

I_136_3315

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 504

To amend sections 319.303, 323.152, 323.155, 1
4503.06, and 5705.316 and to enact section 2
319.305 of the Revised Code to authorize 3
counties to temporarily exempt a portion of 4
property's increased value from taxation 5
following a reappraisal and to name this act the 6
Calculated Adjustments for Property Surges 7
(CAPS) Act. 8

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

Section 1. That sections 319.303, 323.152, 323.155, 9
4503.06, and 5705.316 be amended and section 319.305 of the 10
Revised Code be enacted to read as follows: 11

Sec. 319.303. (A) As used in this section: 12

(1) "Qualifying nonbusiness property" means real property 13
or a manufactured or mobile home that meets all of the following 14
requirements: 15

(a) The property is either of the following: 16

(i) Real property that is classified as to use as 17
residential/agricultural property pursuant to section 5713.041 18



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of the Revised Code, but is not classified as a pond or lake; 19

(ii) A manufactured or mobile home on which a manufactured 20
home tax is assessed pursuant to division (D) (2) of section 21
4503.06 of the Revised Code. 22

(b) The property is located in a county that, for the tax 23
year, is undergoing a reappraisal or triennial update. 24

(c) The property is located in a school district or joint 25
vocational school district that meets either of the following 26
requirements for the tax year: 27

(i) The district is subject to an adjustment under 28
division (E) of section 319.301 of the Revised Code with respect 29
to property classified as to use as residential/agricultural 30
property pursuant to section 5713.041 of the Revised Code; 31

(ii) The aggregate rate of the district's taxes for 32
current expenses on such property equals less than twenty mills, 33
in the case of a school district, or less than two mills, in the 34
case of a joint vocational school district, excluding the rate 35
of any tax not subject to division (E) of section 319.301 of the 36
Revised Code. 37

(d) The property was subject to taxation by that district 38
for the tax year in which the immediately preceding reappraisal 39
or triennial update occurred. 40

(2) "Qualifying business property" means real property 41
that meets all of the following requirements: 42

(a) The property is classified as to use as 43
nonresidential/agricultural property pursuant to section 44
5713.041 of the Revised Code, but is not classified as vacant 45
property within this class. 46

(b) The property is located in a county that, for the tax year, is undergoing a reappraisal or triennial update. 47
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(c) The property is located in a school district or joint vocational school district that meets either of the following requirements for the tax year: 49
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(i) The district is subject to an adjustment under division (E) of section 319.301 of the Revised Code with respect to property classified as to use as nonresidential/agricultural property pursuant to section 5713.041 of the Revised Code; 52
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(ii) The aggregate rate of the district's taxes for current expenses on such property equals less than twenty mills, in the case of a school district, or less than two mills, in the case of a joint vocational school district, excluding the rate of any tax not subject to division (E) of section 319.301 of the Revised Code. 56
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(d) The property was subject to taxation by that district for the tax year in which the immediately preceding reappraisal or triennial update occurred. 62
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(3) "Taxes charged and payable" means real property taxes, and manufactured or mobile home taxes assessed pursuant to division (D) (2) of section 4503.06 of the Revised Code, that are charged and payable after the reduction required by section 319.301 of the Revised Code but before the reductions required under this section or sections 319.302, 319.304, 319.305, 323.152, 323.158, ~~319.304~~, 4503.065, and 4503.0610 of the Revised Code, and disregarding a reduction in any levy made by the school district, joint vocational school district, or county budget commission under Chapter 5705. of the Revised Code. 65
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(4) "Reappraisal or triennial update" means a tax year in 75

which section 5715.24 of the Revised Code applies in the county. 76

(5) "Indexed property tax revenue" for qualifying 77
nonbusiness property or qualifying business property means the 78
sum of the following, as applicable: 79

(a) The taxes charged and payable within the ten-mill 80
limitation, and in excess of that limitation with respect to any 81
levy not subject to division (E) of section 319.301 of the 82
Revised Code, for a school district or joint vocational school 83
district, as applicable, against qualifying business property or 84
qualifying nonbusiness property other than property described in 85
division (A)(1)(a)(ii) of this section for the tax year or, in 86
the case of property described in division (A)(1)(a)(ii) of this 87
section, for the following tax year; 88

(b) The taxes charged and payable in excess of the ten- 89
mill limitation, other than those described in division (A)(5) 90
(a) of this section, for the school district or joint vocational 91
school district, as applicable, against qualifying business 92
property or qualifying nonbusiness property other than property 93
described in division (A)(1)(a)(ii) of this section for the 94
immediately preceding tax year or, in the case of property 95
described in division (A)(1)(a)(ii) of this section, for the 96
current tax year, less any reductions required by this section 97
or Section 4 of H.B. 186 of the 136th general assembly for the 98
applicable year; 99

(c) The product obtained by multiplying the amount 100
computed with respect to the qualifying nonbusiness property or 101
qualifying business property of a school district or joint 102
vocational school district under division (A)(5)(b) of this 103
section, as applicable, by the greater of zero per cent or the 104
percentage change in the gross domestic product deflator 105

computed over the three preceding tax years, as determined under 106
division (E) of this section. 107

(6) "Floor tax revenue" means the taxes charged and 108
payable for a school district or joint vocational school 109
district, as applicable, against qualifying business property or 110
qualifying nonbusiness property other than property described in 111
division (A) (1) (a) (ii) of this section for the tax year or, in 112
the case of property described in division (A) (1) (a) (ii) of this 113
section, for the following tax year. 114

(7) "Credit factor" means one minus the quotient obtained 115
by dividing the applicable indexed property tax revenue by the 116
applicable floor tax revenue. 117

(8) "Effective tax rate" means the effective rate levied 118
by a school district or joint vocational school district after 119
making the reduction required by section 319.301 of the Revised 120
Code, but before making any reduction under this section. 121

(B) Qualifying nonbusiness property qualifies for a 122
reduction in the real property taxes or manufactured home taxes 123
levied by a school district or joint vocational school district 124
as follows: 125

(1) If, for a tax year in which a county undergoes a 126
reappraisal or triennial update, a school district is described 127
in division (A) (1) (c) of this section and its floor tax revenue 128
for qualifying nonbusiness property exceeds its indexed property 129
tax revenue for such property, qualifying nonbusiness property 130
located in that district shall qualify for a reduction under 131
this division for that tax year and for the following two tax 132
years, in the case of property other than that described in 133
division (A) (1) (a) (ii) of this section, or for the three 134

following tax years, in the case of property described in 135
division (A) (1) (a) (ii) of this section. For each such year, the 136
reduction shall equal the result obtained by multiplying the 137
taxes charged and payable against the property for the tax year 138
by the credit factor computed for the district's qualifying 139
nonbusiness property for the tax year in which the county 140
underwent the reappraisal or triennial update. 141

(2) If, for a tax year in which a county undergoes a 142
reappraisal or triennial update, a joint vocational school 143
district is described in division (A) (1) (c) of this section and 144
its floor tax revenue for qualifying nonbusiness property 145
exceeds its indexed property tax revenue for such property, 146
qualifying nonbusiness property located in that district shall 147
qualify for a reduction under this division for that tax year 148
and for the following two tax years, in the case of property 149
other than that described in division (A) (1) (a) (ii) of this 150
section, or for the three following tax years, in the case of 151
property described in division (A) (1) (a) (ii) of this section. 152
For each such year, the reduction shall equal the result 153
obtained by multiplying the taxes charged and payable against 154
the property for the tax year by the credit factor computed for 155
the district's qualifying nonbusiness property for the tax year 156
in which the county underwent the reappraisal or triennial 157
update. 158

