarrells, Somani, Lett, Thomas, C., McNally,
Piccolantonio, Glassburn, Baker, Robinson, Mohamed, Williams, Russo, Rogers,
Synenberg, Upchurch**

To amend sections 323.152, 323.153, 323.158, 1
4503.06, 4503.066, 4503.067, 4503.068, 4503.069, 2
and 4503.0610 and to enact section 4503.0612 of 3
the Revised Code to authorize a property tax 4
freeze for certain owner-occupied homes. 5

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

Section 1. That sections 323.152, 323.153, 323.158, 6
4503.06, 4503.066, 4503.067, 4503.068, 4503.069, and 4503.0610 7
be amended and section 4503.0612 of the Revised Code be enacted 8
to read as follows: 9

Sec. 323.152. In addition to the reduction in taxes 10
required under section 319.302 of the Revised Code, taxes shall 11
be reduced as provided in divisions (A), ~~and~~ (B), and (C) of 12
this section. 13

(A) (1) (a) Division (A) (1) of this section applies to any 14
of the following persons: 15

(i) A person who is permanently and totally disabled; 16

(ii) A person who is sixty-five years of age or older; 17

(iii) A person who is the surviving spouse of a deceased 18
person who was permanently and totally disabled or sixty-five 19
years of age or older and who applied and qualified for a 20
reduction in taxes under this division in the year of death, 21
provided the surviving spouse is at least fifty-nine but not 22
sixty-five or more years of age on the date the deceased spouse 23
dies. 24

(b) Real property taxes on a homestead owned and occupied, 25
or a homestead in a housing cooperative occupied, by a person to 26
whom division (A) (1) of this section applies shall be reduced 27
for each year for which an application for the reduction has 28
been approved. The reduction shall equal one of the following 29
amounts, as applicable to the person: 30

(i) If the person received a reduction under division (A) 31
(1) of this section for tax year 2006, the greater of the 32
reduction for that tax year or the amount computed under 33
division (A) (1) (c) of this section; 34

(ii) If the person received, for any homestead, a 35
reduction under division (A) (1) of this section for tax year 36
2013 or under division (A) of section 4503.065 of the Revised 37
Code for tax year 2014 or the person is the surviving spouse of 38
such a person and the surviving spouse is at least fifty-nine 39
years of age on the date the deceased spouse dies, the amount 40
computed under division (A) (1) (c) of this section. 41

(iii) If the person is not described in division (A) (1) (b) 42
(i) or (ii) of this section and the person's total income does 43
not exceed thirty thousand dollars, as adjusted under division 44
(A) (1) (d) of this section, the amount computed under division 45

(A) (1) (c) of this section. 46

(c) The amount of the reduction under division (A) (1) (c) 47
of this section equals the product of the following: 48

(i) Twenty-five thousand dollars of the true value of the 49
property in money, as adjusted under division (A) (1) (d) of this 50
section; 51

(ii) The assessment percentage established by the tax 52
commissioner under division (B) of section 5715.01 of the 53
Revised Code, not to exceed thirty-five per cent; 54

(iii) The effective tax rate used to calculate the taxes 55
charged against the property for the current year, where 56
"effective tax rate" is defined as in section 323.08 of the 57
Revised Code; 58

(iv) The quantity equal to one minus the sum of the 59
percentage reductions in taxes received by the property for the 60
current tax year under section 319.302 of the Revised Code and 61
division (B) of section 323.152 of the Revised Code. 62

(d) The tax commissioner shall adjust the total income 63
~~threshold~~ thresholds described in ~~division~~ divisions (A) (1) (b) 64
(iii) and (C) (3) and the reduction amounts described in 65
divisions (A) (1) (c) (i), (A) (2), and (A) (3) of this section by 66
completing the following calculations in September of each year: 67

(i) Determine the percentage increase in the gross 68
domestic product deflator determined by the bureau of economic 69
analysis of the United States department of commerce from the 70
first day of January of the preceding calendar year to the last 71
day of December of the preceding calendar year; 72

(ii) Multiply that percentage increase by the total income 73

threshold or reduction amount for the current tax year, as 74
applicable; 75

(iii) Add the resulting product to the total income 76
threshold or the reduction amount, as applicable, for the 77
current tax year; 78

(iv) Round the resulting sum to the nearest multiple of 79
one hundred dollars. 80

The commissioner shall certify the amount resulting from 81
each adjustment to each county auditor not later than the first 82
day of December each year. The certified total income threshold 83
amount applies to the following tax year for persons described 84
in division (A) (1) (b) (iii) or (C) of this section. The certified 85
reduction amount applies to the following tax year. The 86
commissioner shall not make the applicable adjustment in any 87
calendar year in which the amount resulting from the adjustment 88
would be less than the total income threshold or the reduction 89
amount for the current tax year. 90

(2) (a) Real property taxes on a homestead owned and 91
occupied, or a homestead in a housing cooperative occupied, by a 92
disabled veteran shall be reduced for each year for which an 93
application for the reduction has been approved. The reduction 94
shall equal the product obtained by multiplying fifty thousand 95
dollars of the true value of the property in money, as adjusted 96
under division (A) (1) (d) of this section, by the amounts 97
described in divisions (A) (1) (c) (ii) to (iv) of this section. 98
The reduction is in lieu of any reduction under section 323.158 99
of the Revised Code or division (A) (1), (2) (b), or (3) of this 100
section. The reduction applies to only one homestead owned and 101
occupied by a disabled veteran. 102

(b) Real property taxes on a homestead owned and occupied, 103
or a homestead in a housing cooperative occupied, by the 104
surviving spouse of a disabled veteran shall be reduced for each 105
year an application for exemption is approved. The reduction 106
shall equal to the amount of the reduction authorized under 107
division (A) (2) (a) of this section. 108

The reduction is in lieu of any reduction under section 109
323.158 of the Revised Code or division (A) (1), (2) (a), or (3) 110
of this section. The reduction applies to only one homestead 111
owned and occupied by the surviving spouse of a disabled 112
veteran. A homestead qualifies for a reduction in taxes under 113
division (A) (2) (b) of this section beginning in one of the 114
following tax years: 115

(i) For a surviving spouse described in division (L) (1) of 116
section 323.151 of the Revised Code, the year the disabled 117
veteran dies; 118

(ii) For a surviving spouse described in division (L) (2) 119
of section 323.151 of the Revised Code, the first year on the 120
first day of January of which the total disability rating 121
described in division (F) of that section has been received for 122
the deceased spouse. 123

In either case, the reduction shall continue through the 124
tax year in which the surviving spouse dies or remarries. 125

(3) Real property taxes on a homestead owned and occupied, 126
or a homestead in a housing cooperative occupied, by the 127
surviving spouse of a public service officer killed in the line 128
of duty shall be reduced for each year for which an application 129
for the reduction has been approved. The reduction shall equal 130
the product obtained by multiplying fifty thousand dollars of 131

the true value of the property in money, as adjusted under 132
division (A) (1) (d) of this section, by the amounts described in 133
divisions (A) (1) (c) (ii) to (iv) of this section. The reduction 134
is in lieu of any reduction under section 323.158 of the Revised 135
Code or division (A) (1) or (2) of this section. The reduction 136
applies to only one homestead owned and occupied by such a 137
surviving spouse. A homestead qualifies for a reduction in taxes 138
under division (A) (3) of this section for the tax year in which 139
the public service officer dies through the tax year in which 140
the surviving spouse dies or remarries. 141

(B) To provide a partial exemption, real property taxes on 142
any homestead, and manufactured home taxes on any manufactured 143
or mobile home on which a manufactured home tax is assessed 144
pursuant to division (D) (2) of section 4503.06 of the Revised 145
Code, shall be reduced for each year for which an application 146
for the reduction has been approved. The amount of the reduction 147
shall equal two and one-half per cent of the amount of taxes to 148
be levied by qualifying levies on the homestead or the 149
manufactured or mobile home after applying section 319.301 of 150
the Revised Code. For the purposes of this division, "qualifying 151
levy" has the same meaning as in section 319.302 of the Revised 152
Code. 153

(C) Real property taxes on a homestead owned and occupied, 154
or a homestead in a housing cooperative occupied, by a person 155
shall be reduced for each year for which an application for the 156
reduction has been approved if all of the following requirements 157
are met: 158

(1) The person is sixty-five years of age or older; 159

(2) The person, for two or more years immediately 160
preceding the first day of the tax year, has either (a) 161

continuously owned and occupied a homestead or continuously 162
occupied a homestead in a housing cooperative or (b) 163
continuously owned and occupied a manufactured or mobile home 164
while domiciled in this state; 165

(3) The person's total income does not exceed fifty 166
thousand dollars, as adjusted under division (A) (1) (d) of this 167
section; 168

(4) The true value of the person's homestead for the tax 169
year is less than five hundred thousand dollars. 170

