

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 493

Representatives Thomas, D., Troy

**Cosponsors: Representatives Brennan, Brewer, Daniels, Glassburn, Gross, Hall,
T., King, Lett**

To amend sections 5721.32, 5721.33, and 5721.42 of
the Revised Code to sunset the sale of
delinquent property tax certificates on January
1, 2027.

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

Section 1. That sections 5721.32, 5721.33, and 5721.42 of
the Revised Code be amended to read as follows:

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Sec. 5721.32. (A) The sale of tax certificates by public
auction may be conducted at any time after completion of the
advertising of the sale under section 5721.31 of the Revised
Code, on the date and at the time and place designated in the
advertisements, and may be continued from time to time as the
county treasurer directs. The But, in no case shall the sale of
tax certificates by public auction be conducted on or after
January 1, 2027.

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The county treasurer may offer the tax certificates for
sale in blocks of tax certificates, consisting of any number of
tax certificates as determined by the county treasurer, and may
specify a certificate period of not less than three years and
not more than six years.

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(B) (1) All sales or transfers of tax certificates under 20
this section shall be complete, in all respects, on or before 21
December 31, 2026. No payment shall be required or accepted 22
under division (D) (1) of this section and no transfer of 23
certificates shall occur under division (E) of this section 24
after December 31, 2026. Any certificates sold or transferred 25
under this section after that date are void. 26

(2) The sale of tax certificates under this section shall 27
be conducted at a public auction by the county treasurer or a 28
designee of the county treasurer. 29

~~(2)~~ (3) No person shall be permitted to bid without 30
completing a bidder registration form, in the form prescribed by 31
the tax commissioner, and without filing the form with the 32
county treasurer prior to the start of the auction, together 33
with remittance of a registration fee, in cash, of five hundred 34
dollars. The bidder registration form shall include a tax 35
identification number of the registrant. The registration fee is 36
refundable at the end of bidding on the day of the auction, 37
unless the registrant is the winning bidder for one or more tax 38
certificates or one or more blocks of tax certificates, in which 39
case the fee may be applied toward the deposit required by this 40
section. 41

~~(3)~~ (4) The county treasurer may require a person who 42
wishes to bid on one or more parcels to submit a letter from a 43
financial institution stating that the bidder has sufficient 44
funds available to pay the purchase price of the parcels and a 45
written authorization for the treasurer to verify such 46
information with the financial institution. The county treasurer 47
may require submission of the letter and authorization 48
sufficiently in advance of the auction to allow for 49

verification. No person who fails to submit the required letter 50
and authorization, or whose financial institution fails to 51
provide the requested verification, shall be permitted to bid. 52

(C) At the public auction, the county treasurer or the 53
treasurer's designee or agent shall begin the bidding at 54
eighteen per cent per year simple interest, and accept lower 55
bids in even increments of one-fourth of one per cent to the 56
rate of zero per cent. The county treasurer, designee, or agent 57
shall award the tax certificate to the person bidding the lowest 58
certificate rate of interest. The county treasurer shall decide 59
which person is the winning bidder in the event of a tie for the 60
lowest bid offered, or if a person contests the lowest bid 61
offered. The county treasurer's decision is not appealable. 62

(D) (1) The winning bidder shall pay the county treasurer a 63
cash deposit of at least ten per cent of the certificate 64
purchase price not later than the close of business on the day 65
of the sale. The winning bidder shall pay the balance and the 66
fee required under division (H) of this section not later than 67
five business days after the day on which the certificate is 68
sold. Except as provided under division (D) (2) of this section, 69
if the winning bidder fails to pay the balance and fee within 70
the prescribed time, the bidder forfeits the deposit, and the 71
county treasurer shall retain the tax certificate and may 72
attempt to sell it at any auction conducted at a later date. 73

(2) At the request of a winning bidder, the county 74
treasurer may release the bidder from the bidder's tax 75
certificate purchase obligation. The county treasurer may retain 76
all or any portion of the deposit of a bidder granted a release. 77
After granting a release under this division, the county 78
treasurer may award the tax certificate to the person that 79

submitted the second lowest bid at the auction. 80

(3) The county treasurer shall deposit the deposit 81
forfeited or retained under division (D)(1) or (2) of this 82
section in the county treasury to the credit of the tax 83
certificate administration fund. 84