(C) Qualifying business property qualifies for a reduction 159
in the real property taxes levied by a school district or joint 160
vocational school district as follows: 161

(1) If, for a tax year in which a county undergoes a 162
reappraisal or triennial update, a school district is described 163
in division (A) (2) (c) of this section and its floor tax revenue 164

for qualifying business property exceeds its indexed property 165
tax revenue for such property, qualifying business property 166
located in that district shall qualify for a reduction under 167
this division for that tax year and for the following two tax 168
years. For each such year, the reduction shall equal the result 169
obtained by multiplying the taxes charged and payable against 170
the property for the tax year by the credit factor computed for 171
the district's qualifying business property for the tax year in 172
which the county underwent the reappraisal or triennial update. 173

(2) If, for a tax year in which a county undergoes a 174
reappraisal or triennial update, a joint vocational school 175
district is described in division (A)(2)(c) of this section and 176
its floor tax revenue for qualifying business property exceeds 177
its indexed property tax revenue for such property, qualifying 178
business property located in that district shall qualify for a 179
reduction under this division for that tax year and for the 180
following two tax years. For each such year, the reduction shall 181
equal the result obtained by multiplying the taxes charged and 182
payable against the property for the tax year by the credit 183
factor computed for the district's qualifying business property 184
for the tax year in which the county underwent the reappraisal 185
or triennial update. 186

(D) A reduction applied under this section shall reduce 187
only the taxes charged and payable of taxes whose effective tax 188
rate is adjusted by operation of division (E) of section 319.301 189
of the Revised Code, in proportion to the extent to which each 190
effective tax rate is so adjusted. The county auditor and county 191
treasurer, when settling tax collections under section 321.24 of 192
the Revised Code, shall compute the amount by which collections 193
of each such tax are to be reduced, and the county treasurer 194
shall certify that information to each affected school district 195

upon making a payment of such collections to the school 196
district. 197

(E) For the purpose of division (A) (5) (c) of this section, 198
the tax commissioner shall annually determine the percentage 199
change in the gross domestic product deflator determined by the 200
bureau of economic analysis of the United States department of 201
commerce from the first day of January of the third preceding 202
calendar year to the last day of December of the preceding 203
calendar year. The commissioner shall certify the resulting 204
amount to each county auditor whose county undergoes a 205
reappraisal or triennial update, not later than the first day of 206
December of each year. 207

(F) (1) Division (F) of this section applies to any school 208
district or joint vocational school district that reduces one or 209
more of its levies under Chapter 5705. of the Revised Code in a 210
tax year, or for which a county budget commission reduces one or 211
more levies under that chapter in a tax year. For purposes of 212
division (F) of this section, the total amount of such 213
reductions made for that tax year, in the case of property other 214
than that described in division (A) (1) (a) (ii) of this section, 215
and for the following tax year, in the case of property 216
described in division (A) (1) (a) (ii) of this section, are 217
referred to as the "district reduction." 218

(2) Notwithstanding divisions (A), (B), and (C) of this 219
section, if division (F) of this section applies to a school 220
district or joint vocational school district in a tax year, 221
including any tax year in which the county in which the district 222
is located does not undergo a reappraisal or triennial update, 223
the tax credit factor applicable to that tax year, in the case 224
of property other than that described in division (A) (1) (a) (ii) 225

of this section, or to the following tax year, in the case of 226
property described in division (A) (1) (a) (ii) of this section, 227
shall be adjusted as follows: 228

(a) If the amount of the district reduction applicable to 229
qualifying nonbusiness property or qualifying business property 230
is less than the total amount of credits that would otherwise be 231
allowed under division (B) or (C) of this section for such 232
property for the applicable year, multiply the tax credit factor 233
otherwise computed under division (A) (7) of this section for 234
such property by a fraction, the denominator of which is the 235
total amount of credits that would otherwise be allowed under 236
division (B) or (C) of this section, as applicable, and the 237
numerator of which is the difference between that total credit 238
amount and the district reduction applicable to such property; 239

(b) If the amount of the district reduction applicable to 240
qualifying nonbusiness property or qualifying business property 241
is equal to or greater than the total amount of credits that 242
would otherwise be allowed under division (B) or (C) of this 243
section for such property, the tax credit factor for the 244
applicable tax year shall be zero. 245

(G) The county treasurer shall identify the reduction 246
authorized under this section on each tax bill delivered under 247
section 323.13 or 4503.06 of the Revised Code as the "Inflation 248
Cap Credit." 249

Sec. 319.305. (A) As used in this section: 250

(1) "Qualifying county" means a county in which the 251
taxable value of eligible property increased, in aggregate, by 252
fifteen per cent or more from the tax year immediately preceding 253
a reappraisal or triennial update to the following tax year, 254

based on the tax commissioner's determination made for the 255
current tax year under section 5715.24 of the Revised Code. 256

(2) "Eligible property" means real property and qualifying 257
manufactured homes that were subject to taxation for both the 258
tax year of the reappraisal or triennial update and the tax year 259
immediately preceding that year. 260

(3) "Reappraisal or triennial update" means a tax year in 261
which section 5715.24 of the Revised Code applies in the county. 262

(4) "Qualifying manufactured homes" means a manufactured 263
or mobile home on which a manufactured home tax is assessed 264
pursuant to division (D) (2) of section 4503.06 of the Revised 265
Code. 266

(5) "Tax year," in the context of qualifying manufactured 267
homes, means the tax year following the corresponding tax year 268
for real property. 269

(6) "Taxes charged and payable" means real property taxes, 270
and manufactured home taxes assessed pursuant to division (D) (2) 271
of section 4503.06 of the Revised Code, that are charged and 272
payable after the reductions required by sections 319.301, 273
319.302, 319.303, 319.304, 323.152, 323.158, 4503.065, and 274
4503.0610 of the Revised Code, but before any reduction 275
authorized under this section. "Taxes charged and payable" does 276
not include taxes charged and payable that are levied at 277
whatever rate is required to produce a specified amount of tax 278
money or to pay debt charges. 279

(B) The board of commissioners of a qualifying county, by 280
resolution, may authorize a reduction in the real property taxes 281
or manufactured home taxes charged and payable against eligible 282
property. The resolution shall state the percentage by which the 283

taxable value of eligible property increased, as described in 284
division (A) (1) of this section, and shall state that the 285
resulting increase in taxes charged and payable against each 286
parcel of eligible property shall be reduced by two-thirds in 287
the current tax year and one-third in the following tax year or, 288
in the case of a county to which the tax commissioner has 289
granted an extension of one year under division (B) of section 290
5713.01 of the Revised Code, by three-quarters in the current 291
tax year, one-half in the following tax year, and one-quarter in 292
the next following tax year. The board shall adopt the 293
resolution on or before the first day of October of the tax year 294
of a reappraisal or triennial update, following tax year 2026, 295
and shall certify a copy of the resolution, or a copy of any 296
resolution repealing the reduction's authorization, to the 297
county auditor and tax commissioner within thirty days after its 298
adoption. The reduction shall apply for the following tax years, 299
and the amount of the reduction shall equal the following, as 300
applicable to the tax year: 301

(1) For a county to which the tax commissioner has granted 302
an extension of one year under division (B) of section 5713.01 303
of the Revised Code: 304

(a) For the current tax year, three-quarters of the 305
difference of the taxes charged and payable against the eligible 306
property for the current tax year, excluding any amount 307
attributable to any additional rate of taxes approved by 308
electors that are first levied for that tax year, minus the 309
taxes charged and payable against the property for the preceding 310
tax year; 311

