

As Introduced

136th General Assembly

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H. B. No. 673

Representative Stephens

To amend sections 323.152, 323.153, 323.156,
323.158, and 5747.85 of the Revised Code to
expand the statewide owner-occupied residence
property tax credit to all tax levies.

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

Section 1. That sections 323.152, 323.153, 323.156,
323.158, and 5747.85 of the Revised Code be amended to read as
follows:

Sec. 323.152. In addition to the reduction in taxes
required under sections 319.302, 319.303, and 319.304 of the
Revised Code, taxes shall be reduced as provided in divisions
(A) and (B) of this section.

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

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

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

(iii) A person who is the surviving spouse of a deceased
person who was permanently and totally disabled or sixty-five
years of age or older and who applied and qualified for a
reduction in taxes under this division in the year of death,

provided the surviving spouse is at least fifty-nine but not 20
sixty-five or more years of age on the date the deceased spouse 21
dies. 22

(b) Real property taxes on a homestead owned and occupied, 23
or a homestead in a housing cooperative occupied, by a person to 24
whom division (A) (1) of this section applies shall be reduced 25
for each year for which an application for the reduction has 26
been approved. The reduction shall equal one of the following 27
amounts, as applicable to the person: 28

(i) If the person received a reduction under division (A) 29
(1) of this section for tax year 2006, the greater of the 30
reduction for that tax year or the amount computed under 31
division (A) (1) (c) of this section; 32

(ii) If the person received, for any homestead, a 33
reduction under division (A) (1) of this section for tax year 34
2013 or under division (A) of section 4503.065 of the Revised 35
Code for tax year 2014 or the person is the surviving spouse of 36
such a person and the surviving spouse is at least fifty-nine 37
years of age on the date the deceased spouse dies, the amount 38
computed under division (A) (1) (c) of this section. 39

(iii) If the person is not described in division (A) (1) (b) 40
(i) or (ii) of this section and the person's total income does 41
not exceed thirty thousand dollars, as adjusted under division 42
(A) (1) (d) of this section, the amount computed under division 43
(A) (1) (c) of this section. 44

(c) The amount of the reduction under division (A) (1) (c) 45
of this section equals the product of the following: 46

(i) Twenty-five thousand dollars of the true value of the 47
property in money, as adjusted under division (A) (1) (d) of this 48

section; 49

(ii) The assessment percentage established by the tax 50
commissioner under division (B) of section 5715.01 of the 51
Revised Code, not to exceed thirty-five per cent; 52

(iii) The effective tax rate used to calculate the taxes 53
charged against the property for the current year, where 54
"effective tax rate" is defined as in section 323.08 of the 55
Revised Code; 56

(iv) The quantity equal to one minus the sum of the 57
percentage reductions in taxes received by the property for the 58
current tax year under sections 319.302 and 319.303 of the 59
Revised Code and division (B) of section 323.152 of the Revised 60
Code. 61

(d) The tax commissioner shall adjust the total income 62
threshold described in division (A)(1)(b)(iii) and the reduction 63
amounts described in divisions (A)(1)(c)(i), (A)(2), and (A)(3) 64
of this section by completing the following calculations in 65
September of each year: 66

(i) Determine the percentage increase in the gross 67
domestic product deflator determined by the bureau of economic 68
analysis of the United States department of commerce from the 69
first day of January of the preceding calendar year to the last 70
day of December of the preceding calendar year; 71

(ii) Multiply that percentage increase by the total income 72
threshold or reduction amount for the current tax year, as 73
applicable; 74

(iii) Add the resulting product to the total income 75
threshold or the reduction amount, as applicable, for the 76
current tax year; 77

(iv) Round the resulting sum to the nearest multiple of 78
one hundred dollars. 79

The commissioner shall certify the amount resulting from 80
each adjustment to each county auditor not later than the first 81
day of December each year. The certified total income threshold 82
amount applies to the following tax year for persons described 83
in division (A) (1) (b) (iii) of this section. The certified 84
reduction amount applies to the following tax year. The 85
commissioner shall not make the applicable adjustment in any 86
calendar year in which the amount resulting from the adjustment 87
would be less than the total income threshold or the reduction 88
amount for the current tax year. 89

