

As Introduced

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Regular Session

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H. B. No. 778

Representatives Miller, K., Thomas, D.

To amend sections 3735.67, 5709.40, 5709.41, 1
5709.73, and 5709.78 of the Revised Code to 2
exclude certain fire and emergency medical 3
services levies from being reduced by a 4
community reinvestment area or tax increment 5
financing property tax exemption. 6

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

Section 1. That sections 3735.67, 5709.40, 5709.41, 7
5709.73, and 5709.78 of the Revised Code be amended to read as 8
follows: 9

Sec. 3735.67. (A) The Subject to division (G) of this 10
section, the owner of real property located in a community 11
reinvestment area and eligible for exemption from taxation under 12
a resolution adopted pursuant to section 3735.66 of the Revised 13
Code may file an application for an exemption from real property 14
taxation of a percentage of the assessed valuation of a new 15
structure, or of the increased assessed valuation of an existing 16
structure after remodeling began, if the new structure or 17
remodeling is completed after the effective date of the 18
resolution adopted pursuant to section 3735.66 of the Revised 19
Code. The application shall be filed with the housing officer 20
designated for the community reinvestment area in which the 21

property is located. If any part of the new structure or 22
remodeled structure that would be exempted is of real property 23
to be used for commercial or industrial purposes, the 24
legislative authority and the owner of the property shall enter 25
into a written agreement pursuant to section 3735.671 of the 26
Revised Code prior to commencement of construction or 27
remodeling; if such an agreement is subject to approval by the 28
board of education of the school district within the territory 29
of which the property is or will be located, the agreement shall 30
not be formally approved by the legislative authority until the 31
board of education approves the agreement in the manner 32
prescribed by that section. If a structure is already subject to 33
a written agreement pursuant to section 3735.671 of the Revised 34
Code, is on the site of a proposed megaproject, and is expected 35
to be owned or occupied by a megaproject operator as defined in 36
division (A)(12) of section 122.17 of the Revised Code, or is 37
not situated on the site of a proposed megaproject but is 38
expected to be owned or occupied by a megaproject supplier that 39
meets the requirements described in division (A)(13)(b) of 40
section 122.17 of the Revised Code, the legislative authority 41
may amend the agreement to cause the exemption for the structure 42
to continue for a maximum amended term not exceeding thirty 43
years by following the process for approving an agreement 44
described in section 3735.671 of the Revised Code. 45

(B) The housing officer shall verify the construction of 46
the new structure or the cost of the remodeling of the existing 47
structure and the facts asserted in the application. The housing 48
officer shall determine whether the construction or remodeling 49
meets the requirements for an exemption under this section. In 50
cases involving a structure of historical or architectural 51
significance, the housing officer shall not determine whether 52

the remodeling meets the requirements for a tax exemption unless 53
the appropriateness of the remodeling has been certified, in 54
writing, by the society, association, agency, or legislative 55
authority that has designated the structure or by any 56
organization or person authorized, in writing, by such society, 57
association, agency, or legislative authority to certify the 58
appropriateness of the remodeling. 59

(C) If the construction or remodeling meets the 60
requirements for exemption, the housing officer shall forward 61
the application to the county auditor with a certification as to 62
the division of this section under which the exemption is 63
granted, and the period and percentage of the exemption as 64
determined by the legislative authority pursuant to that 65
division. If the construction or remodeling is of commercial or 66
industrial property and the legislative authority is not 67
required to certify a copy of a resolution under section 68
3735.671 of the Revised Code, the housing officer shall comply 69
with the notice requirements prescribed under section 5709.83 of 70
the Revised Code, unless the board has adopted a resolution 71
under that section waiving its right to receive such a notice. 72

(D) Except as provided in division (F) of this section, 73
the tax exemption shall first apply in the year the construction 74
or remodeling would first be taxable but for this section. In 75
the case of remodeling that qualifies for exemption, a 76
percentage, not to exceed one hundred per cent, of the increased 77
assessed valuation of an existing structure after remodeling 78
began shall be exempted from real property taxation. In the case 79
of construction of a structure that qualifies for exemption, a 80
percentage, not to exceed one hundred per cent, of the assessed 81
value of the structure shall be exempted from real property 82
taxation. In either case, the percentage shall be the percentage 83

set forth in the agreement if the structure or remodeling is to 84
be used for commercial or industrial purposes, or the percentage 85
set forth in the resolution describing the community 86
reinvestment area if the structure or remodeling is to be used 87
for residential purposes. 88

The construction of new structures and the remodeling of 89
existing structures are hereby declared to be a public purpose 90
for which exemptions from real property taxation may be granted 91
for the following periods: 92

(1) For every dwelling and commercial or industrial 93
properties, located within the same community reinvestment area, 94
upon which the cost of remodeling is at least two thousand five 95
hundred dollars in the case of a dwelling containing not more 96
than two family units or at least five thousand dollars in the 97
case of all other property, a period to be determined by the 98
legislative authority adopting the resolution, but not exceeding 99
fifteen years. The period of exemption for a dwelling described 100
in division (D) (1) of this section may be extended by a 101
legislative authority for up to an additional ten years if the 102
dwelling is a structure of historical or architectural 103
significance, is a certified historic structure that has been 104
subject to federal tax treatment under 26 U.S.C. 47 and 170(h), 105
and units within the structure have been leased to individual 106
tenants for five consecutive years; 107