(b) For the following tax year, one-half of the difference 312
of the taxes charged and payable against the eligible property 313

for the current tax year minus the taxes charged and payable 314
against the property for the tax year preceding the reappraisal 315
or triennial update; 316

(c) For the next following tax year, one-quarter of the 317
difference of the taxes charged and payable against the eligible 318
property for the current tax year minus the taxes charged and 319
payable against the property for the tax year preceding the 320
reappraisal or triennial update. 321

(2) For any other county: 322

(a) For the current tax year, two-thirds of the difference 323
of the taxes charged and payable against the eligible property 324
for the current tax year, excluding any amount attributable to 325
any additional rate of taxes approved by electors that are first 326
levied for that tax year, minus the taxes charged and payable 327
against the property for the preceding tax year; 328

(b) For the following tax year, one-third of the 329
difference of the taxes charged and payable against the eligible 330
property for the current tax year minus the taxes charged and 331
payable against the property for the tax year preceding the 332
reappraisal or triennial update. 333

(C) The county treasurer shall identify the reduction 334
authorized under this section on each tax bill delivered under 335
section 323.13 or 4503.06 of the Revised Code as the "Temporary 336
Property Valuation Phase-In Credit." 337

(D) A reduction applied under this section shall not 338
reduce any additional rate of taxes that are approved by 339
electors and first levied for the tax year of a reappraisal or 340
triennial update or those taxes that are levied at whatever rate 341
is required to produce a specified amount of tax money or to pay 342

<u>debt charges.</u>	343
Sec. 323.152. In addition to the reduction in taxes	344
required under sections 319.302, 319.303, and 319.304 , and	345
<u>319.305</u> of the Revised Code, taxes shall be reduced as provided	346
in divisions (A) and (B) of this section.	347
(A) (1) (a) Division (A) (1) of this section applies to any	348
of the following persons:	349
(i) A person who is permanently and totally disabled;	350
(ii) A person who is sixty-five years of age or older;	351
(iii) A person who is the surviving spouse of a deceased	352
person who was permanently and totally disabled or sixty-five	353
years of age or older and who applied and qualified for a	354
reduction in taxes under this division in the year of death,	355
provided the surviving spouse is at least fifty-nine but not	356
sixty-five or more years of age on the date the deceased spouse	357
dies.	358
(b) Real property taxes on a homestead owned and occupied,	359
or a homestead in a housing cooperative occupied, by a person to	360
whom division (A) (1) of this section applies shall be reduced	361
for each year for which an application for the reduction has	362
been approved. The reduction shall equal one of the following	363
amounts, as applicable to the person:	364
(i) If the person received a reduction under division (A)	365
(1) of this section for tax year 2006, the greater of the	366
reduction for that tax year or the amount computed under	367
division (A) (1) (c) of this section;	368
(ii) If the person received, for any homestead, a	369
reduction under division (A) (1) of this section for tax year	370

2013 or under division (A) of section 4503.065 of the Revised Code for tax year 2014 or the person is the surviving spouse of such a person and the surviving spouse is at least fifty-nine years of age on the date the deceased spouse dies, the amount computed under division (A) (1) (c) of this section.

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

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

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

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

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

(iv) The quantity equal to one minus the sum of the percentage reductions in taxes received by the property for the current tax year under sections 319.302 and 319.303 of the Revised Code and division (B) of section 323.152 of the Revised Code.

(d) The tax commissioner shall adjust the total income threshold described in division (A) (1) (b) (iii) and the reduction

amounts described in divisions (A) (1) (c) (i), (A) (2), and (A) (3) 400
of this section by completing the following calculations in 401
September of each year: 402

(i) Determine the percentage increase in the gross 403
domestic product deflator determined by the bureau of economic 404
analysis of the United States department of commerce from the 405
first day of January of the preceding calendar year to the last 406
day of December of the preceding calendar year; 407

(ii) Multiply that percentage increase by the total income 408
threshold or reduction amount for the current tax year, as 409
applicable; 410

(iii) Add the resulting product to the total income 411
threshold or the reduction amount, as applicable, for the 412
current tax year; 413

(iv) Round the resulting sum to the nearest multiple of 414
one hundred dollars. 415

The commissioner shall certify the amount resulting from 416
each adjustment to each county auditor not later than the first 417
day of December each year. The certified total income threshold 418
amount applies to the following tax year for persons described 419
in division (A) (1) (b) (iii) of this section. The certified 420
reduction amount applies to the following tax year. The 421
commissioner shall not make the applicable adjustment in any 422
calendar year in which the amount resulting from the adjustment 423
would be less than the total income threshold or the reduction 424
amount for the current tax year. 425

(2) (a) Real property taxes on a homestead owned and 426
occupied, or a homestead in a housing cooperative occupied, by a 427
disabled veteran shall be reduced for each year for which an 428

application for the reduction has been approved. The reduction 429
shall equal the product obtained by multiplying fifty thousand 430
dollars of the true value of the property in money, as adjusted 431
under division (A) (1) (d) of this section, by the amounts 432
described in divisions (A) (1) (c) (ii) to (iv) of this section. 433
The reduction is in lieu of any reduction under section 323.158 434
of the Revised Code or division (A) (1), (2) (b), or (3) of this 435
section. The reduction applies to only one homestead owned and 436
occupied by a disabled veteran. 437

(b) Real property taxes on a homestead owned and occupied, 438
or a homestead in a housing cooperative occupied, by the 439
surviving spouse of a disabled veteran shall be reduced for each 440
year an application for exemption is approved. The reduction 441
shall equal to the amount of the reduction authorized under 442
division (A) (2) (a) of this section. 443

The reduction is in lieu of any reduction under section 444
323.158 of the Revised Code or division (A) (1), (2) (a), or (3) 445
of this section. The reduction applies to only one homestead 446
owned and occupied by the surviving spouse of a disabled 447
veteran. A homestead qualifies for a reduction in taxes under 448
division (A) (2) (b) of this section beginning in one of the 449
following tax years: 450

(i) For a surviving spouse described in division (L) (1) of 451
section 323.151 of the Revised Code, the year the disabled 452
veteran dies; 453

(ii) For a surviving spouse described in division (L) (2) 454
of section 323.151 of the Revised Code, the first year on the 455
first day of January of which the total disability rating 456
described in division (F) of that section has been received for 457
the deceased spouse. 458

In either case, the reduction shall continue through the 459
tax year in which the surviving spouse dies or remarries. 460

(3) Real property taxes on a homestead owned and occupied, 461
or a homestead in a housing cooperative occupied, by the 462
surviving spouse of a public service officer killed in the line 463
of duty shall be reduced for each year for which an application 464
for the reduction has been approved. The reduction shall equal 465
the product obtained by multiplying fifty thousand dollars of 466
the true value of the property in money, as adjusted under 467
division (A) (1) (d) of this section, by the amounts described in 468
divisions (A) (1) (c) (ii) to (iv) of this section. The reduction 469
is in lieu of any reduction under section 323.158 of the Revised 470
Code or division (A) (1) or (2) of this section. The reduction 471
applies to only one homestead owned and occupied by such a 472
surviving spouse. A homestead qualifies for a reduction in taxes 473
under division (A) (3) of this section for the tax year in which 474
the public service officer dies through the tax year in which 475
the surviving spouse dies or remarries. 476

(B) (1) As used in division (B) of this section, 477
"qualifying levy" has the same meaning as in section 319.302 of 478
the Revised Code. 479