The reduction shall equal the amount by which the current 171
taxes for the current tax year exceed the current taxes for the 172
preceding year. As used in this division, "current taxes" means 173
the amount of current taxes charged and payable as computed 174
after the reductions under divisions (A) and (B) of this section 175
and sections 319.301, 319.302, and 323.158 of the Revised Code. 176
The computation of "current taxes for the preceding year" shall 177
equal the current taxes for that year after subtracting any 178
amount reduced under division (C) of this section for that year. 179

~~(C)~~ (D) The reductions granted by this section do not 180
apply to special assessments or respread of assessments levied 181
against the homestead, and if there is a transfer of ownership 182
subsequent to the filing of an application for a reduction in 183
taxes, such reductions are not forfeited for such year by virtue 184
of such transfer. 185

~~(D)~~ (E) The reductions in taxable value referred to in 186
this section shall be applied solely as a factor for the purpose 187
of computing the reduction of taxes under this section and shall 188
not affect the total value of property in any subdivision or 189
taxing district as listed and assessed for taxation on the tax 190

lists and duplicates, or any direct or indirect limitations on 191
indebtedness of a subdivision or taxing district. If after 192
application of sections 5705.31 and 5705.32 of the Revised Code, 193
including the allocation of all levies within the ten-mill 194
limitation to debt charges to the extent therein provided, there 195
would be insufficient funds for payment of debt charges not 196
provided for by levies in excess of the ten-mill limitation, the 197
reduction of taxes provided for in sections 323.151 to 323.159 198
of the Revised Code shall be proportionately adjusted to the 199
extent necessary to provide such funds from levies within the 200
ten-mill limitation. 201

~~(E)~~ (F) No reduction shall be made on the taxes due on the 202
homestead of any person convicted of violating division (D) or 203
(E) of section 323.153 of the Revised Code for a period of three 204
years following the conviction. 205

Sec. 323.153. (A) To obtain a reduction in real property 206
taxes under division (A) ~~or~~, (B), or (C) of section 323.152 of 207
the Revised Code or in manufactured home taxes under division 208
(B) of section 323.152 of the Revised Code, the owner shall file 209
an application with the county auditor of the county in which 210
the owner's homestead is located. 211

To obtain a reduction in real property taxes under 212
division (A) or (C) of section 323.152 of the Revised Code, the 213
occupant of a homestead in a housing cooperative shall file an 214
application with the nonprofit corporation that owns and 215
operates the housing cooperative, in accordance with this 216
paragraph. Not later than the first day of March each year, the 217
corporation shall obtain applications from the county auditor's 218
office and provide one to each new occupant. Not later than the 219
first day of May, any occupant who may be eligible for a 220

reduction in taxes under division (A) or (C) of section 323.152 221
of the Revised Code shall submit the completed application to 222
the corporation. Not later than the fifteenth day of May, the 223
corporation shall file all completed applications, and the 224
information required by division (B) of section 323.159 of the 225
Revised Code, with the county auditor of the county in which the 226
occupants' homesteads are located. Continuing applications shall 227
be furnished to an occupant in the manner provided in division 228
(C) (4) of this section. 229

(1) An application for reduction based upon a physical 230
disability shall be accompanied by a certificate signed by a 231
physician, and an application for reduction based upon a mental 232
disability shall be accompanied by a certificate signed by a 233
physician or psychologist licensed to practice in this state, 234
attesting to the fact that the applicant is permanently and 235
totally disabled. The certificate shall be in a form that the 236
tax commissioner requires and shall include the definition of 237
permanently and totally disabled as set forth in section 323.151 238
of the Revised Code. An application for reduction based upon a 239
disability certified as permanent and total by a state or 240
federal agency having the function of so classifying persons 241
shall be accompanied by a certificate from that agency. 242

An application by a disabled veteran or the surviving 243
spouse of a disabled veteran for the reduction under division 244
(A) (2) (a) or (b) of section 323.152 of the Revised Code shall be 245
accompanied by a letter or other written confirmation from the 246
United States department of veterans affairs, or its predecessor 247
or successor agency, showing that the veteran qualifies as a 248
disabled veteran. 249

An application by the surviving spouse of a public service 250

officer killed in the line of duty for the reduction under 251
division (A) (3) of section 323.152 of the Revised Code shall be 252
accompanied by a letter or other written confirmation from an 253
employee or officer of the board of trustees of a retirement or 254
pension fund in this state or another state or from the chief or 255
other chief executive of the department, agency, or other 256
employer for which the public service officer served when killed 257
in the line of duty affirming that the public service officer 258
was killed in the line of duty. 259

An application for a reduction under division (C) of 260
section 323.152 of the Revised Code shall be accompanied by 261
documentation sufficient to prove that the applicant meets all 262
qualifications for that reduction. 263

An application for a reduction under division (A) or (C) 264
of section 323.152 of the Revised Code constitutes a continuing 265
application for a reduction in taxes for each year in which the 266
dwelling is the applicant's homestead. 267

(2) An application for a reduction in taxes under division 268
(B) of section 323.152 of the Revised Code shall be filed only 269
if the homestead or manufactured or mobile home was transferred 270
in the preceding year or did not qualify for and receive the 271
reduction in taxes under that division for the preceding tax 272
year. The application for homesteads transferred in the 273
preceding year shall be incorporated into any form used by the 274
county auditor to administer the tax law in respect to the 275
conveyance of real property pursuant to section 319.20 of the 276
Revised Code or of used manufactured homes or used mobile homes 277
as defined in section 5739.0210 of the Revised Code. The owner 278
of a manufactured or mobile home who has elected under division 279
(D) (4) of section 4503.06 of the Revised Code to be taxed under 280

division (D) (2) of that section for the ensuing year may file 281
the application at the time of making that election. The 282
application shall contain a statement that failure by the 283
applicant to affirm on the application that the dwelling on the 284
property conveyed is the applicant's homestead prohibits the 285
owner from receiving the reduction in taxes until a proper 286
application is filed within the period prescribed by division 287
(A) (3) of this section. Such an application constitutes a 288
continuing application for a reduction in taxes for each year in 289
which the dwelling is the applicant's homestead. 290

(3) Failure to receive a new application filed under 291
division (A) (1) or (2) or notification under division (C) of 292
this section after an application for reduction has been 293
approved is prima-facie evidence that the original applicant is 294
entitled to the reduction in taxes calculated on the basis of 295
the information contained in the original application. The 296
original application and any subsequent application, including 297
any late application, shall be in the form of a signed statement 298
and shall be filed on or before the thirty-first day of December 299
of the year for which the reduction is sought. The original 300
application and any subsequent application for a reduction in 301
manufactured home taxes shall be filed in the year preceding the 302
year for which the reduction is sought. The statement shall be 303
on a form, devised and supplied by the tax commissioner, which 304
shall require no more information than is necessary to establish 305
the applicant's eligibility for the reduction in taxes and the 306
amount of the reduction, and, except for homesteads that are 307
units in a housing cooperative, shall include an affirmation by 308
the applicant that ownership of the homestead was not acquired 309
from a person, other than the applicant's spouse, related to the 310
owner by consanguinity or affinity for the purpose of qualifying 311

for the real property or manufactured home tax reduction 312
provided for in division (A) ~~or~~, (B), or (C) of section 323.152 313
of the Revised Code. The form shall contain a statement that 314
conviction of willfully falsifying information to obtain a 315
reduction in taxes or failing to comply with division (C) of 316
this section results in the revocation of the right to the 317
reduction for a period of three years. In the case of an 318
application for a reduction in taxes for persons described in 319
division (A) (1) (b) (iii) of section 323.152 of the Revised Code, 320
the form shall contain a statement that signing the application 321
constitutes a delegation of authority by the applicant to the 322
tax commissioner or the county auditor, individually or in 323
consultation with each other, to examine any tax or financial 324
records relating to the income of the applicant as stated on the 325
application for the purpose of determining eligibility for the 326
exemption or a possible violation of division (D) or (E) of this 327
section. 328

(B) A late application for a tax reduction for the year 329
preceding the year in which an original application is filed, or 330
for a reduction in manufactured home taxes for the year in which 331
an original application is filed, may be filed with the original 332
application. If the county auditor determines the information 333
contained in the late application is correct, the auditor shall 334
determine the amount of the reduction in taxes to which the 335
applicant would have been entitled for the preceding tax year 336
had the applicant's application been timely filed and approved 337
in that year. 338

The amount of such reduction shall be treated by the 339
auditor as an overpayment of taxes by the applicant and shall be 340
refunded in the manner prescribed in section 5715.22 of the 341
Revised Code for making refunds of overpayments. The county 342

auditor shall certify the total amount of the reductions in 343
taxes made in the current year under this division to the tax 344
commissioner, who shall treat the full amount thereof as a 345
reduction in taxes for the preceding tax year and shall make 346
reimbursement to the county therefor in the manner prescribed by 347
section 323.156 of the Revised Code, from money appropriated for 348
that purpose. 349

(C) (1) If, in any year after an application has been filed 350
under division (A) (1) or (2) of this section, the owner does not 351
qualify for a reduction in taxes on the homestead or on the 352
manufactured or mobile home set forth on such application, the 353
owner shall notify the county auditor that the owner is not 354
qualified for a reduction in taxes. 355