(2) Except as provided in division (F) of this section, 108
for construction of every dwelling, and commercial or industrial 109
structure located within the same community reinvestment area, a 110
period to be determined by the legislative authority adopting 111
the resolution, but not exceeding one of the following: 112

(a) Thirty years, if the commercial or industrial 113

structure is situated on the site of a megaproject and is owned 114
or occupied by a megaproject operator as defined in division (A) 115
(12) of section 122.17 of the Revised Code, or is not situated 116
on the site of a megaproject but is owned or occupied by a 117
megaproject supplier that meets the requirements described in 118
division (A) (13) (b) of section 122.17 of the Revised Code; 119

(b) Fifteen years, for any other dwelling or commercial or 120
industrial structure. 121

(E) Any person, board, or officer authorized by section 122
5715.19 of the Revised Code to file complaints with the county 123
board of revision may file a complaint with the housing officer 124
challenging the continued exemption of any property granted an 125
exemption under this section. A complaint against exemption 126
shall be filed prior to the thirty-first day of December of the 127
tax year for which taxation of the property is requested. The 128
housing officer shall determine whether the property continues 129
to meet the requirements for exemption and shall certify the 130
housing officer's findings to the complainant. If the housing 131
officer determines that the property does not meet the 132
requirements for exemption, the housing officer shall notify the 133
county auditor, who shall correct the tax list and duplicate 134
accordingly. 135

(F) The owner of a dwelling constructed in a community 136
reinvestment area may file an application for an exemption after 137
the year the construction first became subject to taxation. The 138
application shall be processed in accordance with the procedures 139
prescribed under this section and shall be granted if the 140
construction that is the subject of the application otherwise 141
meets the requirements for an exemption under this section. If 142
approved, the exemption sought in the application first applies 143

in the year the application is filed. An exemption approved 144
pursuant to this division continues only for those years 145
remaining in the period described in division (D) (2) of this 146
section. No exemption may be claimed for any year in that period 147
that precedes the year in which the application is filed. 148

(G) For agreements entered into under section 3735.671 of 149
the Revised Code on or after the effective date of this 150
amendment or, in the case of a structure or remodeling that is 151
to be used for residential purposes, for an exemption approved 152
by a housing officer under this section on or after the 153
effective date of this amendment, the structure or remodeling 154
shall not be exempt from any of the following: 155

(1) A tax levied by a joint fire district, fire and 156
ambulance district, joint ambulance district, or joint emergency 157
medical services district; 158

(2) A tax levied by a township under section 505.39 or 159
division (I), (U), or (JJ) of section 5705.19 of the Revised 160
Code; 161

(3) A tax levied by a township fire district. 162

Divisions (G) (2) and (3) of this section do not apply if 163
the board of trustees of the township that levies the tax is the 164
same board that adopted the resolution under section 3735.66 of 165
the Revised Code pursuant to which the exemption is authorized. 166

Sec. 5709.40. (A) As used in this section: 167

(1) "Blighted area" and "impacted city" have the same 168
meanings as in section 1728.01 of the Revised Code. 169

(2) "Business day" means a day of the week excluding 170
Saturday, Sunday, and a legal holiday as defined under section 171

1.14 of the Revised Code.	172
(3) "Housing renovation" means a project carried out for residential purposes.	173 174
(4) "Improvement" means the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of an ordinance adopted under this section were it not for the exemption granted by that ordinance.	175 176 177 178 179
(5) "Incentive district" means an area not more than three hundred acres in size enclosed by a continuous boundary in which a project is being, or will be, undertaken and having one or more of the following distress characteristics:	180 181 182 183
(a) At least fifty-one per cent of the residents of the district have incomes of less than eighty per cent of the median income of residents of the political subdivision in which the district is located, as determined in the same manner specified under section 119(b) of the "Housing and Community Development Act of 1974," 88 Stat. 633, 42 U.S.C. 5318, as amended;	184 185 186 187 188 189
(b) The average rate of unemployment in the district during the most recent twelve-month period for which data are available is equal to at least one hundred fifty per cent of the average rate of unemployment for this state for the same period.	190 191 192 193
(c) At least twenty per cent of the people residing in the district live at or below the poverty level as defined in the federal Housing and Community Development Act of 1974, 42 U.S.C. 5301, as amended, and regulations adopted pursuant to that act.	194 195 196 197
(d) The district is a blighted area.	198
(e) The district is in a situational distress area as	199

designated by the director of development under division (F) of	200
section 122.23 of the Revised Code.	201
(f) As certified by the engineer for the political	202
subdivision, the public infrastructure serving the district is	203
inadequate to meet the development needs of the district as	204
evidenced by a written economic development plan or urban	205
renewal plan for the district that has been adopted by the	206
legislative authority of the subdivision.	207
(g) The district is comprised entirely of unimproved land	208
that is located in a distressed area as defined in section	209
122.23 of the Revised Code.	210
(6) "Overlay" means an area of not more than three hundred	211
acres that is a square, or that is a rectangle having two longer	212
sides that are not more than twice the length of the two shorter	213
sides, that the legislative authority of a municipal corporation	214
delineates on a map of a proposed incentive district.	215
(7) "Project" means development activities undertaken on	216
one or more parcels, including, but not limited to,	217
construction, expansion, and alteration of buildings or	218
structures, demolition, remediation, and site development, and	219
any building or structure that results from those activities.	220
(8) "Public infrastructure improvement" includes, but is	221
not limited to, public roads and highways; water and sewer	222
lines; the continued maintenance of those public roads and	223
highways and water and sewer lines; environmental remediation;	224
land acquisition, including acquisition in aid of industry,	225
commerce, distribution, or research; demolition, including	226
demolition on private property when determined to be necessary	227
for economic development purposes; stormwater and flood	228

