

I_136_1918-1

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 335

To amend section 5705.31 and to enact section 1
5705.316 of the Revised Code to limit revenue 2
increases from inside millage levies occurring 3
due to a reappraisal or update. 4

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

Section 1. That section 5705.31 be amended and section 5
5705.316 of the Revised Code be enacted to read as follows: 6

Sec. 5705.31. The county auditor shall present to the 7
county budget commission the annual tax budgets submitted under 8
sections 5705.01 to 5705.47 of the Revised Code, together with 9
an estimate prepared by the auditor of the amount of any state 10
levy, the rate of any school tax levy as previously determined, 11
the tax commissioner's estimate of the amount to be received in 12
the county public library fund, the tax rates provided under 13
section 5705.281 of the Revised Code if adoption of the tax 14
budget was waived under that section, and such other information 15
as the commission requests or the tax commissioner prescribes. 16

The budget commission shall examine such budget and, if 17
the taxing authority is a board of education that has elected to 18
include projections pursuant to division (E) of section 5705.391 19



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of the Revised Code, shall examine such projections. Using the 20
budget and, if applicable, included projections, the budget 21
commission shall ascertain the total amount proposed to be 22
raised in the county for the purposes of each subdivision and 23
other taxing units in the county and the need for those amounts. 24
Except as otherwise provided in this section, the county budget 25
commission may reduce the amount to be raised by any levy 26
pursuant to section 5705.32 of the Revised Code. 27

The commission shall ascertain that the following levies 28
have been properly authorized and, if so authorized, shall 29
approve them without modification: 30

(A) All levies in excess of the ten-mill limitation unless 31
the subdivision or taxing unit requests an amount requiring a 32
lower rate for the succeeding fiscal year. Such a request for an 33
amount requiring a lower rate applies only to the succeeding 34
fiscal year unless the subdivision or taxing unit expressly 35
states that the request is permanent. 36

(B) All levies for unsatisfied debt charges, including 37
levies that remain necessary to pay notes issued for emergency 38
purposes; 39

(C) The levies prescribed by division (B) of sections 40
742.33 and 742.34 of the Revised Code; 41

(D) Except as otherwise provided in this division, a 42
minimum levy within the ten-mill limitation for the current 43
expense and debt service of each subdivision or taxing unit, 44
which shall equal two-thirds of the average levy for current 45
expenses and debt service allotted within the fifteen-mill 46
limitation to such subdivision or taxing unit during the last 47
five years the fifteen-mill limitation was in effect unless such 48

subdivision or taxing unit requests an amount requiring a lower 49
rate for the succeeding fiscal year, or if it expressed its 50
intent to forgo collections from such a levy under division (E) 51
of section 5705.29 of the Revised Code. Such a request for an 52
amount requiring a lower rate applies only to the succeeding 53
fiscal year unless the subdivision or taxing unit expressly 54
states that the request is permanent. 55

Except as provided in section 5705.312 of the Revised 56
Code, if the levies required in divisions (B) and (C) of this 57
section for the subdivision or taxing unit equal or exceed the 58
entire minimum levy of the subdivision as fixed, the minimum 59
levies of the other subdivisions or taxing units shall be 60
reduced by the commission to provide for the levies and an 61
operating levy for the subdivision. Such additional levy shall 62
be deducted from the minimum levies of each of the other 63
subdivisions or taxing units, but the operating levy for a 64
school district shall not be reduced below a figure equivalent 65
to forty-five per cent of the millage available within the ten- 66
mill limitation after all the levies in divisions (B) and (C) of 67
this section have been provided for. 68

If a municipal corporation and a township have entered 69
into an annexation agreement under section 709.192 of the 70
Revised Code in which they agree to reallocate their shares of 71
the minimum levies established under this division and if that 72
annexation agreement is submitted along with the annual tax 73
budget of both the township and the municipal corporation, then, 74
when determining the minimum levy under this division, the 75
auditor shall allocate, to the extent possible, the minimum levy 76
for that municipal corporation and township in accordance with 77
their annexation agreement. 78

Divisions (A) to (D) of this section are mandatory, and 79
commissions shall be without discretion to reduce such minimum 80
levies except as provided in such divisions or as required in 81
section 5705.316 of the Revised Code. 82

If any debt charge is omitted from the budget, the 83
commission shall include it therein. 84