(2) (a) Real property taxes on a homestead owned and 90
occupied, or a homestead in a housing cooperative occupied, by a 91
disabled veteran shall be reduced for each year for which an 92
application for the reduction has been approved. The reduction 93
shall equal the product obtained by multiplying fifty thousand 94
dollars of the true value of the property in money, as adjusted 95
under division (A) (1) (d) of this section, by the amounts 96
described in divisions (A) (1) (c) (ii) to (iv) of this section. 97
The reduction is in lieu of any reduction under section 323.158 98
of the Revised Code or division (A) (1), (2) (b), or (3) of this 99
section. The reduction applies to only one homestead owned and 100
occupied by a disabled veteran. 101

(b) Real property taxes on a homestead owned and occupied, 102
or a homestead in a housing cooperative occupied, by the 103
surviving spouse of a disabled veteran shall be reduced for each 104
year an application for exemption is approved. The reduction 105
shall equal to the amount of the reduction authorized under 106
division (A) (2) (a) of this section. 107

The reduction is in lieu of any reduction under section 108
323.158 of the Revised Code or division (A) (1), (2) (a), or (3) 109
of this section. The reduction applies to only one homestead 110
owned and occupied by the surviving spouse of a disabled 111
veteran. A homestead qualifies for a reduction in taxes under 112
division (A) (2) (b) of this section beginning in one of the 113
following tax years: 114

(i) For a surviving spouse described in division (L) (1) of 115
section 323.151 of the Revised Code, the year the disabled 116
veteran dies; 117

(ii) For a surviving spouse described in division (L) (2) 118
of section 323.151 of the Revised Code, the first year on the 119
first day of January of which the total disability rating 120
described in division (F) of that section has been received for 121
the deceased spouse. 122

In either case, the reduction shall continue through the 123
tax year in which the surviving spouse dies or remarries. 124

(3) Real property taxes on a homestead owned and occupied, 125
or a homestead in a housing cooperative occupied, by the 126
surviving spouse of a public service officer killed in the line 127
of duty shall be reduced for each year for which an application 128
for the reduction has been approved. The reduction shall equal 129
the product obtained by multiplying fifty thousand dollars of 130
the true value of the property in money, as adjusted under 131
division (A) (1) (d) of this section, by the amounts described in 132
divisions (A) (1) (c) (ii) to (iv) of this section. The reduction 133
is in lieu of any reduction under section 323.158 of the Revised 134
Code or division (A) (1) or (2) of this section. The reduction 135
applies to only one homestead owned and occupied by such a 136
surviving spouse. A homestead qualifies for a reduction in taxes 137

under division (A) (3) of this section for the tax year in which 138
the public service officer dies through the tax year in which 139
the surviving spouse dies or remarries. 140

(B) (1) ~~As used in division (B) of this section,~~ 141
~~"qualifying levy" has the same meaning as in section 319.302 of~~ 142
~~the Revised Code.~~ 143

~~(2)~~ To provide a partial exemption, real property taxes on 144
any homestead, and manufactured home taxes on any manufactured 145
or mobile home on which a manufactured home tax is assessed 146
pursuant to division (D) (2) of section 4503.06 of the Revised 147
Code, shall be reduced for each year for which an application 148
for the reduction has been approved. The amount of the reduction 149
shall equal one of the following percentages of the amount of 150
taxes to be levied ~~by qualifying levies~~ on the homestead or the 151
manufactured or mobile home after applying section 319.301 of 152
the Revised Code: 153