remediation projects, including such projects on private 229
property when determined to be necessary for public health, 230
safety, and welfare; the provision of gas, electric, and 231
communications service facilities, including the provision of 232
gas or electric service facilities owned by nongovernmental 233
entities when such improvements are determined to be necessary 234
for economic development purposes; the enhancement of public 235
waterways through improvements that allow for greater public 236
access; and off-street parking facilities, including those in 237
which all or a portion of the parking spaces are reserved for 238
specific uses when determined to be necessary for economic 239
development purposes. 240

(9) "Nonperforming parcel" means a parcel to which all of 241
the following apply: 242

(a) The parcel is exempted from taxation under division 243
(B) of this section or has been included in a district created 244
under division (C) of this section. 245

(b) The parcel's owner is required to make payments in 246
lieu of taxes in accordance with section 5709.42 of the Revised 247
Code. 248

(c) No such payments have been remitted to the county 249
treasurer since the inception of the exemption or district. 250

(10) "Qualifying fire or emergency medical services tax" 251
means any of the following: 252

(a) A tax levied by a joint fire district, township fire 253
district, fire and ambulance district, joint ambulance district, 254
or joint emergency medical services district. 255

(b) A tax levied by a township under section 505.39 or 256
division (I), (U), or (JJ) of section 5705.19 of the Revised 257

<u>Code.</u>	258
(B) The legislative authority of a municipal corporation,	259
by ordinance, may declare improvements to certain parcels of	260
real property located in the municipal corporation to be a	261
public purpose. Improvements with respect to a parcel that is	262
used or to be used for residential purposes may be declared a	263
public purpose under this division only if the parcel is located	264
in a blighted area of an impacted city. For this purpose,	265
"parcel that is used or to be used for residential purposes"	266
means a parcel that, as improved, is used or to be used for	267
purposes that would cause the tax commissioner to classify the	268
parcel as residential property in accordance with rules adopted	269
by the commissioner under section 5713.041 of the Revised Code.	270
Except as otherwise provided under division (D) of this section	271
or section 5709.51 or 5709.511 of the Revised Code, not more	272
than seventy-five per cent of an improvement thus declared to be	273
a public purpose may be exempted from real property taxation for	274
a period of not more than ten years. The ordinance shall specify	275
the percentage of the improvement to be exempted from taxation	276
and the life of the exemption.	277
An ordinance adopted or amended under this division shall	278
designate the specific public infrastructure improvements made,	279
to be made, or in the process of being made by the municipal	280
corporation that directly benefit, or that once made will	281
directly benefit, the parcels for which improvements are	282
declared to be a public purpose. The service payments provided	283
for in section 5709.42 of the Revised Code shall be used to	284
finance the public infrastructure improvements designated in the	285
ordinance, for the purpose described in division (D) (1) of this	286
section or as provided in section 5709.43 of the Revised Code.	287
<u>Improvements exempted from taxation under division (B) of this</u>	288

section shall not be exempted from a qualifying fire or 289
emergency medical services tax. 290

(C) (1) The legislative authority of a municipal 291
corporation may adopt an ordinance creating an incentive 292
district and declaring improvements to parcels within the 293
district to be a public purpose and, except as provided in 294
division (C) (2) of this section, exempt from taxation as 295
provided in this section, but no legislative authority of a 296
municipal corporation that has a population that exceeds twenty- 297
five thousand, as shown by the most recent federal decennial 298
census, shall adopt an ordinance that creates an incentive 299
district if the sum of the taxable value of real property in the 300
proposed district for the preceding tax year and the taxable 301
value of all real property in the municipal corporation that 302
would have been taxable in the preceding year were it not for 303
the fact that the property was in an existing incentive district 304
and therefore exempt from taxation exceeds twenty-five per cent 305
of the taxable value of real property in the municipal 306
corporation for the preceding tax year. The ordinance shall 307
delineate the boundary of the proposed district and specifically 308
identify each parcel within the district. A proposed district 309
may not include any parcel, other than a nonperforming parcel, 310
that is or has been exempted from taxation under division (B) of 311
this section or that is or has been within another district 312
created under this division. On and after the effective date of 313
the district, a nonperforming parcel within the district is no 314
longer exempted from taxation under division (B) of this section 315
or included within an incentive district under any previous 316
ordinance, and the parcel's owner is no longer required to make 317
payments in lieu of taxes under such a previous ordinance in 318
accordance with section 5709.42 of the Revised Code. Any 319

exemption application filed with the tax commissioner under 320
section 5715.27 of the Revised Code under the second ordinance 321
shall identify the nonperforming parcels included in the second 322
district, the original ordinance under which the nonperforming 323
parcels were originally exempted, and the value history of each 324
nonperforming parcel since the enactment of the original 325
ordinance. An ordinance may create more than one such district, 326
and more than one ordinance may be adopted under division (C) (1) 327
of this section. 328