(2) If, in any year after an application has been filed 356
under division (A) (1) of this section, the occupant of a 357
homestead in a housing cooperative does not qualify for a 358
reduction in taxes on the homestead, the occupant shall notify 359
the county auditor that the occupant is not qualified for a 360
reduction in taxes or file a new application under division (A) 361
(1) of this section. 362

(3) If the county auditor or county treasurer discovers 363
that an owner of property or occupant of a homestead in a 364
housing cooperative not entitled to the reduction in taxes under 365
division (A), ~~or (B)~~, or (C) of section 323.152 of the Revised 366
Code failed to notify the county auditor as required by division 367
(C) (1) or (2) of this section, a charge shall be imposed against 368
the property in the amount by which taxes were reduced under 369
that division for each tax year the county auditor ascertains 370
that the property was not entitled to the reduction and was 371
owned by the current owner or, in the case of a homestead in a 372

housing cooperative, occupied by the current occupant. Interest 373
shall accrue in the manner prescribed by division (B) of section 374
323.121 or division (G) (2) of section 4503.06 of the Revised 375
Code on the amount by which taxes were reduced for each such tax 376
year as if the reduction became delinquent taxes at the close of 377
the last day the second installment of taxes for that tax year 378
could be paid without penalty. The county auditor shall notify 379
the owner or occupant, by ordinary mail, of the charge, of the 380
owner's or occupant's right to appeal the charge, and of the 381
manner in which the owner or occupant may appeal. The owner or 382
occupant may appeal the imposition of the charge and interest by 383
filing an appeal with the county board of revision not later 384
than the last day prescribed for payment of real and public 385
utility property taxes under section 323.12 of the Revised Code 386
following receipt of the notice and occurring at least ninety 387
days after receipt of the notice. The appeal shall be treated in 388
the same manner as a complaint relating to the valuation or 389
assessment of real property under Chapter 5715. of the Revised 390
Code. The charge and any interest shall be collected as other 391
delinquent taxes. 392

(4) Each year during January, the county auditor shall 393
furnish by ordinary mail a continuing application to each person 394
receiving a reduction under division (A) or (C) of section 395
323.152 of the Revised Code. The continuing application shall be 396
used to report changes in total income, ownership, occupancy, 397
disability, and other information earlier furnished the auditor 398
relative to the reduction in taxes on the property. The 399
continuing application shall be returned to the auditor not 400
later than the thirty-first day of December; provided, that if 401
such changes do not affect the status of the homestead exemption 402
or the amount of the reduction to which the owner is entitled 403

under division (A) or (C) of section 323.152 of the Revised Code 404
or to which the occupant is entitled under section 323.159 of 405
the Revised Code, the application does not need to be returned. 406

(5) Each year during February, the county auditor, except 407
as otherwise provided in this paragraph, shall furnish by 408
ordinary mail an original application to the owner, as of the 409
first day of January of that year, of a homestead or a 410
manufactured or mobile home that transferred during the 411
preceding calendar year and that qualified for and received a 412
reduction in taxes under division (B) of section 323.152 of the 413
Revised Code for the preceding tax year. In order to receive the 414
reduction under that division, the owner shall file the 415
application with the county auditor not later than the thirty- 416
first day of December. If the application is not timely filed, 417
the auditor shall not grant a reduction in taxes for the 418
homestead for the current year, and shall notify the owner that 419
the reduction in taxes has not been granted, in the same manner 420
prescribed under section 323.154 of the Revised Code for 421
notification of denial of an application. Failure of an owner to 422
receive an application does not excuse the failure of the owner 423
to file an original application. The county auditor is not 424
required to furnish an application under this paragraph for any 425
homestead for which application has previously been made on a 426
form incorporated into any form used by the county auditor to 427
administer the tax law in respect to the conveyance of real 428
property or of used manufactured homes or used mobile homes, and 429
an owner who previously has applied on such a form is not 430
required to return an application furnished under this 431
paragraph. 432

(D) No person shall knowingly make a false statement for 433
the purpose of obtaining a reduction in the person's real 434

property or manufactured home taxes under section 323.152 of the 435
Revised Code. 436

(E) No person shall knowingly fail to notify the county 437
auditor of changes required by division (C) of this section that 438
have the effect of maintaining or securing a reduction in taxes 439
under section 323.152 of the Revised Code. 440

(F) No person shall knowingly make a false statement or 441
certification attesting to any person's physical or mental 442
condition for purposes of qualifying such person for tax relief 443
pursuant to sections 323.151 to 323.159 of the Revised Code. 444

Sec. 323.158. (A) As used in this section, "qualifying 445
county" means a county to which both of the following apply: 446

(1) At least one major league professional athletic team 447
plays its home schedule in the county for the season beginning 448
in 1996; 449

(2) The majority of the electors of the county, voting at 450
an election held in 1996, approved a referendum on a resolution 451
of the board of county commissioners levying a sales and use tax 452
under sections 5739.026 and 5741.023 of the Revised Code. 453

(B) On or before December 31, 1996, the board of county 454
commissioners of a qualifying county may adopt a resolution 455
under this section. The resolution shall grant a partial real 456
property tax exemption to each homestead in the county that also 457
receives the tax reduction under division (B) of section 323.152 458
of the Revised Code. The partial exemption shall take the form 459
of the reduction by a specified percentage each year of the real 460
property taxes on the homestead. The resolution shall specify 461
the percentage, which may be any amount. The board may include 462
in the resolution a condition that the partial exemption will 463

apply only upon the receipt by the county of additional revenue 464
from a source specified in the resolution. The resolution shall 465
specify the tax year in which the partial exemption first 466
applies, which may be the tax year in which the resolution takes 467
effect as long as the resolution takes effect before the county 468
auditor certifies the tax duplicate of real and public utility 469
property for that tax year to the county treasurer. Upon 470
adopting the resolution, the board shall certify copies of it to 471
the county auditor and the tax commissioner. 472

(C) After complying with divisions (A) and (B) of section 473
323.152 and sections 319.301, and 319.302, and 323.152 of the 474
Revised Code, the county auditor shall reduce the remaining sum 475
to be levied against a homestead by the percentage called for in 476
the resolution adopted under division (B) of this section. The 477
auditor shall certify the amount of taxes remaining after the 478
reduction to the county treasurer for collection as the real 479
property taxes charged and payable on the homestead, subject to 480
any reduction authorized under division (C) of section 323.152 481
of the Revised Code. 482

(D) For each tax year, the county auditor shall certify to 483
the board of county commissioners the total amount by which real 484
property taxes were reduced under this section. At the time of 485
each semi-annual settlement of real property taxes between the 486
county auditor and county treasurer, the board of county 487
commissioners shall pay to the auditor one-half of that total 488
amount. Upon receipt of the payment, the county auditor shall 489
distribute it among the various taxing districts in the county 490
as if it had been levied, collected, and settled as real 491
property taxes. The board of county commissioners shall make the 492
payment from the county general fund or from any other county 493
revenue that may be used for that purpose. In making the 494

payment, the board may use revenue from taxes levied by the 495
county to provide additional general revenue under sections 496
5739.021 and 5741.021 of the Revised Code or to provide 497
additional revenue for the county general fund under sections 498
5739.026 and 5741.023 of the Revised Code. 499

(E) The partial exemption under this section shall not 500
directly or indirectly affect the determination of the principal 501
amount of notes that may be issued in anticipation of a tax levy 502
or the amount of securities that may be issued for any permanent 503
improvements authorized in conjunction with a tax levy. 504

(F) At any time, the board of county commissioners may 505
adopt a resolution amending or repealing the partial exemption 506
granted under this section. Upon adopting a resolution amending 507
or repealing the partial exemption, the board shall certify 508
copies of it to the county auditor and the tax commissioner. The 509
resolution shall specify the tax year in which the amendment or 510
repeal first applies, which may be the tax year in which the 511
resolution takes effect as long as the resolution takes effect 512
before the county auditor certifies the tax duplicate of real 513
and public utility property for that tax year to the county 514
treasurer. 515

(G) If a person files a late application for a tax 516
reduction under division (B) of section 323.152 of the Revised 517
Code for the preceding year, and is granted the reduction, the 518
person also shall receive the reduction under this section for 519
the preceding year. The county auditor shall credit the amount 520
of the reduction against the person's current year taxes, and 521
shall include the amount of the reduction in the amount 522
certified to the board of county commissioners under division 523
(D) of this section. 524

Sec. 4503.06. (A) The owner of each manufactured or mobile 525
home that has acquired situs in this state shall pay either a 526
real property tax pursuant to Title LVII of the Revised Code or 527
a manufactured home tax pursuant to division (C) of this 528
section. 529

(B) The owner of a manufactured or mobile home shall pay 530
real property taxes if either of the following applies: 531

(1) The manufactured or mobile home acquired situs in the 532
state or ownership in the home was transferred on or after 533
January 1, 2000, and all of the following apply: 534