(2) To provide a partial exemption, real property taxes on 480
any homestead, and manufactured home taxes on any manufactured 481
or mobile home on which a manufactured home tax is assessed 482
pursuant to division (D) (2) of section 4503.06 of the Revised 483
Code, shall be reduced for each year for which an application 484
for the reduction has been approved. The amount of the reduction 485
shall equal one of the following percentages of the amount of 486
taxes to be levied by qualifying levies on the homestead or the 487
manufactured or mobile home after applying section 319.301 of 488

the Revised Code:	489
(a) For the first tax year to which this amendment applies, 5.70%;	490 491
(b) For the following tax year, 8.92%;	492
(c) For the second following tax year, 12.15%;	493
(d) For the third following tax year and every year thereafter, 15.38%.	494 495
(3) A board of county commissioners, by resolution, may authorize a partial exemption from the real property taxes or manufactured home taxes on any property or manufactured or mobile home that receives the partial exemption under division (B) (2) of this section. The resolution shall specify the amount of the partial exemption, which may equal up to two and one-half per cent of the amount of taxes to be levied by qualifying levies on the property or home after applying section 319.301 of the Revised Code. The partial exemption shall be applied concurrently with the partial exemption under division (B) (2) of this section, and no application shall be required under section 323.153 of the Revised Code to obtain the partial exemption authorized pursuant to this section.	496 497 498 499 500 501 502 503 504 505 506 507 508
The board shall certify a copy of the resolution, or a copy of any resolution repealing or modifying the partial exemption's authorization, to the county auditor and tax commissioner within thirty days after its adoption. If the resolution is adopted on or before the first day of July of a tax year, the partial exemption shall first apply or cease to apply, in the case of real property taxes, to that tax year or, in the case of manufactured home taxes, the following tax year. If the resolution is adopted after the first day of July of a	509 510 511 512 513 514 515 516 517

tax year, the partial exemption shall first apply or cease to 518
apply, in the case of real property taxes, to the following tax 519
year or, in the case of manufactured home taxes, the second 520
succeeding tax year. 521

(C) The reductions granted by this section do not apply to 522
special assessments or respread of assessments levied against 523
the homestead, and if there is a transfer of ownership 524
subsequent to the filing of an application for a reduction in 525
taxes, such reductions are not forfeited for such year by virtue 526
of such transfer. 527

(D) The reductions in taxable value referred to in this 528
section shall be applied solely as a factor for the purpose of 529
computing the reduction of taxes under this section and shall 530
not affect the total value of property in any subdivision or 531
taxing district as listed and assessed for taxation on the tax 532
lists and duplicates, or any direct or indirect limitations on 533
indebtedness of a subdivision or taxing district. If after 534
application of sections 5705.31 and 5705.32 of the Revised Code, 535
including the allocation of all levies within the ten-mill 536
limitation to debt charges to the extent therein provided, there 537
would be insufficient funds for payment of debt charges not 538
provided for by levies in excess of the ten-mill limitation, the 539
reduction of taxes provided for in sections 323.151 to 323.159 540
of the Revised Code shall be proportionately adjusted to the 541
extent necessary to provide such funds from levies within the 542
ten-mill limitation. 543

(E) No reduction shall be made on the taxes due on the 544
homestead of any person convicted of violating division (D) or 545
(E) of section 323.153 of the Revised Code for a period of three 546
years following the conviction. 547

Sec. 323.155. The tax bill prescribed under section 548
323.131 of the Revised Code shall indicate the net amount of 549
taxes due following the reductions in taxes under sections 550
319.301, 319.302, 319.303, 319.304, 319.305, 323.152, and 323.16 551
of the Revised Code. 552

Any reduction in taxes under section 323.152 of the 553
Revised Code shall be disregarded as income or resources in 554
determining eligibility for any program or calculating any 555
payment under Title LI of the Revised Code. 556

Sec. 4503.06. (A) The owner of each manufactured or mobile 557
home that has acquired situs in this state shall pay either a 558
real property tax pursuant to Title LVII of the Revised Code or 559
a manufactured home tax pursuant to division (C) of this 560
section. 561

(B) The owner of a manufactured or mobile home shall pay 562
real property taxes if either of the following applies: 563

(1) The manufactured or mobile home acquired situs in the 564
state or ownership in the home was transferred on or after 565
January 1, 2000, and all of the following apply: 566

(a) The home is affixed to a permanent foundation as 567
defined in division (C) (5) of section 3781.06 of the Revised 568
Code. 569

(b) The home is located on land that is owned by the owner 570
of the home. 571

(c) The certificate of title has been inactivated by the 572
clerk of the court of common pleas that issued it, pursuant to 573
division (H) of section 4505.11 of the Revised Code. 574

(2) The manufactured or mobile home acquired situs in the 575

state or ownership in the home was transferred before January 1, 576
2000, and all of the following apply: 577

(a) The home is affixed to a permanent foundation as 578
defined in division (C) (5) of section 3781.06 of the Revised 579
Code. 580

(b) The home is located on land that is owned by the owner 581
of the home. 582

(c) The owner of the home has elected to have the home 583
taxed as real property and, pursuant to section 4505.11 of the 584
Revised Code, has surrendered the certificate of title to the 585
auditor of the county containing the taxing district in which 586
the home has its situs, together with proof that all taxes have 587
been paid. 588

(d) The county auditor has placed the home on the real 589
property tax list and delivered the certificate of title to the 590
clerk of the court of common pleas that issued it and the clerk 591
has inactivated the certificate. 592

(C) (1) Any mobile or manufactured home that is not taxed 593
as real property as provided in division (B) of this section is 594
subject to an annual manufactured home tax, payable by the 595
owner, for locating the home in this state. The tax as levied in 596
this section is for the purpose of supplementing the general 597
revenue funds of the local subdivisions in which the home has 598
its situs pursuant to this section. 599

(2) The year for which the manufactured home tax is levied 600
commences on the first day of January and ends on the following 601
thirty-first day of December. The state shall have the first 602
lien on any manufactured or mobile home on the list for the 603
amount of taxes, penalties, and interest charged against the 604

owner of the home under this section. The lien of the state for 605
the tax for a year shall attach on the first day of January to a 606
home that has acquired situs on that date. The lien for a home 607
that has not acquired situs on the first day of January, but 608
that acquires situs during the year, shall attach on the next 609
first day of January. The lien shall continue until the tax, 610
including any penalty or interest, is paid. 611

(3) (a) The situs of a manufactured or mobile home located 612
in this state on the first day of January is the local taxing 613
district in which the home is located on that date. 614

(b) The situs of a manufactured or mobile home not located 615
in this state on the first day of January, but located in this 616
state subsequent to that date, is the local taxing district in 617
which the home is located thirty days after it is acquired or 618
first enters this state. 619

(4) The tax is collected by and paid to the county 620
treasurer of the county containing the taxing district in which 621
the home has its situs. 622

(D) The manufactured home tax shall be computed and 623
assessed by the county auditor of the county containing the 624
taxing district in which the home has its situs as follows: 625

(1) On a home that acquired situs in this state prior to 626
January 1, 2000: 627

(a) By multiplying the assessable value of the home by the 628
tax rate of the taxing district in which the home has its situs, 629
and deducting from the product thus obtained any reduction 630
authorized under section 4503.065 of the Revised Code. The tax 631
levied under this formula shall not be less than thirty-six 632
dollars, unless the home qualifies for a reduction in assessable 633

value under section 4503.065 of the Revised Code, in which case 634
there shall be no minimum tax and the tax shall be the amount 635
calculated under this division. 636