(2) (a) Not later than thirty days prior to adopting an 329
ordinance under division (C) (1) of this section, if the 330
municipal corporation intends to apply for exemptions from 331
taxation under section 5709.911 of the Revised Code on behalf of 332
owners of real property located within the proposed incentive 333
district, the legislative authority of the municipal corporation 334
shall conduct a public hearing on the proposed ordinance. Not 335
later than thirty days prior to the public hearing, the 336
legislative authority shall give notice of the public hearing 337
and the proposed ordinance by first class mail to every real 338
property owner whose property is located within the boundaries 339
of the proposed incentive district that is the subject of the 340
proposed ordinance. The notice shall include a map of the 341
proposed incentive district on which the legislative authority 342
of the municipal corporation shall have delineated an overlay. 343
The notice shall inform the property owner of the owner's right 344
to exclude the owner's property from the incentive district if 345
the owner's entire parcel of property will not be located within 346
the overlay, by submitting a written response in accordance with 347
division (C) (2) (b) of this section. The notice also shall 348
include information detailing the required contents of the 349
response, the address to which the response may be mailed, and 350

the deadline for submitting the response. 351

(b) Any owner of real property located within the 352
boundaries of an incentive district proposed under division (C) 353
(1) of this section whose entire parcel of property is not 354
located within the overlay may exclude the property from the 355
proposed incentive district by submitting a written response to 356
the legislative authority of the municipal corporation not later 357
than forty-five days after the postmark date on the notice 358
required under division (C) (2) (a) of this section. The response 359
shall be sent by first class mail or delivered in person at a 360
public hearing held by the legislative authority under division 361
(C) (2) (a) of this section. The response shall conform to any 362
content requirements that may be established by the municipal 363
corporation and included in the notice provided under division 364
(C) (2) (a) of this section. In the response, property owners may 365
identify a parcel by street address, by the manner in which it 366
is identified in the ordinance, or by other means allowing the 367
identity of the parcel to be ascertained. 368

(c) Before adopting an ordinance under division (C) (1) of 369
this section, the legislative authority of a municipal 370
corporation shall amend the ordinance to exclude any parcel 371
located wholly or partly outside the overlay for which a written 372
response has been submitted under division (C) (2) (b) of this 373
section. A municipal corporation shall not apply for exemptions 374
from taxation under section 5709.911 of the Revised Code for any 375
such parcel, and service payments may not be required from the 376
owner of the parcel. Improvements to a parcel excluded from an 377
incentive district under this division may be exempted from 378
taxation under division (B) of this section pursuant to an 379
ordinance adopted under that division or under any other section 380
of the Revised Code under which the parcel qualifies. 381

(3) (a) An ordinance adopted under division (C) (1) of this section shall specify the life of the incentive district and the percentage of the improvements to be exempted, shall designate the public infrastructure improvements made, to be made, or in the process of being made, that benefit or serve, or, once made, will benefit or serve parcels in the district. The ordinance also shall identify one or more specific projects being, or to be, undertaken in the district that place additional demand on the public infrastructure improvements designated in the ordinance. The project identified may, but need not be, the project under division (C) (3) (b) of this section that places real property in use for commercial or industrial purposes. Except as otherwise permitted under that division, the service payments provided for in section 5709.42 of the Revised Code shall be used to finance the designated public infrastructure improvements, for the purpose described in division (D) (1), (E), or (F) of this section, or as provided in section 5709.43 of the Revised Code.

An ordinance adopted under division (C) (1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.42 of the Revised Code and received by the municipal corporation under the ordinance shall be used for police or fire equipment.

(b) An ordinance adopted under division (C) (1) of this section may authorize the use of service payments provided for in section 5709.42 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the ordinance also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or

industrial purposes. Service payments may be used to finance or 413
support loans, deferred loans, and grants to persons for the 414
purpose of housing renovations within the district. The 415
ordinance shall designate the parcels within the district that 416
are eligible for housing renovation. The ordinance shall state 417
separately the amounts or the percentages of the expected 418
aggregate service payments that are designated for each public 419
infrastructure improvement and for the general purpose of 420
housing renovations. 421

(4) Except with the approval of the board of education of 422
each city, local, or exempted village school district within the 423
territory of which the incentive district is or will be located, 424
and subject to division (E) of this section, the life of an 425
incentive district shall not exceed ten years, and the 426
percentage of improvements to be exempted shall not exceed 427
seventy-five per cent. With approval of the board of education, 428
the life of a district may be not more than thirty years, and 429
the percentage of improvements to be exempted may be not more 430
than one hundred per cent. The approval of a board of education 431
shall be obtained in the manner provided in division (D) of this 432
section. 433

(D) (1) If the ordinance declaring improvements to a parcel 434
to be a public purpose or creating an incentive district 435
specifies that payments in lieu of taxes provided for in section 436
5709.42 of the Revised Code shall be paid to the city, local, or 437
exempted village, and joint vocational school district in which 438
the parcel or incentive district is located in the amount of the 439
taxes that would have been payable to the school district if the 440
improvements had not been exempted from taxation, the percentage 441
of the improvement that may be exempted from taxation may exceed 442
seventy-five per cent, and the exemption may be granted for up 443

to thirty years, without the approval of the board of education 444
as otherwise required under division (D) (2) of this section. 445