(a) The home is affixed to a permanent foundation as 535
defined in division (C) (5) of section 3781.06 of the Revised 536
Code. 537

(b) The home is located on land that is owned by the owner 538
of the home. 539

(c) The certificate of title has been inactivated by the 540
clerk of the court of common pleas that issued it, pursuant to 541
division (H) of section 4505.11 of the Revised Code. 542

(2) The manufactured or mobile home acquired situs in the 543
state or ownership in the home was transferred before January 1, 544
2000, and all of the following apply: 545

(a) The home is affixed to a permanent foundation as 546
defined in division (C) (5) of section 3781.06 of the Revised 547
Code. 548

(b) The home is located on land that is owned by the owner 549
of the home. 550

(c) The owner of the home has elected to have the home 551
taxed as real property and, pursuant to section 4505.11 of the 552

Revised Code, has surrendered the certificate of title to the 553
auditor of the county containing the taxing district in which 554
the home has its situs, together with proof that all taxes have 555
been paid. 556

(d) The county auditor has placed the home on the real 557
property tax list and delivered the certificate of title to the 558
clerk of the court of common pleas that issued it and the clerk 559
has inactivated the certificate. 560

(C) (1) Any mobile or manufactured home that is not taxed 561
as real property as provided in division (B) of this section is 562
subject to an annual manufactured home tax, payable by the 563
owner, for locating the home in this state. The tax as levied in 564
this section is for the purpose of supplementing the general 565
revenue funds of the local subdivisions in which the home has 566
its situs pursuant to this section. 567

(2) The year for which the manufactured home tax is levied 568
commences on the first day of January and ends on the following 569
thirty-first day of December. The state shall have the first 570
lien on any manufactured or mobile home on the list for the 571
amount of taxes, penalties, and interest charged against the 572
owner of the home under this section. The lien of the state for 573
the tax for a year shall attach on the first day of January to a 574
home that has acquired situs on that date. The lien for a home 575
that has not acquired situs on the first day of January, but 576
that acquires situs during the year, shall attach on the next 577
first day of January. The lien shall continue until the tax, 578
including any penalty or interest, is paid. 579

(3) (a) The situs of a manufactured or mobile home located 580
in this state on the first day of January is the local taxing 581
district in which the home is located on that date. 582

(b) The situs of a manufactured or mobile home not located 583
in this state on the first day of January, but located in this 584
state subsequent to that date, is the local taxing district in 585
which the home is located thirty days after it is acquired or 586
first enters this state. 587

(4) The tax is collected by and paid to the county 588
treasurer of the county containing the taxing district in which 589
the home has its situs. 590

(D) The manufactured home tax shall be computed and 591
assessed by the county auditor of the county containing the 592
taxing district in which the home has its situs as follows: 593

(1) On a home that acquired situs in this state prior to 594
January 1, 2000: 595

(a) By multiplying the assessable value of the home by the 596
tax rate of the taxing district in which the home has its situs, 597
and deducting from the product thus obtained any reduction 598
authorized under section 4503.065 or 4503.0612 of the Revised 599
Code. The tax levied under this formula shall not be less than 600
thirty-six dollars, unless the home qualifies for a reduction in 601
assessable value under section 4503.065 or 4503.0612 of the 602
Revised Code, in which case there shall be no minimum tax and 603
the tax shall be the amount calculated under this division. 604

(b) The assessable value of the home shall be forty per 605
cent of the amount arrived at by the following computation: 606

(i) If the cost to the owner, or market value at time of 607
purchase, whichever is greater, of the home includes the 608
furnishings and equipment, such cost or market value shall be 609
multiplied according to the following schedule: 610

611

	1	2	3
A	For the first calendar year in which the home is owned by the current owner	x	80%
B	2nd calendar year	x	75%
C	3rd "	x	70%
D	4th "	x	65%
E	5th "	x	60%
F	6th "	x	55%
G	7th "	x	50%
H	8th "	x	45%
I	9th "	x	40%
J	10th and each year thereafter	x	35%

The first calendar year means any period between the first 612
day of January and the thirty-first day of December of the first 613
year. 614

(ii) If the cost to the owner, or market value at the time 615
of purchase, whichever is greater, of the home does not include 616
the furnishings and equipment, such cost or market value shall 617
be multiplied according to the following schedule: 618
619

	1	2	3
A	For the first calendar year in which the	x	95%

home is owned by the current owner

B	2nd calendar year	x	90%
C	3rd "	x	85%
D	4th "	x	80%
E	5th "	x	75%
F	6th "	x	70%
G	7th "	x	65%
H	8th "	x	60%
I	9th "	x	55%
J	10th and each year thereafter	x	50%

The first calendar year means any period between the first 620
day of January and the thirty-first day of December of the first 621
year. 622

(2) On a home in which ownership was transferred or that 623
first acquired situs in this state on or after January 1, 2000: 624

(a) By multiplying the assessable value of the home by the 625
effective tax rate, as defined in section 323.08 of the Revised 626
Code, for residential real property of the taxing district in 627
which the home has its situs, and deducting from the product 628
thus obtained the reductions required or authorized under 629
~~section 319.302,~~ division (B) of section 323.152, or section 630
319.302, 4503.065, or 4503.0612 of the Revised Code. 631

(b) The assessable value of the home shall be thirty-five 632

per cent of its true value as determined under division (L) of 633
this section. 634

(3) On or before the fifteenth day of January each year, 635
the county auditor shall record the assessable value and the 636
amount of tax on the manufactured or mobile home on the tax list 637
and deliver a duplicate of the list to the county treasurer. In 638
the case of an emergency as defined in section 323.17 of the 639
Revised Code, the tax commissioner, by journal entry, may extend 640
the times for delivery of the duplicate for an additional 641
fifteen days upon receiving a written application from the 642
county auditor regarding an extension for the delivery of the 643
duplicate, or from the county treasurer regarding an extension 644
of the time for the billing and collection of taxes. The 645
application shall contain a statement describing the emergency 646
that will cause the unavoidable delay and must be received by 647
the tax commissioner on or before the last day of the month 648
preceding the day delivery of the duplicate is otherwise 649
required. When an extension is granted for delivery of the 650
duplicate, the time period for payment of taxes shall be 651
extended for a like period of time. When a delay in the closing 652
of a tax collection period becomes unavoidable, the tax 653
commissioner, upon application by the county auditor and county 654
treasurer, may order the time for payment of taxes to be 655
extended if the tax commissioner determines that penalties have 656
accrued or would otherwise accrue for reasons beyond the control 657
of the taxpayers of the county. The order shall prescribe the 658
final extended date for payment of taxes for that collection 659
period. 660

(4) After January 1, 1999, the owner of a manufactured or 661
mobile home taxed pursuant to division (D)(1) of this section 662
may elect to have the home taxed pursuant to division (D)(2) of 663

this section by filing a written request with the county auditor 664
of the taxing district in which the home is located on or before 665
the first day of December of any year. Upon the filing of the 666
request, the county auditor shall determine whether all taxes 667
levied under division (D) (1) of this section have been paid, and 668
if those taxes have been paid, the county auditor shall tax the 669
manufactured or mobile home pursuant to division (D) (2) of this 670
section commencing in the next tax year. 671

(5) A manufactured or mobile home that acquired situs in 672
this state prior to January 1, 2000, shall be taxed pursuant to 673
division (D) (2) of this section if no manufactured home tax had 674
been paid for the home and the home was not exempted from 675
taxation pursuant to division (E) of this section for the year 676
for which the taxes were not paid. 677

(6) (a) Immediately upon receipt of any manufactured home 678
tax duplicate from the county auditor, but not less than twenty 679
days prior to the last date on which the first one-half taxes 680
may be paid without penalty as prescribed in division (F) of 681
this section, the county treasurer shall cause to be prepared 682
and mailed or delivered to each person charged on that duplicate 683
with taxes, or to an agent designated by such person, the tax 684
bill prescribed by the tax commissioner under division (D) (7) of 685
this section. When taxes are paid by installments, the county 686
treasurer shall mail or deliver to each person charged on such 687
duplicate or the agent designated by that person a second tax 688
bill showing the amount due at the time of the second tax 689
collection. The second half tax bill shall be mailed or 690
delivered at least twenty days prior to the close of the second 691
half tax collection period. A change in the mailing address, 692
electronic mail address, or telephone number of any tax bill 693
shall be made in writing to the county treasurer. Failure to 694

receive a bill required by this section does not excuse failure 695
or delay to pay any taxes shown on the bill or, except as 696
provided in division (B) (1) of section 5715.39 of the Revised 697
Code, avoid any penalty, interest, or charge for such delay. 698

A policy adopted by a county treasurer under division (A) 699
(2) of section 323.13 of the Revised Code shall also allow any 700
person required to receive a tax bill under division (D) (6) (a) 701
of this section to request electronic delivery of that tax bill 702
in the same manner. A person may rescind such a request in the 703
same manner as a request made under division (A) (2) of section 704
323.13 of the Revised Code. The request shall terminate upon a 705
change in the name of the person charged with the taxes pursuant 706
to section 4503.061 of the Revised Code. 707