(b) The assessable value of the home shall be forty per 637
cent of the amount arrived at by the following computation: 638

(i) If the cost to the owner, or market value at time of 639
purchase, whichever is greater, of the home includes the 640
furnishings and equipment, such cost or market value shall be 641
multiplied according to the following schedule: 642
643

	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 644

day of January and the thirty-first day of December of the first 645
year. 646

(ii) If the cost to the owner, or market value at the time 647
of purchase, whichever is greater, of the home does not include 648
the furnishings and equipment, such cost or market value shall 649
be multiplied according to the following schedule: 650
651

	1	2	3
A	For the first calendar year in which the home is owned by the current owner	x	95%
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 652
day of January and the thirty-first day of December of the first 653
year. 654

(2) On a home in which ownership was transferred or that 655

first acquired situs in this state on or after January 1, 2000: 656

(a) By multiplying the assessable value of the home by the 657
effective tax rate, as defined in section 323.08 of the Revised 658
Code, for residential real property of the taxing district in 659
which the home has its situs, and deducting from the product 660
thus obtained the reductions required or authorized under 661
section 319.302, 319.303, 319.304, 319.305, or 4503.065 or 662
division (B) of section 323.152 of the Revised Code. 663

(b) The assessable value of the home shall be thirty-five 664
per cent of its true value as determined under division (L) of 665
this section. 666

(3) On or before the fifteenth day of January each year, 667
the county auditor shall record the assessable value and the 668
amount of tax on the manufactured or mobile home on the tax list 669
and deliver a duplicate of the list to the county treasurer. In 670
the case of an emergency as defined in section 323.17 of the 671
Revised Code, the tax commissioner, by journal entry, may extend 672
the times for delivery of the duplicate for an additional 673
fifteen days upon receiving a written application from the 674
county auditor regarding an extension for the delivery of the 675
duplicate, or from the county treasurer regarding an extension 676
of the time for the billing and collection of taxes. The 677
application shall contain a statement describing the emergency 678
that will cause the unavoidable delay and must be received by 679
the tax commissioner on or before the last day of the month 680
preceding the day delivery of the duplicate is otherwise 681
required. When an extension is granted for delivery of the 682
duplicate, the time period for payment of taxes shall be 683
extended for a like period of time. When a delay in the closing 684
of a tax collection period becomes unavoidable, the tax 685

commissioner, upon application by the county auditor and county treasurer, may order the time for payment of taxes to be extended if the tax commissioner determines that penalties have accrued or would otherwise accrue for reasons beyond the control of the taxpayers of the county. The order shall prescribe the final extended date for payment of taxes for that collection period.

(4) After January 1, 1999, the owner of a manufactured or mobile home taxed pursuant to division (D)(1) of this section may elect to have the home taxed pursuant to division (D)(2) of this section by filing a written request with the county auditor of the taxing district in which the home is located on or before the first day of December of any year. Upon the filing of the request, the county auditor shall determine whether all taxes levied under division (D)(1) of this section have been paid, and if those taxes have been paid, the county auditor shall tax the manufactured or mobile home pursuant to division (D)(2) of this section commencing in the next tax year.

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

(6) (a) Immediately upon receipt of any manufactured home tax duplicate from the county auditor, but not less than twenty days prior to the last date on which the first one-half taxes may be paid without penalty as prescribed in division (F) of this section, the county treasurer shall cause to be prepared and mailed or delivered to each person charged on that duplicate

with taxes, or to an agent designated by such person, the tax 716
bill prescribed by the tax commissioner under division (D) (7) of 717
this section. When taxes are paid by installments, the county 718
treasurer shall mail or deliver to each person charged on such 719
duplicate or the agent designated by that person a second tax 720
bill showing the amount due at the time of the second tax 721
collection. The second half tax bill shall be mailed or 722
delivered at least twenty days prior to the close of the second 723
half tax collection period. A change in the mailing address, 724
electronic mail address, or telephone number of any tax bill 725
shall be made in writing to the county treasurer. Failure to 726
receive a bill required by this section does not excuse failure 727
or delay to pay any taxes shown on the bill or, except as 728
provided in division (B) (1) of section 5715.39 of the Revised 729
Code, avoid any penalty, interest, or charge for such delay. 730

A policy adopted by a county treasurer under division (A) 731
(2) of section 323.13 of the Revised Code shall also allow any 732
person required to receive a tax bill under division (D) (6) (a) 733
of this section to request electronic delivery of that tax bill 734
in the same manner. A person may rescind such a request in the 735
same manner as a request made under division (A) (2) of section 736
323.13 of the Revised Code. The request shall terminate upon a 737
change in the name of the person charged with the taxes pursuant 738
to section 4503.061 of the Revised Code. 739

(b) After delivery of the copy of the delinquent 740
manufactured home tax list under division (H) of this section, 741
the county treasurer may prepare and mail to each person in 742
whose name a home is listed an additional tax bill showing the 743
total amount of delinquent taxes charged against the home as 744
shown on the list. The tax bill shall include a notice that the 745
interest charge prescribed by division (G) of this section has 746

begun to accrue. 747

(7) Each tax bill prepared and mailed or delivered under 748
division (D)(6) of this section shall be in the form and contain 749
the information required by the tax commissioner. The 750
commissioner may prescribe different forms for each county and 751
may authorize the county auditor to make up tax bills and tax 752
receipts to be used by the county treasurer. The tax bill shall 753
not contain or be mailed or delivered with any information or 754
material that is not required by this section or that is not 755
authorized by section 321.45 of the Revised Code or by the tax 756
commissioner. In addition to the information required by the 757
commissioner, each tax bill shall contain the following 758
information: 759

(a) The taxes levied and the taxes charged and payable 760
against the manufactured or mobile home; 761

(b) The following notice: "Notice: If the taxes are not 762
paid within sixty days after the county auditor delivers the 763
delinquent manufactured home tax list to the county treasurer, 764
you and your home may be subject to collection proceedings for 765
tax delinquency." Failure to provide such notice has no effect 766
upon the validity of any tax judgment to which a home may be 767
subjected. 768

(c) In the case of manufactured or mobile homes taxed 769
under division (D)(2) of this section, the following additional 770
information: 771

(i) The effective tax rate. The words "effective tax rate" 772
shall appear in boldface type. 773

(ii) The following notice: "Notice: If the taxes charged 774
against this home have been reduced by the 2-1/2 per cent tax 775

reduction for residences occupied by the owner but the home is 776
not a residence occupied by the owner, the owner must notify the 777
county auditor's office not later than March 31 of the year for 778
which the taxes are due. Failure to do so may result in the 779
owner being convicted of a fourth degree misdemeanor, which is 780
punishable by imprisonment up to 30 days, a fine up to \$250, or 781
both, and in the owner having to repay the amount by which the 782
taxes were erroneously or illegally reduced, plus any interest 783
that may apply. 784

If the taxes charged against this home have not been 785
reduced by the 2-1/2 per cent tax reduction and the home is a 786
residence occupied by the owner, the home may qualify for the 787
tax reduction. To obtain an application for the tax reduction or 788
further information, the owner may contact the county auditor's 789
office at _____ (insert the address and telephone number of 790
the county auditor's office)."