(a) For the first tax year to which this amendment 154
applies, 5.70%; 155

(b) For the following tax year, 8.92%; 156

(c) For the second following tax year, 12.15%; 157

(d) For the third following tax year and every year 158
thereafter, 15.38%. 159

~~(3)~~ (2) A board of county commissioners, by resolution, may 160
authorize a partial exemption from the real property taxes or 161
manufactured home taxes on any property or manufactured or 162
mobile home that receives the partial exemption under division 163
~~(B) (2)~~ (B) (1) of this section. The resolution shall specify the 164
amount of the partial exemption, which may equal up to two and 165
one-half per cent of the amount of taxes to be levied by 166

qualifying levies, as that term is defined in section 319.302 of 167
the Revised Code, on the property or home after applying section 168
319.301 of the Revised Code. The partial exemption shall be 169
applied concurrently with the partial exemption under division 170
~~(B)(2)~~ (B)(1) of this section, and no application shall be 171
required under section 323.153 of the Revised Code to obtain the 172
partial exemption authorized pursuant to this section. 173

The board shall certify a copy of the resolution, or a 174
copy of any resolution repealing or modifying the partial 175
exemption's authorization, to the county auditor and tax 176
commissioner within thirty days after its adoption. If the 177
resolution is adopted on or before the first day of July of a 178
tax year, the partial exemption shall first apply or cease to 179
apply, in the case of real property taxes, to that tax year or, 180
in the case of manufactured home taxes, the following tax year. 181
If the resolution is adopted after the first day of July of a 182
tax year, the partial exemption shall first apply or cease to 183
apply, in the case of real property taxes, to the following tax 184
year or, in the case of manufactured home taxes, the second 185
succeeding tax year. 186

(C) The reductions granted by this section do not apply to 187
special assessments or respread of assessments levied against 188
the homestead, and if there is a transfer of ownership 189
subsequent to the filing of an application for a reduction in 190
taxes, such reductions are not forfeited for such year by virtue 191
of such transfer. 192

(D) The reductions in taxable value referred to in this 193
section shall be applied solely as a factor for the purpose of 194
computing the reduction of taxes under this section and shall 195
not affect the total value of property in any subdivision or 196

taxing district as listed and assessed for taxation on the tax 197
lists and duplicates, or any direct or indirect limitations on 198
indebtedness of a subdivision or taxing district. If after 199
application of sections 5705.31 and 5705.32 of the Revised Code, 200
including the allocation of all levies within the ten-mill 201
limitation to debt charges to the extent therein provided, there 202
would be insufficient funds for payment of debt charges not 203
provided for by levies in excess of the ten-mill limitation, the 204
reduction of taxes provided for in sections 323.151 to 323.159 205
of the Revised Code shall be proportionately adjusted to the 206
extent necessary to provide such funds from levies within the 207
ten-mill limitation. 208

(E) No reduction shall be made on the taxes due on the 209
homestead of any person convicted of violating division (D) or 210
(E) of section 323.153 of the Revised Code for a period of three 211
years following the conviction. 212

Sec. 323.153. (A) To obtain a reduction in real property 213
taxes under division (A) or ~~(B) (2)~~ (B) (1) of section 323.152 of 214
the Revised Code or in manufactured home taxes under division 215
~~(B) (2)~~ (B) (1) of section 323.152 of the Revised Code, the owner 216
shall file an application with the county auditor of the county 217
in which the owner's homestead is located. 218

To obtain a reduction in real property taxes under 219
division (A) of section 323.152 of the Revised Code, the 220
occupant of a homestead in a housing cooperative shall file an 221
application with the nonprofit corporation that owns and 222
operates the housing cooperative, in accordance with this 223
paragraph. Not later than the first day of March each year, the 224
corporation shall obtain applications from the county auditor's 225
office and provide one to each new occupant. Not later than the 226

first day of May, any occupant who may be eligible for a 227
reduction in taxes under division (A) of section 323.152 of the 228
Revised Code shall submit the completed application to the 229
corporation. Not later than the fifteenth day of May, the 230
corporation shall file all completed applications, and the 231
information required by division (B) of section 323.159 of the 232
Revised Code, with the county auditor of the county in which the 233
occupants' homesteads are located. Continuing applications shall 234
be furnished to an occupant in the manner provided in division 235
(C) (4) of this section. 236