(E) Upon receipt of the full payment of the certificate 85
purchase price from the purchaser, the county treasurer shall 86
issue the tax certificate and record the tax certificate sale by 87
entering into a tax certificate register the certificate 88
purchase price, the certificate rate of interest, the date the 89
certificate was sold, the certificate period, the name and 90
address of the certificate holder, and any other information the 91
county treasurer considers necessary. The county treasurer may 92
keep the tax certificate register in a hard-copy format or in an 93
electronic format. The name and address of the certificate 94
holder may be, upon receipt of instructions from the purchaser, 95
that of the secured party of the actual purchaser, or an agent 96
or custodian for the purchaser or secured party. The county 97
treasurer also shall transfer the tax certificate to the 98
certificate holder. The county treasurer shall apportion the 99
part of the proceeds from the sale representing taxes, 100
penalties, and interest among the several taxing districts in 101
the same proportion that the amount of taxes levied by each 102
district against the certificate parcel in the preceding tax 103
year bears to the taxes levied by all such districts against the 104
certificate parcel in the preceding tax year, and credit the 105
part of the proceeds representing assessments and other charges 106
to the items of assessments and charges in the order in which 107
those items became due. Upon issuing a tax certificate, the 108
delinquent taxes that make up the certificate purchase price are 109
transferred, and the superior lien of the state and its taxing 110

districts for those delinquent taxes is conveyed intact to the 111
certificate holder. 112

(F) If a tax certificate is offered for sale under this 113
section but is not sold, the county treasurer may sell the 114
certificate in a negotiated sale authorized under section 115
5721.33 of the Revised Code, or may strike the corresponding 116
certificate parcel from the list of parcels selected for tax 117
certificate sales. The lien for taxes, assessments, charges, 118
penalties, and interest against a parcel stricken from the list 119
thereafter may be foreclosed in the manner prescribed by section 120
323.25, sections 323.65 to 323.79, or section 5721.14 or 5721.18 121
of the Revised Code unless, prior to the institution of such 122
proceedings against the parcel, the county treasurer restores 123
the parcel to the list of parcels selected for tax certificate 124
sales. 125

(G) A certificate holder shall not be liable for damages 126
arising from a violation of sections 3737.87 to ~~3737.891~~ 3737.89 127
or Chapter 3704., 3734., 3745., 3746., 3750., 3751., 3752., 128
6109., or 6111. of the Revised Code, or a rule adopted or order, 129
permit, license, variance, or plan approval issued under any of 130
those chapters, that is or was committed by another person in 131
connection with the parcel for which the tax certificate is 132
held. 133

(H) When selling a tax certificate under this section, the 134
county treasurer shall charge a fee to the purchaser of the 135
certificate. The county treasurer shall set the fee at a 136
reasonable amount that covers the treasurer's costs of 137
administering the sale of the tax certificate. The county 138
treasurer shall deposit the fee in the county treasury to the 139
credit of the tax certificate administration fund. 140

(I) After selling a tax certificate under this section, 141
the county treasurer shall send written notice to the owner of 142
the certificate parcel by certified mail or, if the treasurer 143
has record of an internet identifier of record associated with 144
the owner, by ordinary mail and by that internet identifier of 145
record. A mailed notice shall be sent to the owner's last known 146
tax-mailing address. The notice shall inform the owner that the 147
tax certificate was sold, shall describe the owner's options to 148
redeem the parcel, including entering into a redemption payment 149
plan under division (C) (1) of section 5721.38 of the Revised 150
Code, and shall name the certificate holder and its secured 151
party, if any. However, the county treasurer is not required to 152
send a notice under this division if the treasurer previously 153
has attempted to send a notice to the owner of the parcel at the 154
owner's last known tax-mailing address, and the postal service 155
has returned the notice as undeliverable. 156

(J) A tax certificate shall not be sold to the owner of 157
the certificate parcel. 158