(2) Improvements with respect to a parcel may be exempted 446
from taxation under division (B) of this section, and 447
improvements to parcels within an incentive district may be 448
exempted from taxation under division (C) of this section, for 449
up to ten years or, with the approval under this paragraph of 450
the board of education of the city, local, or exempted village 451
school district within which the parcel or district is located, 452
for up to thirty years. The percentage of the improvement 453
exempted from taxation may, with such approval, exceed seventy- 454
five per cent, but shall not exceed one hundred per cent. Not 455
later than forty-five business days prior to adopting an 456
ordinance under this section declaring improvements to be a 457
public purpose that is subject to approval by a board of 458
education under this division, the legislative authority shall 459
deliver to the board of education a notice stating its intent to 460
adopt an ordinance making that declaration. The notice regarding 461
improvements with respect to a parcel under division (B) of this 462
section shall identify the parcels for which improvements are to 463
be exempted from taxation, provide an estimate of the true value 464
in money of the improvements, specify the period for which the 465
improvements would be exempted from taxation and the percentage 466
of the improvement that would be exempted, and indicate the date 467
on which the legislative authority intends to adopt the 468
ordinance. The notice regarding improvements to parcels within 469
an incentive district under division (C) of this section shall 470
delineate the boundaries of the district, specifically identify 471
each parcel within the district, identify each anticipated 472
improvement in the district, provide an estimate of the true 473
value in money of each such improvement, specify the life of the 474

district and the percentage of improvements that would be 475
exempted, and indicate the date on which the legislative 476
authority intends to adopt the ordinance. The board of 477
education, by resolution adopted by a majority of the board, may 478
approve the exemption for the period or for the exemption 479
percentage specified in the notice; may disapprove the exemption 480
for the number of years in excess of ten, may disapprove the 481
exemption for the percentage of the improvement to be exempted 482
in excess of seventy-five per cent, or both; or may approve the 483
exemption on the condition that the legislative authority and 484
the board negotiate an agreement providing for compensation to 485
the school district equal in value to a percentage of the amount 486
of taxes exempted in the eleventh and subsequent years of the 487
exemption period or, in the case of exemption percentages in 488
excess of seventy-five per cent, compensation equal in value to 489
a percentage of the taxes that would be payable on the portion 490
of the improvement in excess of seventy-five per cent were that 491
portion to be subject to taxation, or other mutually agreeable 492
compensation. If an agreement is negotiated between the 493
legislative authority and the board to compensate the school 494
district for all or part of the taxes exempted, including 495
agreements for payments in lieu of taxes under section 5709.42 496
of the Revised Code, the legislative authority shall compensate 497
the joint vocational school district within which the parcel or 498
district is located at the same rate and under the same terms 499
received by the city, local, or exempted village school 500
district. 501

(3) The board of education shall certify its resolution to 502
the legislative authority not later than fourteen days prior to 503
the date the legislative authority intends to adopt the 504
ordinance as indicated in the notice. If the board of education 505

and the legislative authority negotiate a mutually acceptable 506
compensation agreement, the ordinance may declare the 507
improvements a public purpose for the number of years specified 508
in the ordinance or, in the case of exemption percentages in 509
excess of seventy-five per cent, for the exemption percentage 510
specified in the ordinance. In either case, if the board and the 511
legislative authority fail to negotiate a mutually acceptable 512
compensation agreement, the ordinance may declare the 513
improvements a public purpose for not more than ten years, and 514
shall not exempt more than seventy-five per cent of the 515
improvements from taxation. If the board fails to certify a 516
resolution to the legislative authority within the time 517
prescribed by this division, the legislative authority thereupon 518
may adopt the ordinance and may declare the improvements a 519
public purpose for up to thirty years, or, in the case of 520
exemption percentages proposed in excess of seventy-five per 521
cent, for the exemption percentage specified in the ordinance. 522
The legislative authority may adopt the ordinance at any time 523
after the board of education certifies its resolution approving 524
the exemption to the legislative authority, or, if the board 525
approves the exemption on the condition that a mutually 526
acceptable compensation agreement be negotiated, at any time 527
after the compensation agreement is agreed to by the board and 528
the legislative authority. 529

(4) If a board of education has adopted a resolution 530
waiving its right to approve exemptions from taxation under this 531
section and the resolution remains in effect, approval of 532
exemptions by the board is not required under division (D) of 533
this section. If a board of education has adopted a resolution 534
allowing a legislative authority to deliver the notice required 535
under division (D) of this section fewer than forty-five 536

business days prior to the legislative authority's adoption of 537
the ordinance, the legislative authority shall deliver the 538
notice to the board not later than the number of days prior to 539
such adoption as prescribed by the board in its resolution. If a 540
board of education adopts a resolution waiving its right to 541
approve agreements or shortening the notification period, the 542
board shall certify a copy of the resolution to the legislative 543
authority. If the board of education rescinds such a resolution, 544
it shall certify notice of the rescission to the legislative 545
authority. 546

(5) If the legislative authority is not required by 547
division (D) of this section to notify the board of education of 548
the legislative authority's intent to declare improvements to be 549
a public purpose, the legislative authority shall comply with 550
the notice requirements imposed under section 5709.83 of the 551
Revised Code, unless the board has adopted a resolution under 552
that section waiving its right to receive such a notice. 553

(6) Nothing in division (D) of this section prohibits the 554
legislative authority of a municipal corporation from amending 555
the ordinance or resolution under section 5709.51 or 5709.511 of 556
the Revised Code to extend the term of the exemption. 557