(1) An application for reduction based upon a physical 237
disability shall be accompanied by a certificate signed by a 238
physician, and an application for reduction based upon a mental 239
disability shall be accompanied by a certificate signed by a 240
physician or psychologist licensed to practice in this state, 241
attesting to the fact that the applicant is permanently and 242
totally disabled. The certificate shall be in a form that the 243
tax commissioner requires and shall include the definition of 244
permanently and totally disabled as set forth in section 323.151 245
of the Revised Code. An application for reduction based upon a 246
disability certified as permanent and total by a state or 247
federal agency having the function of so classifying persons 248
shall be accompanied by a certificate from that agency. 249

An application by a disabled veteran or the surviving 250
spouse of a disabled veteran for the reduction under division 251
(A) (2) (a) or (b) of section 323.152 of the Revised Code shall be 252
accompanied by a letter or other written confirmation from the 253
United States department of veterans affairs, or its predecessor 254
or successor agency, showing that the veteran qualifies as a 255
disabled veteran. 256

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

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

(2) An application for a reduction in taxes under division ~~(B) (2)~~ (B) (1) of section 323.152 of the Revised Code shall be filed only if the homestead or manufactured or mobile home was transferred in the preceding year or did not qualify for and receive the reduction in taxes under that division for the preceding tax year. The application for homesteads transferred in the preceding year shall be incorporated into any form used by the county auditor to administer the tax law in respect to the conveyance of real property pursuant to section 319.20 of the Revised Code or of used manufactured homes or used mobile homes as defined in section 5739.0210 of the Revised Code. The owner of a manufactured or mobile home who has elected under division (D) (4) of section 4503.06 of the Revised Code to be taxed under division (D) (2) of that section for the ensuing year may file the application at the time of making that election. The application shall contain a statement that failure by the applicant to affirm on the application that the dwelling on the

property conveyed is the applicant's homestead prohibits the 288
owner from receiving the reduction in taxes until a proper 289
application is filed within the period prescribed by division 290
(A) (3) of this section. Such an application constitutes a 291
continuing application for a reduction in taxes for each year in 292
which the dwelling is the applicant's homestead. 293

(3) Failure to receive a new application filed under 294
division (A) (1) or (2) or notification under division (C) of 295
this section after an application for reduction has been 296
approved is prima-facie evidence that the original applicant is 297
entitled to the reduction in taxes calculated on the basis of 298
the information contained in the original application. The 299
original application and any subsequent application, including 300
any late application, shall be in the form of a signed statement 301
and shall be filed on or before the thirty-first day of December 302
of the year for which the reduction is sought. The original 303
application and any subsequent application for a reduction in 304
manufactured home taxes shall be filed in the year preceding the 305
year for which the reduction is sought. The statement shall be 306
on a form, devised and supplied by the tax commissioner, which 307
shall require no more information than is necessary to establish 308
the applicant's eligibility for the reduction in taxes and the 309
amount of the reduction, and, except for homesteads that are 310
units in a housing cooperative, shall include an affirmation by 311
the applicant that ownership of the homestead was not acquired 312
from a person, other than the applicant's spouse, related to the 313
owner by consanguinity or affinity for the purpose of qualifying 314
for the real property or manufactured home tax reduction 315
provided for in division (A) or ~~(B) (2)~~ (B) (1) of section 323.152 316
of the Revised Code. The form shall contain a statement that 317
conviction of willfully falsifying information to obtain a 318

reduction in taxes or failing to comply with division (C) of 319
this section results in the revocation of the right to the 320
reduction for a period of three years. In the case of an 321
application for a reduction in taxes for persons described in 322
division (A) (1) (b) (iii) of section 323.152 of the Revised Code, 323
the form shall contain a statement that signing the application 324
constitutes a delegation of authority by the applicant to the 325
tax commissioner or the county auditor, individually or in 326
consultation with each other, to examine any tax or financial 327
records relating to the income of the applicant as stated on the 328
application for the purpose of determining eligibility for the 329
exemption or a possible violation of division (D) or (E) of this 330
section. 331