(b) After delivery of the copy of the delinquent 708
manufactured home tax list under division (H) of this section, 709
the county treasurer may prepare and mail to each person in 710
whose name a home is listed an additional tax bill showing the 711
total amount of delinquent taxes charged against the home as 712
shown on the list. The tax bill shall include a notice that the 713
interest charge prescribed by division (G) of this section has 714
begun to accrue. 715

(7) Each tax bill prepared and mailed or delivered under 716
division (D) (6) of this section shall be in the form and contain 717
the information required by the tax commissioner. The 718
commissioner may prescribe different forms for each county and 719
may authorize the county auditor to make up tax bills and tax 720
receipts to be used by the county treasurer. The tax bill shall 721
not contain or be mailed or delivered with any information or 722
material that is not required by this section or that is not 723
authorized by section 321.45 of the Revised Code or by the tax 724

commissioner. In addition to the information required by the 725
commissioner, each tax bill shall contain the following 726
information: 727

(a) The taxes levied and the taxes charged and payable 728
against the manufactured or mobile home; 729

(b) The following notice: "Notice: If the taxes are not 730
paid within sixty days after the county auditor delivers the 731
delinquent manufactured home tax list to the county treasurer, 732
you and your home may be subject to collection proceedings for 733
tax delinquency." Failure to provide such notice has no effect 734
upon the validity of any tax judgment to which a home may be 735
subjected. 736

(c) In the case of manufactured or mobile homes taxed 737
under division (D) (2) of this section, the following additional 738
information: 739

(i) The effective tax rate. The words "effective tax rate" 740
shall appear in boldface type. 741

(ii) The following notice: "Notice: If the taxes charged 742
against this home have been reduced by the 2-1/2 per cent tax 743
reduction for residences occupied by the owner but the home is 744
not a residence occupied by the owner, the owner must notify the 745
county auditor's office not later than March 31 of the year for 746
which the taxes are due. Failure to do so may result in the 747
owner being convicted of a fourth degree misdemeanor, which is 748
punishable by imprisonment up to 30 days, a fine up to \$250, or 749
both, and in the owner having to repay the amount by which the 750
taxes were erroneously or illegally reduced, plus any interest 751
that may apply. 752

If the taxes charged against this home have not been 753

reduced by the 2-1/2 per cent tax reduction and the home is a 754
residence occupied by the owner, the home may qualify for the 755
tax reduction. To obtain an application for the tax reduction or 756
further information, the owner may contact the county auditor's 757
office at _____ (insert the address and telephone number of 758
the county auditor's office)."

(E) (1) A manufactured or mobile home is not subject to 760
this section when any of the following applies: 761

(a) It is taxable as personal property pursuant to section 762
5709.01 of the Revised Code. Any manufactured or mobile home 763
that is used as a residence shall be subject to this section and 764
shall not be taxable as personal property pursuant to section 765
5709.01 of the Revised Code. 766

(b) It bears a license plate issued by any state other 767
than this state unless the home is in this state in excess of an 768
accumulative period of thirty days in any calendar year. 769

(c) The annual tax has been paid on the home in this state 770
for the current year. 771

(d) The tax commissioner has determined, pursuant to 772
section 5715.27 of the Revised Code, that the property is exempt 773
from taxation, or would be exempt from taxation under Chapter 774
5709. of the Revised Code if it were classified as real 775
property. 776

(2) A travel trailer or park trailer, as these terms are 777
defined in section 4501.01 of the Revised Code, is not subject 778
to this section if it is unused or unoccupied and stored at the 779
owner's normal place of residence or at a recognized storage 780
facility. 781

(3) A travel trailer or park trailer, as these terms are 782

defined in section 4501.01 of the Revised Code, is subject to 783
this section and shall be taxed as a manufactured or mobile home 784
if it has a situs longer than thirty days in one location and is 785
connected to existing utilities, unless either of the following 786
applies: 787

(a) The situs is in a state facility or a camping or park 788
area as defined in division (C), (Q), (S), or (V) of section 789
3729.01 of the Revised Code. 790

(b) The situs is in a camping or park area that is a tract 791
of land that has been limited to recreational use by deed or 792
zoning restrictions and subdivided for sale of five or more 793
individual lots for the express or implied purpose of occupancy 794
by either self-contained recreational vehicles as defined in 795
division (T) of section 3729.01 of the Revised Code or by 796
dependent recreational vehicles as defined in division (D) of 797
section 3729.01 of the Revised Code. 798

(F) Except as provided in division (D)(3) of this section, 799
the manufactured home tax is due and payable as follows: 800

(1) When a manufactured or mobile home has a situs in this 801
state, as provided in this section, on the first day of January, 802
one-half of the amount of the tax is due and payable on or 803
before the first day of March and the balance is due and payable 804
on or before the thirty-first day of July. At the option of the 805
owner of the home, the tax for the entire year may be paid in 806
full on the first day of March. 807

(2) When a manufactured or mobile home first acquires a 808
situs in this state after the first day of January, no tax is 809
due and payable for that year. 810

(G) (1) (a) Except as otherwise provided in division (G) (1) 811

(b) of this section, if one-half of the current taxes charged 812
under this section against a manufactured or mobile home, 813
together with the full amount of any delinquent taxes, are not 814
paid on or before the first day of March in that year, or on or 815
before the last day for such payment as extended pursuant to 816
section 4503.063 of the Revised Code, a penalty of ten per cent 817
shall be charged against the unpaid balance of such half of the 818
current taxes. If the total amount of all such taxes is not paid 819
on or before the thirty-first day of July, next thereafter, or 820
on or before the last day for payment as extended pursuant to 821
section 4503.063 of the Revised Code, a like penalty shall be 822
charged on the balance of the total amount of the unpaid current 823
taxes. 824

(b) After a valid delinquent tax contract that includes 825
unpaid current taxes from a first-half collection period 826
described in division (F) of this section has been entered into 827
under section 323.31 of the Revised Code, no ten per cent 828
penalty shall be charged against such taxes after the second- 829
half collection period while the delinquent tax contract remains 830
in effect. On the day a delinquent tax contract becomes void, 831
the ten per cent penalty shall be charged against such taxes and 832
shall equal the amount of penalty that would have been charged 833
against unpaid current taxes outstanding on the date on which 834
the second-half penalty would have been charged thereon under 835
division (G)(1)(a) of this section if the contract had not been 836
in effect. 837

(2)(a) On the first day of the month following the last 838
day the second installment of taxes may be paid without penalty 839
beginning in 2000, interest shall be charged against and 840
computed on all delinquent taxes other than the current taxes 841
that became delinquent taxes at the close of the last day such 842

second installment could be paid without penalty. The charge 843
shall be for interest that accrued during the period that began 844
on the preceding first day of December and ended on the last day 845
of the month that included the last date such second installment 846
could be paid without penalty. The interest shall be computed at 847
the rate per annum prescribed by section 5703.47 of the Revised 848
Code and shall be entered as a separate item on the delinquent 849
manufactured home tax list compiled under division (H) of this 850
section. 851

(b) On the first day of December beginning in 2000, the 852
interest shall be charged against and computed on all delinquent 853
taxes. The charge shall be for interest that accrued during the 854
period that began on the first day of the month following the 855
last date prescribed for the payment of the second installment 856
of taxes in the current year and ended on the immediately 857
preceding last day of November. The interest shall be computed 858
at the rate per annum prescribed by section 5703.47 of the 859
Revised Code and shall be entered as a separate item on the 860
delinquent manufactured home tax list. 861

(c) After a valid undertaking has been entered into for 862
the payment of any delinquent taxes, no interest shall be 863
charged against such delinquent taxes while the undertaking 864
remains in effect in compliance with section 323.31 of the 865
Revised Code. If a valid undertaking becomes void, interest 866
shall be charged against the delinquent taxes for the periods 867
that interest was not permitted to be charged while the 868
undertaking was in effect. The interest shall be charged on the 869
day the undertaking becomes void and shall equal the amount of 870
interest that would have been charged against the unpaid 871
delinquent taxes outstanding on the dates on which interest 872
would have been charged thereon under divisions (G) (1) and (2) 873

of this section had the undertaking not been in effect. 874

(3) If the full amount of the taxes due at either of the 875
times prescribed by division (F) of this section is paid within 876
ten days after such time, the county treasurer shall waive the 877
collection of and the county auditor shall remit one-half of the 878
penalty provided for in this division for failure to make that 879
payment by the prescribed time. 880

(4) The treasurer shall compile and deliver to the county 881
auditor a list of all tax payments the treasurer has received as 882
provided in division (G)(3) of this section. The list shall 883
include any information required by the auditor for the 884
remission of the penalties waived by the treasurer. The taxes so 885
collected shall be included in the settlement next succeeding 886
the settlement then in process. 887