(E) (1) If a proposed ordinance under division (C) (1) of 558
this section exempts improvements with respect to a parcel 559
within an incentive district for more than ten years, or the 560
percentage of the improvement exempted from taxation exceeds 561
seventy-five per cent, not later than forty-five business days 562
prior to adopting the ordinance the legislative authority of the 563
municipal corporation shall deliver to the board of county 564
commissioners of the county within which the incentive district 565
will be located a notice that states its intent to adopt an 566

ordinance creating an incentive district. The notice shall 567
include a copy of the proposed ordinance, identify the parcels 568
for which improvements are to be exempted from taxation, provide 569
an estimate of the true value in money of the improvements, 570
specify the period of time for which the improvements would be 571
exempted from taxation, specify the percentage of the 572
improvements that would be exempted from taxation, and indicate 573
the date on which the legislative authority intends to adopt the 574
ordinance. 575

(2) The board of county commissioners, by resolution 576
adopted by a majority of the board, may object to the exemption 577
for the number of years in excess of ten, may object to the 578
exemption for the percentage of the improvement to be exempted 579
in excess of seventy-five per cent, or both. If the board of 580
county commissioners objects, the board may negotiate a mutually 581
acceptable compensation agreement with the legislative 582
authority. In no case shall the compensation provided to the 583
board exceed the property taxes forgone due to the exemption. If 584
the board of county commissioners objects, and the board and 585
legislative authority fail to negotiate a mutually acceptable 586
compensation agreement, the ordinance adopted under division (C) 587
(1) of this section shall provide to the board compensation in 588
the eleventh and subsequent years of the exemption period equal 589
in value to not more than fifty per cent of the taxes that would 590
be payable to the county or, if the board's objection includes 591
an objection to an exemption percentage in excess of seventy- 592
five per cent, compensation equal in value to not more than 593
fifty per cent of the taxes that would be payable to the county, 594
on the portion of the improvement in excess of seventy-five per 595
cent, were that portion to be subject to taxation. The board of 596
county commissioners shall certify its resolution to the 597

legislative authority not later than thirty days after receipt 598
of the notice. 599

(3) If the board of county commissioners does not object 600
or fails to certify its resolution objecting to an exemption 601
within thirty days after receipt of the notice, the legislative 602
authority may adopt the ordinance, and no compensation shall be 603
provided to the board of county commissioners. If the board 604
timely certifies its resolution objecting to the ordinance, the 605
legislative authority may adopt the ordinance at any time after 606
a mutually acceptable compensation agreement is agreed to by the 607
board and the legislative authority, or, if no compensation 608
agreement is negotiated, at any time after the legislative 609
authority agrees in the proposed ordinance to provide 610
compensation to the board of fifty per cent of the taxes that 611
would be payable to the county in the eleventh and subsequent 612
years of the exemption period or on the portion of the 613
improvement in excess of seventy-five per cent, were that 614
portion to be subject to taxation. 615

(F) Service payments in lieu of taxes that are 616
attributable to any amount by which the effective tax rate of 617
either a renewal levy with an increase or a replacement levy 618
exceeds the effective tax rate of the levy renewed or replaced, 619
or that are attributable to an additional levy, for a levy 620
authorized by the voters for any of the following purposes on or 621
after January 1, 2006, and which are provided pursuant to an 622
ordinance creating an incentive district under division (C) (1) 623
of this section that is adopted on or after January 1, 2006, or 624
a later date as specified in this division, shall be distributed 625
to the appropriate taxing authority as required under division 626
(C) of section 5709.42 of the Revised Code in an amount equal to 627
the amount of taxes from that additional levy or from the 628

increase in the effective tax rate of such renewal or 629
replacement levy that would have been payable to that taxing 630
authority from the following levies were it not for the 631
exemption authorized under division (C) of this section: 632

(1) A tax levied under division (L) of section 5705.19 or 633
section 5705.191 or 5705.222 of the Revised Code for community 634
developmental disabilities programs and services pursuant to 635
Chapter 5126. of the Revised Code; 636

(2) A tax levied under division (Y) of section 5705.19 of 637
the Revised Code for providing or maintaining senior citizens 638
services or facilities; 639

(3) A tax levied under section 5705.22 of the Revised Code 640
for county hospitals; 641

(4) A tax levied by a joint-county district or by a county 642
under section 5705.19, 5705.191, or 5705.221 of the Revised Code 643
for alcohol, drug addiction, and mental health services or 644
facilities; 645

(5) A tax levied under section 5705.23 of the Revised Code 646
for library purposes; 647

(6) A tax levied under section 5705.24 of the Revised Code 648
for the support of children services and the placement and care 649
of children; 650

(7) A tax levied under division (Z) of section 5705.19 of 651
the Revised Code for the provision and maintenance of zoological 652
park services and facilities under section 307.76 of the Revised 653
Code; 654

(8) A tax levied under section 511.27 or division (H) of 655
section 5705.19 of the Revised Code for the support of township 656

park districts; 657

(9) A tax levied under division (A), (F), or (H) of 658
section 5705.19 of the Revised Code for parks and recreational 659
purposes of a joint recreation district organized pursuant to 660
division (B) of section 755.14 of the Revised Code; 661

(10) A tax levied under section 1545.20 or 1545.21 of the 662
Revised Code for park district purposes; 663

(11) A tax levied under section 5705.191 of the Revised 664
Code for the purpose of making appropriations for public 665
assistance; human or social services; public relief; public 666
welfare; public health and hospitalization; and support of 667
general hospitals; 668

(12) A tax levied under section 3709.29 of the Revised 669
Code for a general health district program. 670