(B) A late application for a tax reduction for the year 332
preceding the year in which an original application is filed, or 333
for a reduction in manufactured home taxes for the year in which 334
an original application is filed, may be filed with the original 335
application. If the county auditor determines the information 336
contained in the late application is correct, the auditor shall 337
determine the amount of the reduction in taxes to which the 338
applicant would have been entitled for the preceding tax year 339
had the applicant's application been timely filed and approved 340
in that year. 341

The amount of such reduction shall be treated by the 342
auditor as an overpayment of taxes by the applicant and shall be 343
refunded in the manner prescribed in section 5715.22 of the 344
Revised Code for making refunds of overpayments. The county 345
auditor shall certify the total amount of the reductions in 346
taxes made in the current year under this division to the tax 347
commissioner, who shall treat the full amount thereof as a 348
reduction in taxes for the preceding tax year and shall make 349

reimbursement to the county therefor in the manner prescribed by 350
section 323.156 of the Revised Code, from money appropriated for 351
that purpose. 352

(C) (1) If, in any year after an application has been filed 353
under division (A) (1) or (2) of this section, the owner does not 354
qualify for a reduction in taxes on the homestead or on the 355
manufactured or mobile home set forth on such application, the 356
owner shall notify the county auditor that the owner is not 357
qualified for a reduction in taxes. 358

(2) If, in any year after an application has been filed 359
under division (A) (1) of this section, the occupant of a 360
homestead in a housing cooperative does not qualify for a 361
reduction in taxes on the homestead, the occupant shall notify 362
the county auditor that the occupant is not qualified for a 363
reduction in taxes or file a new application under division (A) 364
(1) of this section. 365

(3) If the county auditor or county treasurer discovers 366
that an owner of property or occupant of a homestead in a 367
housing cooperative not entitled to the reduction in taxes under 368
division (A) or ~~(B) (2)~~ (B) (1) of section 323.152 of the Revised 369
Code failed to notify the county auditor as required by division 370
(C) (1) or (2) of this section, a charge shall be imposed against 371
the property in the amount by which taxes were reduced under 372
that division for each tax year the county auditor ascertains 373
that the property was not entitled to the reduction and was 374
owned by the current owner or, in the case of a homestead in a 375
housing cooperative, occupied by the current occupant. Interest 376
shall accrue in the manner prescribed by division (B) of section 377
323.121 or division (G) (2) of section 4503.06 of the Revised 378
Code on the amount by which taxes were reduced for each such tax 379

year as if the reduction became delinquent taxes at the close of 380
the last day the second installment of taxes for that tax year 381
could be paid without penalty. The county auditor shall notify 382
the owner or occupant, by ordinary mail, of the charge, of the 383
owner's or occupant's right to appeal the charge, and of the 384
manner in which the owner or occupant may appeal. The owner or 385
occupant may appeal the imposition of the charge and interest by 386
filing an appeal with the county board of revision not later 387
than the last day prescribed for payment of real and public 388
utility property taxes under section 323.12 of the Revised Code 389
following receipt of the notice and occurring at least ninety 390
days after receipt of the notice. The appeal shall be treated in 391
the same manner as a complaint relating to the valuation or 392
assessment of real property under Chapter 5715. of the Revised 393
Code. The charge and any interest shall be collected as other 394
delinquent taxes. 395

(4) Each year during January, the county auditor shall 396
furnish by ordinary mail a continuing application to each person 397
receiving a reduction under division (A) of section 323.152 of 398
the Revised Code. The continuing application shall be used to 399
report changes in total income, ownership, occupancy, 400
disability, and other information earlier furnished the auditor 401
relative to the reduction in taxes on the property. The 402
continuing application shall be returned to the auditor not 403
later than the thirty-first day of December; provided, that if 404
such changes do not affect the status of the homestead exemption 405
or the amount of the reduction to which the owner is entitled 406
under division (A) of section 323.152 of the Revised Code or to 407
which the occupant is entitled under section 323.159 of the 408
Revised Code, the application does not need to be returned. 409