(H)(1) The county auditor shall compile annually a 888
"delinquent manufactured home tax list" consisting of homes the 889
county treasurer's records indicate have taxes that were not 890
paid within the time prescribed by divisions (D)(3) and (F) of 891
this section, have taxes that remain unpaid from prior years, or 892
have unpaid tax penalties or interest that have been assessed. 893

(2) Within thirty days after the settlement under division 894
(H)(2) of section 321.24 of the Revised Code, the county auditor 895
shall deliver a copy of the delinquent manufactured home tax 896
list to the county treasurer. The auditor shall update and 897
publish the delinquent manufactured home tax list annually in 898
the same manner as delinquent real property tax lists are 899
published. The county auditor may apportion the cost of 900
publishing the list among taxing districts in proportion to the 901
amount of delinquent manufactured home taxes so published that 902
each taxing district is entitled to receive upon collection of 903

those taxes, or the county auditor may charge the owner of a 904
home on the list a flat fee established under section 319.54 of 905
the Revised Code for the cost of publishing the list and, if the 906
fee is not paid, may place the fee upon the delinquent 907
manufactured home tax list as a lien on the listed home, to be 908
collected as other manufactured home taxes. 909

(3) When taxes, penalties, or interest are charged against 910
a person on the delinquent manufactured home tax list and are 911
not paid within sixty days after the list is delivered to the 912
county treasurer, the county treasurer shall, in addition to any 913
other remedy provided by law for the collection of taxes, 914
penalties, and interest, enforce collection of such taxes, 915
penalties, and interest by civil action in the name of the 916
treasurer against the owner for the recovery of the unpaid taxes 917
following the procedures for the recovery of delinquent real 918
property taxes in sections 323.25 to 323.28 of the Revised Code. 919
The action may be brought in municipal or county court, provided 920
the amount charged does not exceed the monetary limitations for 921
original jurisdiction for civil actions in those courts. 922

It is sufficient, having made proper parties to the suit, 923
for the county treasurer to allege in the treasurer's bill of 924
particulars or petition that the taxes stand chargeable on the 925
books of the county treasurer against such person, that they are 926
due and unpaid, and that such person is indebted in the amount 927
of taxes appearing to be due the county. The treasurer need not 928
set forth any other matter relating thereto. If it is found on 929
the trial of the action that the person is indebted to the 930
state, judgment shall be rendered in favor of the county 931
treasurer prosecuting the action. The judgment debtor is not 932
entitled to the benefit of any law for stay of execution or 933
exemption of property from levy or sale on execution in the 934

enforcement of the judgment. 935

Upon the filing of an entry of confirmation of sale or an 936
order of forfeiture in a proceeding brought under this division, 937
title to the manufactured or mobile home shall be in the 938
purchaser. The clerk of courts shall issue a certificate of 939
title to the purchaser upon presentation of proof of filing of 940
the entry of confirmation or order and, in the case of a 941
forfeiture, presentation of the county auditor's certificate of 942
sale. 943

(I) The total amount of taxes collected shall be 944
distributed in the following manner: four per cent shall be 945
allowed as compensation to the county auditor for the county 946
auditor's service in assessing the taxes; two per cent shall be 947
allowed as compensation to the county treasurer for the services 948
the county treasurer renders as a result of the tax levied by 949
this section. Such amounts shall be paid into the county 950
treasury, to the credit of the county general revenue fund, on 951
the warrant of the county auditor. Fees to be paid to the credit 952
of the real estate assessment fund shall be collected pursuant 953
to division (C) of section 319.54 of the Revised Code and paid 954
into the county treasury, on the warrant of the county auditor. 955
The balance of the taxes collected shall be distributed among 956
the taxing subdivisions of the county in which the taxes are 957
collected and paid in the same proportions that the amount of 958
manufactured home tax levied by each taxing subdivision of the 959
county in the current tax year bears to the amount of such tax 960
levied by all such subdivisions in the county in the current tax 961
year. The taxes levied and revenues collected under this section 962
shall be in lieu of any general property tax and any tax levied 963
with respect to the privilege of using or occupying a 964
manufactured or mobile home in this state except as provided in 965

sections 4503.04 and 5741.02 of the Revised Code. 966

(J) An agreement to purchase or a bill of sale for a 967
manufactured home shall show whether or not the furnishings and 968
equipment are included in the purchase price. 969

(K) If the county treasurer and the county prosecuting 970
attorney agree that an item charged on the delinquent 971
manufactured home tax list is uncollectible, they shall certify 972
that determination and the reasons to the county board of 973
revision. If the board determines the amount is uncollectible, 974
it shall certify its determination to the county auditor, who 975
shall strike the item from the list. 976

(L) (1) The county auditor shall appraise at its true value 977
any manufactured or mobile home in which ownership is 978
transferred or which first acquires situs in this state on or 979
after January 1, 2000, and any manufactured or mobile home the 980
owner of which has elected, under division (D) (4) of this 981
section, to have the home taxed under division (D) (2) of this 982
section. The true value shall include the value of the home, any 983
additions, and any fixtures, but not any furnishings in the 984
home. In determining the true value of a manufactured or mobile 985
home, the auditor shall consider all facts and circumstances 986
relating to the value of the home, including its age, its 987
capacity to function as a residence, any obsolete 988
characteristics, and other factors that may tend to prove its 989
true value. 990

(2) (a) If a manufactured or mobile home has been the 991
subject of an arm's length sale between a willing seller and a 992
willing buyer within a reasonable length of time prior to the 993
determination of true value, the county auditor shall consider 994
the sale price of the home to be the true value for taxation 995

purposes. 996

(b) The sale price in an arm's length transaction between 997
a willing seller and a willing buyer shall not be considered the 998
true value of the home if either of the following occurred after 999
the sale: 1000

(i) The home has lost value due to a casualty. 1001

(ii) An addition or fixture has been added to the home. 1002

(3) The county auditor shall have each home viewed and 1003
appraised at least once in each six-year period in the same year 1004
in which real property in the county is appraised pursuant to 1005
Chapter 5713. of the Revised Code, and shall update the 1006
appraised values in the third calendar year following the 1007
appraisal. The person viewing or appraising a home may enter the 1008
home to determine by actual view any additions or fixtures that 1009
have been added since the last appraisal. In conducting the 1010
appraisals and establishing the true value, the auditor shall 1011
follow the procedures set forth for appraising real property in 1012
sections 5713.01 and 5713.03 of the Revised Code. 1013

(4) The county auditor shall place the true value of each 1014
home on the manufactured home tax list upon completion of an 1015
appraisal. 1016

(5) (a) If the county auditor changes the true value of a 1017
home, the auditor shall notify the owner of the home in writing, 1018
delivered by mail or in person. The notice shall be given at 1019
least thirty days prior to the issuance of any tax bill that 1020
reflects the change. Failure to receive the notice does not 1021
invalidate any proceeding under this section. 1022

(b) Any owner of a home or any other person or party that 1023
would be authorized to file a complaint under division (A) of 1024

section 5715.19 of the Revised Code if the home was real 1025
property may file a complaint against the true value of the home 1026
as appraised under this section. The complaint shall be filed 1027
with the county auditor on or before the thirty-first day of 1028
March of the current tax year or the date of closing of the 1029
collection for the first half of manufactured home taxes for the 1030
current tax year, whichever is later. The auditor shall present 1031
to the county board of revision all complaints filed with the 1032
auditor under this section. The board shall hear and investigate 1033
the complaint and may take action on it as provided under 1034
sections 5715.11 to 5715.19 of the Revised Code. 1035

(c) If the county board of revision determines, pursuant 1036
to a complaint against the valuation of a manufactured or mobile 1037
home filed under this section, that the amount of taxes, 1038
assessments, or other charges paid was in excess of the amount 1039
due based on the valuation as finally determined, then the 1040
overpayment shall be refunded in the manner prescribed in 1041
section 5715.22 of the Revised Code. 1042

(d) Payment of all or part of a tax under this section for 1043
any year for which a complaint is pending before the county 1044
board of revision does not abate the complaint or in any way 1045
affect the hearing and determination thereof. 1046

(M) If the county auditor determines that any tax or other 1047
charge or any part thereof has been erroneously charged as a 1048
result of a clerical error as defined in section 319.35 of the 1049
Revised Code, the county auditor shall call the attention of the 1050
county board of revision to the erroneous charges. If the board 1051
finds that the taxes or other charges have been erroneously 1052
charged or collected, it shall certify the finding to the 1053
auditor. Upon receipt of the certification, the auditor shall 1054

remove the erroneous charges on the manufactured home tax list 1055
or delinquent manufactured home tax list in the same manner as 1056
is prescribed in section 319.35 of the Revised Code for 1057
erroneous charges against real property, and refund any 1058
erroneous charges that have been collected, with interest, in 1059
the same manner as is prescribed in section 319.36 of the 1060
Revised Code for erroneous charges against real property. 1061