Sec. 5721.33. (A) A county treasurer may, on or before 159
December 31, 2026, in the treasurer's discretion, negotiate the 160
sale or transfer of any number of tax certificates with one or 161
more persons, including a county land reutilization corporation. 162
Terms that may be negotiated include, without limitation, any of 163
the following: 164

(1) A premium to be added to or discount to be subtracted 165
from the certificate purchase price for the tax certificates; 166

(2) Different time frames under which the certificate 167
holder may initiate a foreclosure action than are otherwise 168
allowed under sections 5721.30 to 5721.43 of the Revised Code, 169
not to exceed six years after the date the tax certificate was 170

171 sold or transferred;

172 (3) The amount to be paid in private attorney's fees
173 related to tax certificate foreclosures, subject to section
174 5721.371 of the Revised Code;

175 (4) Any other terms of the sale or transfer that the
176 county treasurer, in the treasurer's discretion, determines
177 appropriate or necessary for the sale or transfer.

178 ~~(B)~~ (B) (1) The sale or transfer of tax certificates under
179 this section shall be governed by the criteria established by
180 the county treasurer pursuant to division (E) of this section.

181 (2) All sales or transfers of tax certificates under this
182 section shall be complete, in all respects, on or before
183 December 31, 2026. No payment shall be required or accepted
184 under division (F) of this section and no transfer of
185 certificates shall occur under division (G) of this section
186 after December 31, 2026. Any certificates sold or transferred
187 under this section after that date are void.

188 (C) The county treasurer may execute a tax certificate
189 sale/purchase agreement and other necessary agreements with a
190 designated purchaser or purchasers to complete a negotiated sale
191 or transfer of tax certificates.

192 (D) The tax certificate may be sold at a premium to or
193 discount from the certificate purchase price. The county
194 treasurer may establish as one of the terms of the negotiated
195 sale the portion of the certificate purchase price, plus any
196 applicable premium or less any applicable discount, that the
197 purchaser or purchasers shall pay in cash on the date the tax
198 certificates are sold and the portion, if any, of the
199 certificate purchase price, plus any applicable premium or less

any applicable discount, that the purchaser or purchasers shall 200
pay in noncash consideration and the nature of that 201
consideration. 202

The county treasurer shall sell such tax certificates at a 203
certificate purchase price, plus any applicable premium and less 204
any applicable discount, and at a certificate rate of interest 205
that, in the treasurer's determination, are in the best 206
interests of the county. 207

(E) (1) The county treasurer shall adopt rules governing 208
the eligibility of persons to purchase tax certificates or to 209
otherwise participate in a negotiated sale under this section. 210
The rules may provide for precertification of such persons, 211
including a requirement for disclosure of income, assets, and 212
any other financial information the county treasurer determines 213
appropriate. The rules also may prohibit any person that is 214
delinquent in the payment of any tax to the county or to the 215
state, or that is in default in or on any other obligation to 216
the county or to the state, from purchasing a tax certificate or 217
otherwise participating in a negotiated sale of tax certificates 218
under this section. The rules may also authorize the purchase of 219
certificates by a county land reutilization corporation, and 220
authorize the county treasurer to receive notes in lieu of cash, 221
with such notes being payable to the treasurer upon the receipt 222
or enforcement of such taxes, assessments, charges, costs, 223
penalties, and interest, and as otherwise further agreed between 224
the corporation and the treasurer. The eligibility information 225
required shall include the tax identification number of the 226
purchaser and may include the tax identification number of the 227
participant. The county treasurer, upon request, shall provide a 228
copy of the rules adopted under this section. 229

(2) Any person that intends to purchase a tax certificate 230
in a negotiated sale shall submit an affidavit to the county 231
treasurer that establishes compliance with the applicable 232
eligibility criteria and includes any other information required 233
by the treasurer. Any person that fails to submit such an 234
affidavit is ineligible to purchase a tax certificate. Any 235
person that knowingly submits a false or misleading affidavit 236
shall forfeit any tax certificate or certificates purchased by 237
the person at a sale for which the affidavit was submitted, 238
shall be liable for payment of the full certificate purchase 239
price, plus any applicable premium and less any applicable 240
discount, of the tax certificate or certificates, and shall be 241
disqualified from participating in any tax certificate sale 242
conducted in the county during the next five years. 243