(5) Each year during February, the county auditor, except 410

as otherwise provided in this paragraph, shall furnish by 411
ordinary mail an original application to the owner, as of the 412
first day of January of that year, of a homestead or a 413
manufactured or mobile home that transferred during the 414
preceding calendar year and that qualified for and received a 415
reduction in taxes under division ~~(B) (2)~~ (B) (1) of section 416
323.152 of the Revised Code for the preceding tax year. In order 417
to receive the reduction under that division, the owner shall 418
file the application with the county auditor not later than the 419
thirty-first day of December. If the application is not timely 420
filed, the auditor shall not grant a reduction in taxes for the 421
homestead for the current year, and shall notify the owner that 422
the reduction in taxes has not been granted, in the same manner 423
prescribed under section 323.154 of the Revised Code for 424
notification of denial of an application. Failure of an owner to 425
receive an application does not excuse the failure of the owner 426
to file an original application. The county auditor is not 427
required to furnish an application under this paragraph for any 428
homestead for which application has previously been made on a 429
form incorporated into any form used by the county auditor to 430
administer the tax law in respect to the conveyance of real 431
property or of used manufactured homes or used mobile homes, and 432
an owner who previously has applied on such a form is not 433
required to return an application furnished under this 434
paragraph. 435

(D) No person shall knowingly make a false statement for 436
the purpose of obtaining a reduction in the person's real 437
property or manufactured home taxes under section 323.152 of the 438
Revised Code. 439

(E) No person shall knowingly fail to notify the county 440
auditor of changes required by division (C) of this section that 441

have the effect of maintaining or securing a reduction in taxes 442
under section 323.152 of the Revised Code. 443

(F) No person shall knowingly make a false statement or 444
certification attesting to any person's physical or mental 445
condition for purposes of qualifying such person for tax relief 446
pursuant to sections 323.151 to 323.159 of the Revised Code. 447

Sec. 323.156. (A) Within thirty days after a settlement of 448
taxes under divisions (A) and (C) of section 321.24 of the 449
Revised Code, the county treasurer shall certify to the tax 450
commissioner one-half of the total amount of taxes on real 451
property that were reduced pursuant to divisions (A) and ~~(B)(2)~~ 452
(B)(1) of section 323.152 of the Revised Code for the preceding 453
tax year. The commissioner, within thirty days of the receipt of 454
such certifications, shall provide for payment to the county 455
treasurer, from the general revenue fund, of the amount 456
certified, which shall be credited upon receipt to the county's 457
undivided income tax fund, and an amount equal to two per cent 458
of the amount by which taxes were reduced, which shall be 459
credited upon receipt to the county general fund as a payment to 460
the county auditor and treasurer for the costs of administering 461
the exemption provided under sections 323.151 to 323.159 of the 462
Revised Code. 463

(B) On or before the second Monday in September of each 464
year, the county treasurer shall certify to the tax commissioner 465
the total amount by which the manufactured home taxes levied in 466
that year were reduced pursuant to division ~~(B)(2)~~ (B)(1) of 467
section 323.152 of the Revised Code, as evidenced by the 468
certificates of reduction and the tax duplicate certified to the 469
county treasurer by the county auditor. The commissioner, within 470
ninety days after the receipt of such certifications, shall 471

provide for payment to the county treasurer, from the general 472
revenue fund, of the amount certified, which shall be credited 473
upon receipt to the county's undivided income tax fund, and an 474
amount equal to two per cent of the amount by which taxes were 475
reduced, which shall be credited upon receipt to the county 476
general fund as a payment to the county auditor and treasurer 477
for the costs of administering the exemption provided under 478
sections 323.151 to 323.159 of the Revised Code. 479

(C) Immediately upon receipt of funds into the county 480
undivided income tax fund under this section, the auditor shall 481
distribute the full amount thereof among the taxing districts in 482
the county as though the total had been paid as taxes by each 483
person for whom taxes were reduced under sections 323.151 to 484
323.159 of the Revised Code. 485

Sec. 323.158. (A) As used in this section, "qualifying 486
county" means a county to which both of the following apply: 487

(1) At least one major league professional athletic team 488
plays its home schedule in the county for the season beginning 489
in 1996; 490