(N) As used in this section and section 4503.061 of the 1062
Revised Code: 1063

(1) "Manufactured home taxes" includes taxes, penalties, 1064
and interest charged under division (C) or (G) of this section 1065
and any penalties charged under division (G) or (H) (5) of 1066
section 4503.061 of the Revised Code. 1067

(2) "Current taxes" means all manufactured home taxes 1068
charged against a manufactured or mobile home that have not 1069
appeared on the manufactured home tax list for any prior year. 1070
Current taxes become delinquent taxes if they remain unpaid 1071
after the last day prescribed for payment of the second 1072
installment of current taxes without penalty, whether or not 1073
they have been certified delinquent. 1074

(3) "Delinquent taxes" means: 1075

(a) Any manufactured home taxes that were charged against 1076
a manufactured or mobile home for a prior year, including any 1077
penalties or interest charged for a prior year and the costs of 1078
publication under division (H) (2) of this section, and that 1079
remain unpaid; 1080

(b) Any current manufactured home taxes charged against a 1081
manufactured or mobile home that remain unpaid after the last 1082
day prescribed for payment of the second installment of current 1083

taxes without penalty, whether or not they have been certified 1084
delinquent, including any penalties or interest and the costs of 1085
publication under division (H) (2) of this section. 1086

Sec. 4503.066. (A) (1) To obtain a tax reduction under 1087
section 4503.065 or 4503.0612 of the Revised Code, the owner of 1088
the home shall file an application with the county auditor of 1089
the county in which the home is located. An application for 1090
reduction in taxes based upon a physical disability shall be 1091
accompanied by a certificate signed by a physician, and an 1092
application for reduction in taxes based upon a mental 1093
disability shall be accompanied by a certificate signed by a 1094
physician or psychologist licensed to practice in this state. 1095
The certificate shall attest to the fact that the applicant is 1096
permanently and totally disabled, shall be in a form that the 1097
department of taxation requires, and shall include the 1098
definition of totally and permanently disabled as set forth in 1099
section 4503.064 of the Revised Code. An application for 1100
reduction in taxes based upon a disability certified as 1101
permanent and total by a state or federal agency having the 1102
function of so classifying persons shall be accompanied by a 1103
certificate from that agency. 1104

An application by a disabled veteran or the surviving 1105
spouse of a disabled veteran for the reduction under division 1106
(B) (1) or (2) of section 4503.065 of the Revised Code shall be 1107
accompanied by a letter or other written confirmation from the 1108
United States department of veterans affairs, or its predecessor 1109
or successor agency, showing that the veteran qualifies as a 1110
disabled veteran. 1111

An application by the surviving spouse of a public service 1112
officer killed in the line of duty for the reduction under 1113

division (C) of section 4503.065 of the Revised Code shall be 1114
accompanied by a letter or other written confirmation from an 1115
officer or employee of the board of trustees of a retirement or 1116
pension fund in this state or another state or from the chief or 1117
other chief executive of the department, agency, or other 1118
employer for which the public service officer served when killed 1119
in the line of duty affirming that the public service officer 1120
was killed in the line of duty. 1121

An application for a reduction under section 4503.0612 of 1122
the Revised Code shall be accompanied by documentation 1123
sufficient to prove that the applicant meets all qualifications 1124
for that reduction. 1125

(2) Each application shall constitute a continuing 1126
application for a reduction in taxes for each year in which the 1127
manufactured or mobile home is occupied by the applicant. 1128
Failure to receive a new application or notification under 1129
division (B) of this section after an application for reduction 1130
has been approved is prima-facie evidence that the original 1131
applicant is entitled to the reduction calculated on the basis 1132
of the information contained in the original application. The 1133
original application and any subsequent application shall be in 1134
the form of a signed statement and shall be filed on or before 1135
the thirty-first day of December of the year preceding the year 1136
for which the reduction is sought. The statement shall be on a 1137
form, devised and supplied by the tax commissioner, that shall 1138
require no more information than is necessary to establish the 1139
applicant's eligibility for the reduction in taxes and the 1140
amount of the reduction to which the applicant is entitled. The 1141
form shall contain a statement that signing such application 1142
constitutes a delegation of authority by the applicant to the 1143
tax commissioner or the county auditor, individually or in 1144

consultation with each other, to examine any tax or financial 1145
records that relate to the income of the applicant as stated on 1146
the application for the purpose of determining eligibility 1147
under, or possible violation of, division (C) or (D) of this 1148
section. The form also shall contain a statement that conviction 1149
of willfully falsifying information to obtain a reduction in 1150
taxes or failing to comply with division (B) of this section 1151
shall result in the revocation of the right to the reduction for 1152
a period of three years. 1153

(3) A late application for a reduction in taxes for the 1154
year preceding the year for which an original application is 1155
filed may be filed with an original application. If the auditor 1156
determines that the information contained in the late 1157
application is correct, the auditor shall determine both the 1158
amount of the reduction in taxes to which the applicant would 1159
have been entitled for the current tax year had the application 1160
been timely filed and approved in the preceding year, and the 1161
amount the taxes levied under section 4503.06 of the Revised 1162
Code for the current year would have been reduced as a result of 1163
the reduction. When an applicant is permanently and totally 1164
disabled on the first day of January of the year in which the 1165
applicant files a late application, the auditor, in making the 1166
determination of the amounts of the reduction in taxes under 1167
division (A)(3) of this section, is not required to determine 1168
that the applicant was permanently and totally disabled on the 1169
first day of January of the preceding year. 1170

The amount of the reduction in taxes pursuant to a late 1171
application shall be treated as an overpayment of taxes by the 1172
applicant. The auditor shall credit the amount of the 1173
overpayment against the amount of the taxes or penalties then 1174
due from the applicant, and, at the next succeeding settlement, 1175

the amount of the credit shall be deducted from the amount of 1176
any taxes or penalties distributable to the county or any taxing 1177
unit in the county in the same proportions that the amount of 1178
manufactured home tax levied by the county or each taxing unit 1179
in the county in the current tax year bears to the amount of 1180
such tax levied by the county and all such units in the county 1181
in the current tax year. If, after the credit has been made, 1182
there remains a balance of the overpayment, or if there are no 1183
taxes or penalties due from the applicant, the auditor shall 1184
refund that balance to the applicant by a warrant drawn on the 1185
county treasurer in favor of the applicant. The treasurer shall 1186
pay the warrant from the general fund of the county. If there is 1187
insufficient money in the general fund to make the payment, the 1188
treasurer shall pay the warrant out of any undivided 1189
manufactured or mobile home taxes subsequently received by the 1190
treasurer for distribution to the county or taxing district in 1191
the county that received the benefit of the overpaid taxes, in 1192
proportion to the benefits previously received, and the amount 1193
paid from the undivided funds shall be deducted from the money 1194
otherwise distributable to the county or taxing district in the 1195
county at the next or any succeeding distribution. At the next 1196
or any succeeding distribution after making the refund, the 1197
treasurer shall reimburse the general fund for any payment made 1198
from that fund by deducting the amount of that payment from the 1199
money distributable to the county or other taxing unit in the 1200
county that has received the benefit of the taxes, in proportion 1201
to the benefits previously received. On the second Monday in 1202
September of each year, the county auditor shall certify the 1203
total amount of the reductions in taxes made in the current year 1204
under division (A) (3) of this section to the tax commissioner 1205
who shall treat that amount as a reduction in taxes for the 1206
current tax year and shall make reimbursement to the county of 1207

that amount in the manner prescribed in section 4503.068 of the 1208
Revised Code, from moneys appropriated for that purpose. 1209

(B) (1) If in any year for which an application for 1210
reduction in taxes has been approved the owner no longer 1211
qualifies for the reduction, the owner shall notify the county 1212
auditor that the owner is not qualified for a reduction in 1213
taxes. 1214

(2) If the county auditor or county treasurer discovers 1215
that an owner not entitled to the reduction in manufactured home 1216
taxes under section 4503.065 or 4503.0612 of the Revised Code 1217
failed to notify the county auditor as required by division (B) 1218
(1) of this section, a charge shall be imposed against the 1219
manufactured or mobile home in the amount by which taxes were 1220
reduced under that section for each tax year the county auditor 1221
ascertains that the manufactured or mobile home was not entitled 1222
to the reduction and was owned by the current owner. Interest 1223
shall accrue in the manner prescribed by division (G) (2) of 1224
section 4503.06 of the Revised Code on the amount by which taxes 1225
were reduced for each such tax year as if the reduction became 1226
delinquent taxes at the close of the last day the second 1227
installment of taxes for that tax year could be paid without 1228
penalty. The county auditor shall notify the owner, by ordinary 1229
mail, of the charge, of the owner's right to appeal the charge, 1230
and of the manner in which the owner may appeal. The owner may 1231
appeal the imposition of the charge and interest by filing an 1232
appeal with the county board of revision not later than the last 1233
day prescribed for payment of manufactured home taxes under 1234
section 4503.06 of the Revised Code following receipt of the 1235
notice and occurring at least ninety days after receipt of the 1236
notice. The appeal shall be treated in the same manner as a 1237
complaint relating to the valuation or assessment of 1238

manufactured or mobile homes under section 5715.19 of the 1239
Revised Code. The charge and any interest shall be collected as 1240
other delinquent taxes. 1241