(E) (1) A manufactured or mobile home is not subject to 792
this section when any of the following applies: 793

(a) It is taxable as personal property pursuant to section 794
5709.01 of the Revised Code. Any manufactured or mobile home 795
that is used as a residence shall be subject to this section and 796
shall not be taxable as personal property pursuant to section 797
5709.01 of the Revised Code. 798

(b) It bears a license plate issued by any state other 799
than this state unless the home is in this state in excess of an 800
accumulative period of thirty days in any calendar year. 801

(c) The annual tax has been paid on the home in this state 802
for the current year. 803

(d) The tax commissioner has determined, pursuant to 804

section 5715.27 of the Revised Code, that the property is exempt 805
from taxation, or would be exempt from taxation under Chapter 806
5709. of the Revised Code if it were classified as real 807
property. 808

(2) A travel trailer or park trailer, as these terms are 809
defined in section 4501.01 of the Revised Code, is not subject 810
to this section if it is unused or unoccupied and stored at the 811
owner's normal place of residence or at a recognized storage 812
facility. 813

(3) A travel trailer or park trailer, as these terms are 814
defined in section 4501.01 of the Revised Code, is subject to 815
this section and shall be taxed as a manufactured or mobile home 816
if it has a situs longer than thirty days in one location and is 817
connected to existing utilities, unless either of the following 818
applies: 819

(a) The situs is in a state facility or a camping or park 820
area as defined in division (C), (Q), (S), or (V) of section 821
3729.01 of the Revised Code. 822

(b) The situs is in a camping or park area that is a tract 823
of land that has been limited to recreational use by deed or 824
zoning restrictions and subdivided for sale of five or more 825
individual lots for the express or implied purpose of occupancy 826
by either self-contained recreational vehicles as defined in 827
division (T) of section 3729.01 of the Revised Code or by 828
dependent recreational vehicles as defined in division (D) of 829
section 3729.01 of the Revised Code. 830

(F) Except as provided in division (D) (3) of this section, 831
the manufactured home tax is due and payable as follows: 832

(1) When a manufactured or mobile home has a situs in this 833

state, as provided in this section, on the first day of January, 834
one-half of the amount of the tax is due and payable on or 835
before the first day of March and the balance is due and payable 836
on or before the thirty-first day of July. At the option of the 837
owner of the home, the tax for the entire year may be paid in 838
full on the first day of March. 839

(2) When a manufactured or mobile home first acquires a 840
situs in this state after the first day of January, no tax is 841
due and payable for that year. 842

(G) (1) (a) Except as otherwise provided in division (G) (1) 843
(b) of this section, if one-half of the current taxes charged 844
under this section against a manufactured or mobile home, 845
together with the full amount of any delinquent taxes, are not 846
paid on or before the first day of March in that year, or on or 847
before the last day for such payment as extended pursuant to 848
section 4503.063 of the Revised Code, a penalty of ten per cent 849
shall be charged against the unpaid balance of such half of the 850
current taxes. If the total amount of all such taxes is not paid 851
on or before the thirty-first day of July, next thereafter, or 852
on or before the last day for payment as extended pursuant to 853
section 4503.063 of the Revised Code, a like penalty shall be 854
charged on the balance of the total amount of the unpaid current 855
taxes. 856

(b) After a valid delinquent tax contract that includes 857
unpaid current taxes from a first-half collection period 858
described in division (F) of this section has been entered into 859
under section 323.31 of the Revised Code, no ten per cent 860
penalty shall be charged against such taxes after the second- 861
half collection period while the delinquent tax contract remains 862
in effect. On the day a delinquent tax contract becomes void, 863

the ten per cent penalty shall be charged against such taxes and 864
shall equal the amount of penalty that would have been charged 865
against unpaid current taxes outstanding on the date on which 866
the second-half penalty would have been charged thereon under 867
division (G) (1) (a) of this section if the contract had not been 868
in effect. 869

(2) (a) On the first day of the month following the last 870
day the second installment of taxes may be paid without penalty 871
beginning in 2000, interest shall be charged against and 872
computed on all delinquent taxes other than the current taxes 873
that became delinquent taxes at the close of the last day such 874
second installment could be paid without penalty. The charge 875
shall be for interest that accrued during the period that began 876
on the preceding first day of December and ended on the last day 877
of the month that included the last date such second installment 878
could be paid without penalty. The interest shall be computed at 879
the rate per annum prescribed by section 5703.47 of the Revised 880
Code and shall be entered as a separate item on the delinquent 881
manufactured home tax list compiled under division (H) of this 882
section. 883

(b) On the first day of December beginning in 2000, the 884
interest shall be charged against and computed on all delinquent 885
taxes. The charge shall be for interest that accrued during the 886
period that began on the first day of the month following the 887
last date prescribed for the payment of the second installment 888
of taxes in the current year and ended on the immediately 889
preceding last day of November. The interest shall be computed 890
at the rate per annum prescribed by section 5703.47 of the 891
Revised Code and shall be entered as a separate item on the 892
delinquent manufactured home tax list. 893

(c) After a valid undertaking has been entered into for 894
the payment of any delinquent taxes, no interest shall be 895
charged against such delinquent taxes while the undertaking 896
remains in effect in compliance with section 323.31 of the 897
Revised Code. If a valid undertaking becomes void, interest 898
shall be charged against the delinquent taxes for the periods 899
that interest was not permitted to be charged while the 900
undertaking was in effect. The interest shall be charged on the 901
day the undertaking becomes void and shall equal the amount of 902
interest that would have been charged against the unpaid 903
delinquent taxes outstanding on the dates on which interest 904
would have been charged thereon under divisions (G) (1) and (2) 905
of this section had the undertaking not been in effect. 906

(3) If the full amount of the taxes due at either of the 907
times prescribed by division (F) of this section is paid within 908
ten days after such time, the county treasurer shall waive the 909
collection of and the county auditor shall remit one-half of the 910
penalty provided for in this division for failure to make that 911
payment by the prescribed time. 912

(4) The treasurer shall compile and deliver to the county 913
auditor a list of all tax payments the treasurer has received as 914
provided in division (G) (3) of this section. The list shall 915
include any information required by the auditor for the 916
remission of the penalties waived by the treasurer. The taxes so 917
collected shall be included in the settlement next succeeding 918
the settlement then in process. 919

(H) (1) The county auditor shall compile annually a 920
"delinquent manufactured home tax list" consisting of homes the 921
county treasurer's records indicate have taxes that were not 922
paid within the time prescribed by divisions (D) (3) and (F) of 923

this section, have taxes that remain unpaid from prior years, or 924
have unpaid tax penalties or interest that have been assessed. 925

(2) Within thirty days after the settlement under division 926
(H) (2) of section 321.24 of the Revised Code, the county auditor 927
shall deliver a copy of the delinquent manufactured home tax 928
list to the county treasurer. The auditor shall update and 929
publish the delinquent manufactured home tax list annually in 930
the same manner as delinquent real property tax lists are 931
published. The county auditor may apportion the cost of 932
publishing the list among taxing districts in proportion to the 933
amount of delinquent manufactured home taxes so published that 934
each taxing district is entitled to receive upon collection of 935
those taxes, or the county auditor may charge the owner of a 936
home on the list a flat fee established under section 319.54 of 937
the Revised Code for the cost of publishing the list and, if the 938
fee is not paid, may place the fee upon the delinquent 939
manufactured home tax list as a lien on the listed home, to be 940
collected as other manufactured home taxes. 941