(2) The majority of the electors of the county, voting at 491
an election held in 1996, approved a referendum on a resolution 492
of the board of county commissioners levying a sales and use tax 493
under sections 5739.026 and 5741.023 of the Revised Code. 494

(B) On or before December 31, 1996, the board of county 495
commissioners of a qualifying county may adopt a resolution 496
under this section. The resolution shall grant a partial real 497
property tax exemption to each homestead in the county that also 498
receives the tax reduction under division ~~(B) (2)~~ (B) (1) of 499
section 323.152 of the Revised Code. The partial exemption shall 500

take the form of the reduction by a specified percentage each 501
year of the real property taxes on the homestead. The resolution 502
shall specify the percentage, which may be any amount. The board 503
may include in the resolution a condition that the partial 504
exemption will apply only upon the receipt by the county of 505
additional revenue from a source specified in the resolution. 506
The resolution shall specify the tax year in which the partial 507
exemption first applies, which may be the tax year in which the 508
resolution takes effect as long as the resolution takes effect 509
before the county auditor certifies the tax duplicate of real 510
and public utility property for that tax year to the county 511
treasurer. Upon adopting the resolution, the board shall certify 512
copies of it to the county auditor and the tax commissioner. 513

(C) After complying with sections 319.301, 319.302, 514
319.303, 319.304, and 323.152 of the Revised Code, the county 515
auditor shall reduce the remaining sum to be levied against a 516
homestead by the percentage called for in the resolution adopted 517
under division (B) of this section. The auditor shall certify 518
the amount of taxes remaining after the reduction to the county 519
treasurer for collection as the real property taxes charged and 520
payable on the homestead. 521

(D) For each tax year, the county auditor shall certify to 522
the board of county commissioners the total amount by which real 523
property taxes were reduced under this section. At the time of 524
each semi-annual settlement of real property taxes between the 525
county auditor and county treasurer, the board of county 526
commissioners shall pay to the auditor one-half of that total 527
amount. Upon receipt of the payment, the county auditor shall 528
distribute it among the various taxing districts in the county 529
as if it had been levied, collected, and settled as real 530
property taxes. The board of county commissioners shall make the 531

payment from the county general fund or from any other county 532
revenue that may be used for that purpose. In making the 533
payment, the board may use revenue from taxes levied by the 534
county to provide additional general revenue under sections 535
5739.021 and 5741.021 of the Revised Code or to provide 536
additional revenue for the county general fund under sections 537
5739.026 and 5741.023 of the Revised Code. 538

(E) The partial exemption under this section shall not 539
directly or indirectly affect the determination of the principal 540
amount of notes that may be issued in anticipation of a tax levy 541
or the amount of securities that may be issued for any permanent 542
improvements authorized in conjunction with a tax levy. 543

(F) At any time, the board of county commissioners may 544
adopt a resolution amending or repealing the partial exemption 545
granted under this section. Upon adopting a resolution amending 546
or repealing the partial exemption, the board shall certify 547
copies of it to the county auditor and the tax commissioner. The 548
resolution shall specify the tax year in which the amendment or 549
repeal first applies, which may be the tax year in which the 550
resolution takes effect as long as the resolution takes effect 551
before the county auditor certifies the tax duplicate of real 552
and public utility property for that tax year to the county 553
treasurer. 554

(G) If a person files a late application for a tax 555
reduction under division ~~(B) (2)~~ (B) (1) of section 323.152 of the 556
Revised Code for the preceding year, and is granted the 557
reduction, the person also shall receive the reduction under 558
this section for the preceding year. The county auditor shall 559
credit the amount of the reduction against the person's current 560
year taxes, and shall include the amount of the reduction in the 561

amount certified to the board of county commissioners under 562
division (D) of this section. 563

Sec. 5747.85. (A) As used in this section: 564

(1) "Homeownership savings account" and "program period" 565
have the same meanings as in section 135.70 of the Revised Code. 566

(2) "Account owner" means "eligible participant" as 567
defined by section 135.70 of the Revised Code. 568