(3) During January of each year, the county auditor shall 1242
furnish each person whose application for reduction has been 1243
approved, by ordinary mail, a form on which to report any 1244
changes in total income, ownership, occupancy, disability, and 1245
other information earlier furnished the auditor relative to the 1246
application. The form shall be completed and returned to the 1247
auditor not later than the thirty-first day of December if the 1248
changes would affect the person's eligibility for the reduction. 1249

(C) No person shall knowingly make a false statement for 1250
the purpose of obtaining a reduction in taxes under section 1251
4503.065 or 4503.0612 of the Revised Code. 1252

(D) No person shall knowingly fail to notify the county 1253
auditor of any change required by division (B) of this section 1254
that has the effect of maintaining or securing a reduction in 1255
taxes under section 4503.065 or 4503.0612 of the Revised Code. 1256

(E) No person shall knowingly make a false statement or 1257
certification attesting to any person's physical or mental 1258
condition for purposes of qualifying such person for tax relief 1259
pursuant to sections 4503.064 to 4503.069 or 4503.0612 of the 1260
Revised Code. 1261

(F) Whoever violates division (C), (D), or (E) of this 1262
section is guilty of a misdemeanor of the fourth degree. 1263

Sec. 4503.067. The county auditor shall approve or deny an 1264
application for reduction under section 4503.065 or 4503.0612 of 1265
the Revised Code and shall so notify the applicant not later 1266
than the first Monday in October. Notification shall be provided 1267

on a form prescribed by the tax commissioner. If a person 1268
believes that the person's application for reduction in taxes 1269
has been improperly denied or is for less than that to which the 1270
person is entitled, the person may file an appeal with the 1271
county board of revision no later than the thirty-first day of 1272
January of the following calendar year. The appeal shall be 1273
treated in the same manner as a complaint relating to the 1274
valuation or assessment of real property under Chapter 5715. of 1275
the Revised Code. 1276

Sec. 4503.068. On or before the second Monday in September 1277
of each year, the county treasurer shall total the amount by 1278
which the manufactured home taxes levied in that year were 1279
reduced pursuant to ~~section~~ sections 4503.065 and 4503.0612 of 1280
the Revised Code, and certify that amount to the tax 1281
commissioner. Within ninety days of the receipt of the 1282
certification, the commissioner shall provide for payment to the 1283
county treasurer, from the general revenue fund, of the amount 1284
certified, which shall be credited upon receipt to the county's 1285
undivided income tax fund, and an amount equal to two per cent 1286
of the amount by which taxes were reduced, which shall be 1287
credited upon receipt to the county general fund as a payment to 1288
the county auditor and county treasurer for the costs of 1289
administering sections 4503.064 to 4503.069 and 4503.0612 of the 1290
Revised Code. 1291

Immediately upon receipt of funds into the county 1292
undivided income tax fund under this section, the county auditor 1293
shall distribute the amount among the taxing districts in the 1294
county as though it had been received as taxes under section 1295
4503.06 of the Revised Code from each person for whom taxes were 1296
reduced under section 4503.065 or 4503.0612 of the Revised Code. 1297

Sec. 4503.069. Each county treasurer and county auditor 1298
shall employ the assistants, clerks, and other employees 1299
necessary to carry out the duties imposed by sections 4503.064 1300
to 4503.069 and section 4503.0612 of the Revised Code. 1301

Sec. 4503.0610. (A) If a board of county commissioners 1302
adopts a resolution granting a partial real property tax 1303
exemption under section 323.158 of the Revised Code, it also 1304
shall adopt a resolution under this section granting a partial 1305
manufactured home tax exemption. The partial exemption shall 1306
take the form of a reduction each year in the manufactured home 1307
tax charged against each manufactured home in the county under 1308
section 4503.06 of the Revised Code, by the same percentage by 1309
which real property taxes were reduced for the preceding year in 1310
the resolution adopted under section 323.158 of the Revised 1311
Code. Upon adopting the resolution under this section, the board 1312
shall certify copies of it to the county auditor and the tax 1313
commissioner. 1314

(B) After complying with sections 4503.06 and 4503.065 of 1315
the Revised Code, the county auditor shall reduce the remaining 1316
sum to be levied against a manufactured home by the percentage 1317
called for in the resolution adopted under division (A) of this 1318
section. The auditor shall certify the amount of tax remaining 1319
after the reduction to the county treasurer for collection as 1320
the manufactured home tax charged and payable on the 1321
manufactured home, subject to any reduction authorized under 1322
section 4503.0612 of the Revised Code. 1323

(C) For each tax year, the county auditor shall certify to 1324
the board of county commissioners the total amount by which 1325
manufactured home taxes are reduced under this section. At the 1326
time of each semi-annual distribution of manufactured home taxes 1327

in the county, the board shall pay to the auditor one-half of 1328
that total amount. Upon receipt of the payment, the auditor 1329
shall distribute it among the various taxing districts in the 1330
county as though it had been levied and collected as 1331
manufactured home taxes. The board shall make the payment from 1332
the county general fund or from any other county revenue that 1333
may be used for that purpose. 1334

(D) If a board of county commissioners repeals a 1335
resolution adopted under section 323.158 of the Revised Code, it 1336
also shall repeal the resolution adopted under this section. 1337

Sec. 4503.0612. (A) As used in this section: 1338

(1) "Manufactured home taxes" means the amount of 1339
manufactured home taxes charged and payable as computed after 1340
any reductions under division (B) of section 323.152 of the 1341
Revised Code and sections 319.302, 4503.065, and 4503.0610 of 1342
the Revised Code. The computation of "manufactured home taxes 1343
for the preceding year" shall equal the manufactured home taxes 1344
for that year after subtracting any amount reduced under this 1345
section for that year. 1346

(2) "Homestead" has the same meaning as in section 323.151 1347
of the Revised Code and also includes a manufactured or mobile 1348
home that is owned and occupied as a home by an individual whose 1349
domicile is in this state. 1350

(B) The manufactured home tax on a manufactured or mobile 1351
home that is paid pursuant to division (C) of section 4503.06 of 1352
the Revised Code shall be reduced for each year for which an 1353
application for the reduction has been approved if all of the 1354
following requirements are met: 1355

(1) The individual that owns or occupies the manufactured 1356

or mobile home is sixty-five years of age or older; 1357

(2) That individual has continuously owned and occupied 1358
the manufactured or mobile home for two or more years 1359
immediately preceding the first day of the tax year; 1360

(3) That individual's total income does not exceed fifty 1361
thousand dollars, as adjusted under division (C) of this 1362
section; 1363

(4) The assessable or true value of the individual's 1364
manufactured or mobile home for the tax year is less than five 1365
hundred thousand dollars. 1366

The reduction shall equal the amount by which the 1367
manufactured home taxes for the current tax year exceed the 1368
manufactured home taxes for the preceding year. 1369

(C) The tax commissioner shall adjust the income threshold 1370
described in division (C) (3) of this section by completing the 1371
following calculations in September of each year: 1372

(1) Multiply the percentage determined under division (A) 1373
(2) (e) (i) of section 4503.065 of the Revised Code for that year 1374
by the total income threshold for the ensuing tax year; 1375

(2) Add the resulting product to the total income 1376
threshold for the ensuing tax year; 1377

(3) Round the resulting sum to the nearest multiple of one 1378
hundred dollars. 1379

The commissioner shall certify the amount resulting from 1380
the adjustment to each county auditor not later than the first 1381
day of December each year. The certified amount applies to the 1382
second ensuing tax year. The commissioner shall not make the 1383
adjustment in any calendar year in which the amount resulting 1384

from the adjustment would be less than the total income 1385
threshold for the ensuing tax year. 1386

Section 2. That existing sections 323.152, 323.153, 1387
323.158, 4503.06, 4503.066, 4503.067, 4503.068, 4503.069, and 1388
4503.0610 of the Revised Code are hereby repealed. 1389

Section 3. The amendment by this act of sections 323.152, 1390
323.153, and 323.158 of the Revised Code applies to tax years 1391
ending on or after the effective date of this section, and the 1392
amendment or enactment by this act of sections 4503.06, 1393
4503.066, 4503.067, 4503.068, 4503.069, 4503.0610, and 4503.0612 1394
of the Revised Code applies to tax years beginning on or after 1395
the effective date of this section. 1396

Section 4. Section 323.152 of the Revised Code is 1397
presented in this act as a composite of the section as amended 1398
by both H.B. 33 and S.B. 43 of the 135th General Assembly. The 1399
General Assembly, applying the principle stated in division (B) 1400
of section 1.52 of the Revised Code that amendments are to be 1401
harmonized if reasonably capable of simultaneous operation, 1402
finds that the composite is the resulting version of the section 1403
in effect prior to the effective date of the section as 1404
presented in this act. 1405