(3) When taxes, penalties, or interest are charged against 942
a person on the delinquent manufactured home tax list and are 943
not paid within sixty days after the list is delivered to the 944
county treasurer, the county treasurer shall, in addition to any 945
other remedy provided by law for the collection of taxes, 946
penalties, and interest, enforce collection of such taxes, 947
penalties, and interest by civil action in the name of the 948
treasurer against the owner for the recovery of the unpaid taxes 949
following the procedures for the recovery of delinquent real 950
property taxes in sections 323.25 to 323.28 of the Revised Code. 951
The action may be brought in municipal or county court, provided 952
the amount charged does not exceed the monetary limitations for 953
original jurisdiction for civil actions in those courts. 954

It is sufficient, having made proper parties to the suit, 955
for the county treasurer to allege in the treasurer's bill of 956
particulars or petition that the taxes stand chargeable on the 957
books of the county treasurer against such person, that they are 958
due and unpaid, and that such person is indebted in the amount 959
of taxes appearing to be due the county. The treasurer need not 960
set forth any other matter relating thereto. If it is found on 961
the trial of the action that the person is indebted to the 962
state, judgment shall be rendered in favor of the county 963
treasurer prosecuting the action. The judgment debtor is not 964
entitled to the benefit of any law for stay of execution or 965
exemption of property from levy or sale on execution in the 966
enforcement of the judgment. 967

Upon the filing of an entry of confirmation of sale or an 968
order of forfeiture in a proceeding brought under this division, 969
title to the manufactured or mobile home shall be in the 970
purchaser. The clerk of courts shall issue a certificate of 971
title to the purchaser upon presentation of proof of filing of 972
the entry of confirmation or order and, in the case of a 973
forfeiture, presentation of the county auditor's certificate of 974
sale. 975

(I) The total amount of taxes collected shall be 976
distributed in the following manner: four per cent shall be 977
allowed as compensation to the county auditor for the county 978
auditor's service in assessing the taxes; two per cent shall be 979
allowed as compensation to the county treasurer for the services 980
the county treasurer renders as a result of the tax levied by 981
this section. Such amounts shall be paid into the county 982
treasury, to the credit of the county general revenue fund, on 983
the warrant of the county auditor. Fees to be paid to the credit 984
of the real estate assessment fund shall be collected pursuant 985

to division (C) of section 319.54 of the Revised Code and paid 986
into the county treasury, on the warrant of the county auditor. 987
The balance of the taxes collected shall be distributed among 988
the taxing subdivisions of the county in which the taxes are 989
collected and paid in the same proportions that the amount of 990
manufactured home tax levied by each taxing subdivision of the 991
county in the current tax year bears to the amount of such tax 992
levied by all such subdivisions in the county in the current tax 993
year. The taxes levied and revenues collected under this section 994
shall be in lieu of any general property tax and any tax levied 995
with respect to the privilege of using or occupying a 996
manufactured or mobile home in this state except as provided in 997
sections 4503.04 and 5741.02 of the Revised Code. 998

(J) An agreement to purchase or a bill of sale for a 999
manufactured home shall show whether or not the furnishings and 1000
equipment are included in the purchase price. 1001

(K) If the county treasurer and the county prosecuting 1002
attorney agree that an item charged on the delinquent 1003
manufactured home tax list is uncollectible, they shall certify 1004
that determination and the reasons to the county board of 1005
revision. If the board determines the amount is uncollectible, 1006
it shall certify its determination to the county auditor, who 1007
shall strike the item from the list. 1008

(L) (1) The county auditor shall appraise at its true value 1009
any manufactured or mobile home in which ownership is 1010
transferred or which first acquires situs in this state on or 1011
after January 1, 2000, and any manufactured or mobile home the 1012
owner of which has elected, under division (D) (4) of this 1013
section, to have the home taxed under division (D) (2) of this 1014
section. The true value shall include the value of the home, any 1015

additions, and any fixtures, but not any furnishings in the 1016
home. In determining the true value of a manufactured or mobile 1017
home, the auditor shall consider all facts and circumstances 1018
relating to the value of the home, including its age, its 1019
capacity to function as a residence, any obsolete 1020
characteristics, and other factors that may tend to prove its 1021
true value. 1022

(2) (a) If a manufactured or mobile home has been the 1023
subject of an arm's length sale between a willing seller and a 1024
willing buyer within a reasonable length of time prior to the 1025
determination of true value, the county auditor shall consider 1026
the sale price of the home to be the true value for taxation 1027
purposes. 1028

(b) The sale price in an arm's length transaction between 1029
a willing seller and a willing buyer shall not be considered the 1030
true value of the home if either of the following occurred after 1031
the sale: 1032

(i) The home has lost value due to a casualty. 1033

(ii) An addition or fixture has been added to the home. 1034

(3) The county auditor shall have each home viewed and 1035
appraised at least once in each six-year period in the same year 1036
in which real property in the county is appraised pursuant to 1037
Chapter 5713. of the Revised Code, and shall update the 1038
appraised values in the third calendar year following the 1039
appraisal. The person viewing or appraising a home may enter the 1040
home to determine by actual view any additions or fixtures that 1041
have been added since the last appraisal. In conducting the 1042
appraisals and establishing the true value, the auditor shall 1043
follow the procedures set forth for appraising real property in 1044

sections 5713.01 and 5713.03 of the Revised Code. 1045

(4) The county auditor shall place the true value of each 1046
home on the manufactured home tax list upon completion of an 1047
appraisal. 1048

(5) (a) If the county auditor changes the true value of a 1049
home, the auditor shall notify the owner of the home in writing, 1050
delivered by mail or in person. The notice shall be given at 1051
least thirty days prior to the issuance of any tax bill that 1052
reflects the change. Failure to receive the notice does not 1053
invalidate any proceeding under this section. 1054

(b) Any owner of a home or any other person or party that 1055
would be authorized to file a complaint under division (A) of 1056
section 5715.19 of the Revised Code if the home was real 1057
property may file a complaint against the true value of the home 1058
as appraised under this section. The complaint shall be filed 1059
with the county auditor on or before the thirty-first day of 1060
March of the current tax year or the date of closing of the 1061
collection for the first half of manufactured home taxes for the 1062
current tax year, whichever is later. The auditor shall present 1063
to the county board of revision all complaints filed with the 1064
auditor under this section. The board shall hear and investigate 1065
the complaint and may take action on it as provided under 1066
sections 5715.11 to 5715.19 of the Revised Code. 1067

(c) If the county board of revision determines, pursuant 1068
to a complaint against the valuation of a manufactured or mobile 1069
home filed under this section, that the amount of taxes, 1070
assessments, or other charges paid was in excess of the amount 1071
due based on the valuation as finally determined, then the 1072
overpayment shall be refunded in the manner prescribed in 1073
section 5715.22 of the Revised Code. 1074

(d) Payment of all or part of a tax under this section for 1075
any year for which a complaint is pending before the county 1076
board of revision does not abate the complaint or in any way 1077
affect the hearing and determination thereof. 1078

(M) If the county auditor determines that any tax or other 1079
charge or any part thereof has been erroneously charged as a 1080
result of a clerical error as defined in section 319.35 of the 1081
Revised Code, the county auditor shall call the attention of the 1082
county board of revision to the erroneous charges. If the board 1083
finds that the taxes or other charges have been erroneously 1084
charged or collected, it shall certify the finding to the 1085
auditor. Upon receipt of the certification, the auditor shall 1086
remove the erroneous charges on the manufactured home tax list 1087
or delinquent manufactured home tax list in the same manner as 1088
is prescribed in section 319.35 of the Revised Code for 1089
erroneous charges against real property, and refund any 1090
erroneous charges that have been collected, with interest, in 1091
the same manner as is prescribed in section 319.36 of the 1092
Revised Code for erroneous charges against real property. 1093