(3) "Contributor" means the account owner or a parent, 569
spouse, sibling, stepparent, or grandparent of the account owner 570
who deposits funds into the homeownership savings account. 571

(4) "Lifetime contribution limit" means twenty-five 572
thousand dollars of contributions per contributor per 573
homeownership savings account. If an account owner opens one or 574
more additional homeownership savings accounts, a contributor's 575
lifetime contribution limit for the additional accounts shall be 576
reduced by any contributions previously made by the contributor 577
to an account owned by that account owner. 578

(5) "Eligible expenses" means unreimbursed expenses paid 579
by the account owner for home purchase costs for the account 580
owner's primary residence and account fees imposed on the 581
account owner. 582

(6) "Primary residence" means a homestead located in this 583
state that is or will be the account owner's principal place of 584
residence at the time the eligible expenses are incurred and for 585
which the account owner receives or will receive a reduction in 586
real property taxes or manufactured home taxes under division 587
~~(B) (2)~~ (B) (1) of section 323.152 of the Revised Code. 588

(7) "Homestead" means a homestead, as defined in section 589

323.151 of the Revised Code, or a manufactured or mobile home 590
that is owned and occupied as a home by an individual whose 591
domicile is in this state and upon which the manufactured home 592
tax is assessed pursuant to division (D)(2) of section 4503.06 593
of the Revised Code. 594

(8) "Home purchase costs" means "eligible home costs" as 595
defined in section 135.70 of the Revised Code. 596

(9) "Employer contribution" means the amount an employer 597
contributes to a homeownership savings account. 598

(B) In computing Ohio adjusted gross income, a deduction 599
from federal adjusted gross income is allowed to a contributor 600
for amounts contributed to a homeownership savings account to 601
the extent that the amounts contributed have not already been 602
deducted in computing the contributor's federal or Ohio adjusted 603
gross income for the taxable year. The deduction shall equal the 604
amount of contributions made by the taxpayer and, if filing a 605
joint return, the taxpayer's spouse, except that the deduction 606
shall not exceed, for any taxable year, ten thousand dollars for 607
spouses filing a joint return or five thousand dollars for all 608
other taxpayers for each homeownership savings account to which 609
contributions are made. If a taxpayer files a joint return, the 610
deduction amount attributable to contributions made by each 611
spouse shall not exceed five thousand dollars for each 612
homeownership savings account to which contributions are made. A 613
contributor is not entitled to a deduction under this section to 614
the extent the deduction causes the contributor to exceed the 615
lifetime contribution limit. No deduction is allowed under this 616
section for the transfer of funds from one homeownership savings 617
account to another homeownership savings account. 618

(C) In computing Ohio adjusted gross income, a deduction 619

from federal adjusted gross income is allowed to an account 620
owner for the following items: 621

(1) Interest earned on a homeownership savings account to 622
the extent the interest has not been otherwise deducted or 623
excluded in computing an account owner's federal or Ohio 624
adjusted gross income. 625

(2) Employer contributions made by an employer to an 626
account owner's homeownership savings account to the extent the 627
employer contributions have not been otherwise deducted or 628
excluded in computing an account owner's federal or Ohio 629
adjusted gross income. 630

(D) The tax commissioner may request that a taxpayer 631
claiming a deduction calculated under division (B) or (C) of 632
this section furnish information necessary to support the claim 633
for the deduction under this section, and no deduction shall be 634
allowed unless the requested information is provided. 635

(E) No deduction is permitted under division (B) or (C) of 636
this section for contributions made or interest earned after the 637
conclusion of a homeownership savings account's program period. 638

(F) The commissioner may adopt rules necessary to 639
administer this section. 640

Section 2. That existing sections 323.152, 323.153, 641
323.156, 323.158, and 5747.85 of the Revised Code are hereby 642
repealed. 643

Section 3. The amendment by this act of sections 323.152, 644
323.153, 323.156, 323.158, and 5747.85 of the Revised Code 645
applies, in the case of real property taxes, to tax years ending 646
on or after the effective date of this section or, in the case 647
of manufactured home taxes, to tax years beginning on or after 648

that effective date.

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