(3) A tax certificate shall not be sold to the owner of 244
the certificate parcel or to any corporation, partnership, or 245
association in which such owner has an interest. No person that 246
purchases a tax certificate in a negotiated sale shall assign or 247
transfer the tax certificate to the owner of the certificate 248
parcel or to any corporation, partnership, or association in 249
which the owner has an interest. Any person that knowingly or 250
negligently transfers or assigns a tax certificate to the owner 251
of the certificate parcel or to any corporation, partnership, or 252
association in which such owner has an interest shall be liable 253
for payment of the full certificate purchase price, plus any 254
applicable premium and less any applicable discount, and shall 255
not be entitled to a refund of any amount paid. Such tax 256
certificate shall be deemed void and the tax lien sold under the 257
tax certificate shall revert to the county as if no sale of the 258
tax certificate had occurred. 259

(F) The purchaser in a negotiated sale under this section 260

shall deliver the certificate purchase price or other 261
consideration, plus any applicable premium and less any 262
applicable discount and including any noncash consideration, to 263
the county treasurer not later than the close of business on the 264
date the tax certificates are delivered to the purchaser. The 265
certificate purchase price, less any applicable discount, or 266
portion of the price, that is paid in cash shall be deposited in 267
the county's general fund to the credit of the account to which 268
ad valorem real property taxes are credited and further credited 269
as provided in division (G) of this section. Any applicable 270
premium that is paid shall be, at the discretion of the county 271
treasurer, apportioned to and deposited in any authorized county 272
fund. The purchaser also shall pay on the date the tax 273
certificates are delivered to the purchaser the fee, if any, 274
negotiated under division (J) of this section. If the purchaser 275
fails to pay the certificate purchase price, plus any applicable 276
premium and less any applicable discount, and any such fee, 277
within the time periods required by this section, the county 278
treasurer shall retain the tax certificate and may attempt to 279
sell it at any auction or negotiated sale conducted at a later 280
date. 281

(G) Upon receipt of the full payment from the purchaser of 282
the certificate purchase price or other agreed-upon 283
consideration, plus any applicable premium and less any 284
applicable discount, and the negotiated fee, if any, the county 285
treasurer, or a qualified trustee whom the treasurer has engaged 286
for such purpose, shall issue the tax certificate and record the 287
tax certificate sale by entering into a tax certificate register 288
the certificate purchase price, any premium paid or discount 289
taken, the certificate rate of interest, the date the 290
certificates were sold, the name and address of the certificate 291

holder or, in the case of issuance of the tax certificates in a 292
book-entry system, the name and address of the nominee, and any 293
other information the county treasurer considers necessary. The 294
county treasurer may keep the tax certificate register in a 295
hard-copy format or an electronic format. The name and address 296
of the certificate holder or nominee may be, upon receipt of 297
instructions from the purchaser, that of the secured party of 298
the actual purchaser, or an agent or custodian for the purchaser 299
or secured party. The county treasurer also shall transfer the 300
tax certificates to the certificate holder. The county treasurer 301
shall apportion the part of the cash proceeds from the sale 302
representing taxes, penalties, and interest among the several 303
taxing districts in the same proportion that the amount of taxes 304
levied by each district against the certificate parcels in the 305
preceding tax year bears to the taxes levied by all such 306
districts against the certificate parcels in the preceding tax 307
year, and credit the part of the proceeds representing 308
assessments and other charges to the items of assessments and 309
charges in the order in which those items became due. If the 310
cash proceeds from the sale are not sufficient to fully satisfy 311
the items of taxes, assessments, penalties, interest, and 312
charges on the certificate parcels against which tax 313
certificates were sold, the county treasurer shall credit the 314
cash proceeds to such items pro rata based upon the proportion 315
that each item of taxes, assessments, penalties, interest, and 316
charges bears to the aggregate of all such items, or by any 317
other method that the county treasurer, in the treasurer's sole 318
discretion, determines is equitable. Upon issuing the tax 319
certificates, the delinquent taxes that make up the certificate 320
purchase price are transferred, and the superior lien of the 321
state and its taxing districts for those delinquent taxes is 322
conveyed intact to the certificate holder or holders. 323