(N) As used in this section and section 4503.061 of the 1094
Revised Code: 1095

(1) "Manufactured home taxes" includes taxes, penalties, 1096
and interest charged under division (C) or (G) of this section 1097
and any penalties charged under division (G) or (H) (5) of 1098
section 4503.061 of the Revised Code. 1099

(2) "Current taxes" means all manufactured home taxes 1100
charged against a manufactured or mobile home that have not 1101
appeared on the manufactured home tax list for any prior year. 1102
Current taxes become delinquent taxes if they remain unpaid 1103
after the last day prescribed for payment of the second 1104

installment of current taxes without penalty, whether or not 1105
they have been certified delinquent. 1106

(3) "Delinquent taxes" means: 1107

(a) Any manufactured home taxes that were charged against 1108
a manufactured or mobile home for a prior year, including any 1109
penalties or interest charged for a prior year and the costs of 1110
publication under division (H) (2) of this section, and that 1111
remain unpaid; 1112

(b) Any current manufactured home taxes charged against a 1113
manufactured or mobile home that remain unpaid after the last 1114
day prescribed for payment of the second installment of current 1115
taxes without penalty, whether or not they have been certified 1116
delinquent, including any penalties or interest and the costs of 1117
publication under division (H) (2) of this section. 1118

Sec. 5705.316. (A) As used in this section: 1119

(1) "Taxes charged and payable" means real property taxes, 1120
or manufactured home taxes assessed pursuant to section 4503.06 1121
of the Revised Code, that are charged and payable after 1122
reductions required by sections 319.301, 319.302, 319.303, 1123
319.304, 323.152, 323.158, ~~319.304,~~ 4503.065, and 4503.0610 but 1124
before any reduction required by section 319.305 of the Revised 1125
Code. 1126

(2) "Current taxes charged and payable" means, for a levy, 1127
the taxes charged and payable for the current tax year, in the 1128
case of real property, or the following tax year, in the case of 1129
manufactured or mobile homes on the manufactured home tax list, 1130
excluding any taxes charged and payable against property, or any 1131
portion of property, that was not taxed by the taxing district 1132
in the most recent tax year to which section 5715.24 of the 1133

Revised Code applied in the county, in the case of real 1134
property, or in the following tax year, in the case of 1135
manufactured or mobile homes on the manufactured home tax list. 1136

(3) "Base taxes charged and payable" means, for a levy, 1137
the taxes charged and payable for the tax year immediately 1138
preceding the current tax year, in the case of real property, or 1139
the current tax year, in the case of manufactured or mobile 1140
homes on the manufactured home tax list, excluding any taxes 1141
charged and payable against property, or any portion of 1142
property, that was not taxed by the taxing district in the most 1143
recent tax year to which section 5715.24 of the Revised Code 1144
applied in the county, in the case of real property, or in the 1145
following tax year, in the case of manufactured or mobile homes 1146
on the manufactured home tax list. 1147

(4) "County budget commission" means a joint budget 1148
commission in the context of a taxing unit with territory 1149
located in two or more counties. 1150

(5) "Inflation factor" means, for a tax year, the greater 1151
of zero per cent or the percentage change in the gross domestic 1152
product deflator computed over the three preceding tax years, as 1153
determined under division (F) of this section. 1154

(6) "Reappraisal or triennial update" means a tax year in 1155
which section 5715.24 of the Revised Code applies in the county. 1156

(B) Notwithstanding division (D) of section 133.25 of the 1157
Revised Code and except as provided in division (D) of this 1158
section, in September of each tax year in which a county 1159
undergoes a reappraisal or triennial update, the county budget 1160
commission shall adjust the rate of any levy within the ten-mill 1161
limitation so that the increase in current taxes charged and 1162

payable for that levy over the base taxes charged and payable 1163
for that levy do not exceed the product of the base taxes 1164
charged and payable and the inflation factor certified under 1165
division (F) of this section for that tax year, rounded to the 1166
nearest multiple of one hundred dollars. 1167

(C) The commission shall certify each rate reduced under 1168
division (A) of this section to the county auditor not later 1169
than the first day of December. In the case of property on the 1170
real property tax list, the adjusted rates shall apply to the 1171
tax year in which the adjusted rates are certified and to each 1172
ensuing tax year, until the next tax year in which adjusted 1173
rates are certified under this section. In the case of 1174
manufactured or mobile homes on the manufactured home tax list, 1175
the adjusted rates shall apply to the tax year following the 1176
year in which the adjusted rates are certified and to each 1177
ensuing tax year, until the tax year following the next year in 1178
which adjusted rates are certified under this section. 1179
Notwithstanding any other section of the Revised Code to the 1180
contrary, a county budget commission shall not reallocate mills 1181
reduced pursuant to this section to any other taxing unit. 1182

(D) For a taxing unit that elects to forgo revenue from or 1183
otherwise voluntarily reduce the rate of a levy within the ten- 1184
mill limitation for one or more tax years, beyond which would be 1185
required under division (B) of this section, the calculation of 1186
the limit under division (B) of this section in subsequent tax 1187
years shall be based on the taxes charged and payable for the 1188
tax year preceding such voluntary reduction. Nothing in this 1189
section requires increasing the rate of a levy above what it was 1190
before the operation of this section. 1191

(E) If the current taxes charged and payable for a levy 1192

within the ten-mill limitation do not increase for a tax year to 1193
which section 5715.24 of the Revised Code applies in the county 1194
compared to the base taxes charged and payable, then the county 1195
auditor, in September of that year, shall calculate the 1196
increased rate of the levy that would cause the levy's current 1197
taxes charged and payable to be the same as the levy's base 1198
taxes charged and payable, rounded to the nearest one hundredths 1199
of one mill, and shall certify to the applicable taxing unit the 1200
increased rate. A taxing unit, not later than the first day of 1201
November, may adopt and certify to the county auditor a 1202
resolution or ordinance requesting that the levy be levied up to 1203
the rate certified by the county auditor under this division. 1204
The resolution or ordinance shall also be accompanied by 1205
information demonstrating the taxing unit's need for the higher 1206
rate. The county auditor, upon receipt of this certification, 1207
shall convene the county budget commission, which shall decide 1208
whether to approve, partially approve, or deny the taxing unit's 1209
request for an increased rate based on its evaluation of the 1210
taxing unit's need for the increase. If it wholly or partially 1211
approves the increase, the commission shall certify the amount 1212
of the rate of increase to the county auditor not later than the 1213
first day of December. The increased rate shall apply to the 1214
current tax year, or the ensuing tax year for manufactured or 1215
mobile homes on the manufactured home tax list, and each ensuing 1216
year until the next tax year in which an adjusted rate for the 1217
levy is certified under this section. Nothing in this division 1218
allows a county budget commission or taxing unit to exceed the 1219
ten-mill limitation. 1220

(F) The tax commissioner shall annually determine the 1221
percentage change in the gross domestic product deflator 1222
determined by the bureau of economic analysis of the United 1223

States department of commerce from the first day of January of 1224
the third preceding calendar year to the last day of December of 1225
the preceding calendar year. The commissioner shall certify the 1226
resulting amount to each county auditor whose county undergoes a 1227
reappraisal or triennial update not later than the first day of 1228
September of each year. 1229

Section 2. That existing sections 319.303, 323.152, 1230
323.155, 4503.06, and 5705.316 of the Revised Code are hereby 1231
repealed. 1232

Section 3. This act shall be known as the Calculated 1233
Adjustments for Property Surges (CAPS) Act. 1234