(13) ~~A tax levied by a township under section 505.39,~~ 671
~~division (I) of section 5705.19, or division (JJ) of section~~ 672
~~5705.19 of the Revised Code to the extent the proceeds are used~~ 673
~~for the purposes described in division (I) of that section, for~~ 674
~~the purpose of funding qualifying fire, emergency medical, and~~ 675
~~ambulance services as described in that section and those~~ 676
~~divisions. Division (F)(13) of this section applies only if the~~ 677
~~township levying the tax provides fire, emergency medical, or~~ 678
~~ambulance services in the incentive district, and only to~~ 679
~~incentive districts created by an ordinance adopted on or after~~ 680
~~the effective date of the amendment of this section by H.B. 69~~ 681
~~of the 132nd general assembly, March 23, 2018 or emergency~~ 682
~~medical services tax. The board of township trustees may, by~~ 683
resolution, waive the application of this division or negotiate 684
with the municipal corporation that created the district for a 685

lesser amount of payments in lieu of taxes. 686

(G) An exemption from taxation granted under this section 687
commences with the tax year specified in the ordinance so long 688
as the year specified in the ordinance commences after the 689
effective date of the ordinance. If the ordinance specifies a 690
year commencing before the effective date of the resolution or 691
specifies no year whatsoever, the exemption commences with the 692
tax year in which an exempted improvement first appears on the 693
tax list and duplicate of real and public utility property and 694
that commences after the effective date of the ordinance. In 695
lieu of stating a specific year, the ordinance may provide that 696
the exemption commences in the tax year in which the value of an 697
improvement exceeds a specified amount or in which the 698
construction of one or more improvements is completed, provided 699
that such tax year commences after the effective date of the 700
ordinance. With respect to the exemption of improvements to 701
parcels under division (B) of this section, the ordinance may 702
allow for the exemption to commence in different tax years on a 703
parcel-by-parcel basis, with a separate exemption term specified 704
for each parcel. 705

Except as otherwise provided in this division or section 706
5709.51 or 5709.511 of the Revised Code, the exemption ends on 707
the date specified in the ordinance as the date the improvement 708
ceases to be a public purpose or the incentive district expires, 709
or ends on the date on which the public infrastructure 710
improvements and housing renovations are paid in full from the 711
municipal public improvement tax increment equivalent fund 712
established under division (A) of section 5709.43 of the Revised 713
Code, whichever occurs first. The exemption of an improvement 714
with respect to a parcel or within an incentive district may end 715
on a later date, as specified in the ordinance, if the 716

legislative authority and the board of education of the city, 717
local, or exempted village school district within which the 718
parcel or district is located have entered into a compensation 719
agreement under section 5709.82 of the Revised Code with respect 720
to the improvement, and the board of education has approved the 721
term of the exemption under division (D)(2) of this section, but 722
in no case shall the improvement be exempted from taxation for 723
more than thirty years. Exemptions shall be claimed and allowed 724
in the same manner as in the case of other real property 725
exemptions. If an exemption status changes during a year, the 726
procedure for the apportionment of the taxes for that year is 727
the same as in the case of other changes in tax exemption status 728
during the year. 729

(H) Additional municipal financing of public 730
infrastructure improvements and housing renovations may be 731
provided by any methods that the municipal corporation may 732
otherwise use for financing such improvements or renovations. If 733
the municipal corporation issues bonds or notes to finance the 734
public infrastructure improvements and housing renovations and 735
pledges money from the municipal public improvement tax 736
increment equivalent fund to pay the interest on and principal 737
of the bonds or notes, the bonds or notes are not subject to 738
Chapter 133. of the Revised Code. 739

(I) The municipal corporation, not later than fifteen days 740
after the adoption of an ordinance under this section, shall 741
submit to the director of development a copy of the ordinance. 742
On or before the thirty-first day of March of each year, the 743
municipal corporation shall submit a status report to the 744
director. The report shall indicate, in the manner prescribed by 745
the director, the progress of the project during each year that 746
an exemption remains in effect, including a summary of the 747

receipts from service payments in lieu of taxes; expenditures of 748
money from the funds created under section 5709.43 of the 749
Revised Code; a description of the public infrastructure 750
improvements and housing renovations financed with such 751
expenditures; and a quantitative summary of changes in 752
employment and private investment resulting from each project. 753

(J) Nothing in this section shall be construed to prohibit 754
a legislative authority from declaring to be a public purpose 755
improvements with respect to more than one parcel. 756

(K) If a parcel is located in a new community district in 757
which the new community authority imposes a community 758
development charge on the basis of rentals received from leases 759
of real property as described in division (L) (2) of section 760
349.01 of the Revised Code, the parcel may not be exempted from 761
taxation under this section. 762

(L) (1) Notwithstanding the limitations on the life of an 763
incentive district and the number of years that improvements to 764
a parcel or parcels within an incentive district may be exempted 765
from taxation prescribed by divisions (C) and (D) of this 766
section, the legislative authority of a municipal corporation 767
may amend an ordinance originally adopted under division (C) of 768
this section before January 1, 2006, to extend the life of an 769
incentive district created by that ordinance. The extension 770
shall be for a period not to exceed fifteen years and shall not 771
increase the percentage of the value of improvements exempted 772
from taxation. 773

(2) Before adopting an amendment authorized by division 774
(L) (1) of this section, the legislative authority of the 775
municipal corporation shall provide notice of the amendment to 776
each board of education of the city, local, or exempted village 777

school district in which the incentive district is located, in 778
the same manner as provided under division (D) of this section, 779
and shall obtain the approval of each such board in the manner 780
required under that division, except both of the following 781
apply: 782