(H) If a tax certificate is offered for sale under this 324
section but is not sold, the county treasurer may strike the 325
corresponding certificate parcel from the list of parcels 326
selected for tax certificate sales. The lien for taxes, 327
assessments, charges, penalties, and interest against a parcel 328
stricken from the list thereafter may be foreclosed in the 329
manner prescribed by section 323.25, 5721.14, or 5721.18 of the 330
Revised Code unless, prior to the institution of such 331
proceedings against the parcel, the county treasurer restores 332
the parcel to the list of parcels selected for tax certificate 333
sales. 334

(I) Neither a certificate holder nor its secured party, if 335
any, shall be liable for damages arising from a violation of 336
sections 3737.87 to ~~3737.891~~ 3737.89 or Chapter 3704., 3734., 337
3745., 3746., 3750., 3751., 3752., 6109., or 6111. of the 338
Revised Code, or a rule adopted or order, permit, license, 339
variance, or plan approval issued under any of those chapters, 340
that is or was committed by another person in connection with 341
the parcel for which the tax certificate is held. 342

(J) When selling or transferring a tax certificate under 343
this section, the county treasurer may negotiate with the 344
purchaser of the certificate for fees paid by the purchaser to 345
the county treasurer to reimburse the treasurer for any part or 346
all of the treasurer's costs of preparing for and administering 347
the sale of the tax certificate and any fees set forth by the 348
county treasurer in the tax certificate sale/purchase agreement. 349
Such fees, if any, shall be added to the certificate purchase 350
price and shall be paid by the purchaser on the date of delivery 351
of the tax certificate. The county treasurer shall deposit the 352
fees in the county treasury to the credit of the tax certificate 353
administration fund. 354

(K) After selling tax certificates under this section, the
county treasurer shall send written notice to the owner of the
certificate parcel by either certified mail or, if the treasurer
has record of an internet identifier of record associated with
the owner, by ordinary mail and by that internet identifier of
record. A mailed notice shall be sent to the owner's last known
tax-mailing address. The notice shall inform the owner that a
tax certificate with respect to such owner's parcel was sold or
transferred and shall describe the owner's options to redeem the
parcel, including entering into a redemption payment plan under
division (C) (2) of section 5721.38 of the Revised Code. However,
the county treasurer is not required to send a notice under this
division if the treasurer previously has attempted to send a
notice to the owner of the parcel at the owner's last known tax-
mailing address and the postal service has returned the notice
as undeliverable.

Sec. 5721.42. After the settlement required under division
(C) of section 321.24 of the Revised Code, the county treasurer
shall notify the certificate holder of the most recently issued
tax certificate, by ordinary first class or certified mail or by
binary means, that the certificate holder may purchase a
subsequent tax certificate by paying all delinquent taxes on the
related certificate parcel the lien against which has not been
transferred by the sale of a tax certificate. During the thirty
days after receiving the notice, the certificate holder
possesses the exclusive right to purchase the subsequent tax
certificate by paying those amounts to the county treasurer. The
amount of the payment shall constitute a separate lien against
the certificate parcel that shall be evidenced by the issuance
by the treasurer to the certificate holder of an additional tax
certificate with respect to the delinquent taxes so paid on the

related certificate parcel. The amount of the payment as set 386
forth in the tax certificate shall earn interest at the rate of 387
eighteen per cent per year. The certificate period of each 388
subsequent tax certificate shall terminate on the expiration 389
date of the certificate period of the most recent tax 390
certificate for the same certificate parcel. 391

No tax certificate shall be sold under this section on or 392
after January 1, 2027. 393

Section 2. That existing sections 5721.32, 5721.33, and 394
5721.42 of the Revised Code are hereby repealed. 395