Sec. 5705.316. (A) As used in this section: 85

(1) "Taxes charged and payable" means real property taxes, 86
or manufactured home taxes assessed pursuant to section 4503.06 87
of the Revised Code, that are charged and payable after 88
reductions required by sections 319.301, 319.302, 323.152, 89
323.158, 319.304, 4503.065, and 4503.0610 of the Revised Code. 90

(2) "Current taxes charged and payable" means, for a levy, 91
the taxes charged and payable for the current tax year, in the 92
case of real property, or the following tax year, in the case of 93
manufactured or mobile homes on the manufactured home tax list. 94

(3) "Base taxes charged and payable" means, for a levy, 95
the taxes charged and payable for the tax year immediately 96
preceding the current tax year, in the case of real property, or 97
the current tax year, in the case of manufactured or mobile 98
homes on the manufactured home tax list. 99

(4) "County budget commission" means a joint budget 100
commission in the context of a taxing unit with territory 101
located in two or more counties. 102

(B) Notwithstanding division (D) of section 133.25 of the 103
Revised Code and except as provided in division (D) of this 104
section, in September of each tax year to which section 5715.24 105
of the Revised Code applies in the county, the county budget 106
commission shall adjust the rate of any levy within the ten-mill 107

limitation so that the current taxes charged and payable for 108
that levy do not exceed one hundred three per cent of the base 109
taxes charged and payable for that levy, rounded to the nearest 110
multiple of one hundred dollars. 111

(C) The commission shall certify each rate reduced under 112
division (A) of this section to the county auditor not later 113
than the first day of December. In the case of property on the 114
real property tax list, the adjusted rates shall apply to the 115
tax year in which the adjusted rates are certified and to each 116
ensuing tax year, until the next tax year in which adjusted 117
rates are certified under this section. In the case of 118
manufactured or mobile homes on the manufactured home tax list, 119
the adjusted rates shall apply to the tax year following the 120
year in which the adjusted rates are certified and to each 121
ensuing tax year, until the tax year following the next year in 122
which adjusted rates are certified under this section. 123
Notwithstanding any other section of the Revised Code to the 124
contrary, a county budget commission shall not reallocate mills 125
reduced pursuant to this section to any other taxing unit. 126

(D) For a taxing unit that elects to forgo revenue from or 127
otherwise voluntarily reduce the rate of a levy within the ten- 128
mill limitation for one or more tax years, beyond which would be 129
required under division (B) of this section, the calculation of 130
the limit under division (B) of this section in subsequent tax 131
years shall be based on the taxes charged and payable for the 132
tax year preceding such voluntary reduction. Nothing in this 133
section requires increasing the rate of a levy above what it was 134
before the operation of this section. 135

(E) If the current taxes charged and payable for a levy 136
within the ten-mill limitation do not increase for a tax year to 137

which section 5715.24 of the Revised Code applies in the county 138
compared to the base taxes charged and payable, then the county 139
auditor, in September of that year, shall calculate the 140
increased rate of the levy that would cause the levy's current 141
taxes charged and payable to be the same as the levy's base 142
taxes charged and payable, rounded to the nearest one hundredths 143
of one mill, and shall certify to the applicable taxing unit the 144
increased rate. A taxing unit, not later than the first day of 145
November, may adopt and certify to the county auditor a 146
resolution or ordinance requesting that the levy be levied up to 147
the rate certified by the county auditor under this division. 148
The resolution or ordinance shall also be accompanied by 149
information demonstrating the taxing unit's need for the higher 150
rate. The county auditor, upon receipt of this certification, 151
shall convene the county budget commission, which shall decide 152
whether to approve, partially approve, or deny the taxing unit's 153
request for an increased rate based on its evaluation of the 154
taxing unit's need for the increase. If it wholly or partially 155
approves the increase, the commission shall certify the amount 156
of the rate of increase to the county auditor not later than the 157
first day of December. The increased rate shall apply to the 158
current tax year, or the ensuing tax year for manufactured or 159
mobile homes on the manufactured home tax list, and each ensuing 160
year until the next tax year in which an adjusted rate for the 161
levy is certified under this section. Nothing in this division 162
allows a county budget commission or taxing unit to exceed the 163
ten-mill limitation. 164

Section 2. That existing section 5705.31 of the Revised 165
Code is hereby repealed. 166

Section 3. The amendment or enactment by this act of 167
sections 5705.31 and 5705.316 of the Revised Code applies, in 168

the case of property on the real property tax list, to tax year	169
2026 and every tax year thereafter and, in the case of	170
manufactured or mobile homes on the manufactured home tax list,	171
to tax year 2027 and every tax year thereafter.	172