(a) The board of education may approve the exemption on 783
the condition that the legislative authority and the board 784
negotiate an agreement providing for mutually agreeable 785
compensation to the school district. 786

(b) If the board of education fails to certify a 787
resolution approving the amendment to the legislative authority 788
within the time prescribed by division (D) of this section, the 789
legislative authority shall not adopt the amendment authorized 790
under division (L) of this section. 791

(3) No approval otherwise required by division (L) (2) of 792
this section shall be required from a board of education if 793
either of the following apply: 794

(a) The amendment provides for compensation to the city, 795
local, or exempted village school district in which the 796
incentive district is located equal in value to the amount of 797
taxes that would be payable to the school district if the 798
improvements exempted from taxation had not been exempted for 799
the additional period. 800

(b) The board of education has adopted a resolution 801
waiving its right to approve exemptions from taxation pursuant 802
to division (D) (4) of this section. If the board has adopted 803
such a resolution, the municipal corporation shall comply with 804
the notice requirements imposed by section 5709.83 of the 805
Revised Code before taking formal action to adopt an amendment 806

authorized under division (L)(1) of this section unless the 807
board has adopted a resolution under that section waiving its 808
right to receive that notice. 809

(4) Not later than fourteen days before adopting an 810
amendment authorized by division (L)(1) of this section, the 811
legislative authority of the municipal corporation shall deliver 812
a notice identical to a notice required under section 5709.83 of 813
the Revised Code to the board of county commissioners of each 814
county in which the incentive district is located. 815

Sec. 5709.41. (A) As used in this section: 816

(1) "Business day" means a day of the week excluding 817
Saturday, Sunday, and a legal holiday as defined under section 818
1.14 of the Revised Code. 819

(2) "Improvement" means the increase in assessed value of 820
any parcel of property subsequent to the acquisition of the 821
parcel by a municipal corporation engaged in urban redevelopment 822
or by a township engaged in redevelopment. 823

(B) The legislative authority of a municipal corporation 824
or township, by ordinance or resolution, may declare to be a 825
public purpose any improvement to a parcel of real property if 826
both of the following apply: 827

(1) The municipal corporation or township held fee title 828
to the parcel prior to the adoption of the ordinance or 829
resolution; 830

(2) The parcel is leased, or the fee of the parcel is 831
conveyed, to any person either before or after adoption of the 832
ordinance or resolution. 833

Improvements used or to be used for residential purposes 834

may be declared a public purpose under this section only if the 835
parcel is located in a blighted area of an impacted city, in the 836
case of a municipal corporation, or in a blighted area, in the 837
case of a township, as those terms are defined in section 838
1728.01 of the Revised Code. For this purpose, "parcel that is 839
used or to be used for residential purposes" means a parcel 840
that, as improved, is used or to be used for purposes that would 841
cause the tax commissioner to classify the parcel as residential 842
property in accordance with rules adopted by the commissioner 843
under section 5713.041 of the Revised Code. Improvements 844
exempted from taxation under this section shall not be exempted 845
from a qualifying fire or emergency medical services tax, as 846
defined in section 5709.40 of the Revised Code. 847

(C) Except as otherwise provided in division (C) (1), (2), 848
or (3) of this section, not more than seventy-five per cent of 849
an improvement thus declared to be a public purpose may be 850
exempted from real property taxation. The ordinance or 851
resolution shall specify the percentage of the improvement to be 852
exempted from taxation. If a parcel is located in a new 853
community district in which the new community authority imposes 854
a community development charge on the basis of rentals received 855
from leases of real property as described in division (L) (2) of 856
section 349.01 of the Revised Code, the parcel may not be 857
exempted from taxation under this section. 858

(1) If the ordinance or resolution declaring improvements 859
to a parcel to be a public purpose specifies that payments in 860
lieu of taxes provided for in section 5709.42 or 5709.74 of the 861
Revised Code shall be paid to the city, local, or exempted 862
village school district in which the parcel is located in the 863
amount of the taxes that would have been payable to the school 864
district if the improvements had not been exempted from 865

taxation, the percentage of the improvement that may be exempted 866
from taxation may exceed seventy-five per cent, and the 867
exemption may be granted for up to thirty years, without the 868
approval of the board of education as otherwise required under 869
division (C) (2) of this section. 870

(2) Improvements may be exempted from taxation for up to 871
ten years or, with the approval of the board of education of the 872
city, local, or exempted village school district within the 873
territory of which the improvements are or will be located, for 874
up to thirty years. The percentage of the improvement exempted 875
from taxation may, with such approval, exceed seventy-five per 876
cent, but shall not exceed one hundred per cent. Not later than 877
forty-five business days prior to adopting an ordinance or 878
resolution under this section, the legislative authority shall 879
deliver to the board of education a notice stating its intent to 880
declare improvements to be a public purpose under this section. 881
The notice shall describe the parcel and the improvements, 882
provide an estimate of the true value in money of the 883
improvements, specify the period for which the improvements 884
would be exempted from taxation and the percentage of the 885
improvements that would be exempted, and indicate the date on 886
which the legislative authority intends to adopt the ordinance 887
or resolution. The board of education, by resolution adopted by 888
a majority of the board, may approve the exemption for the 889
period or for the exemption percentage specified in the notice, 890
may disapprove the exemption for the number of years in excess 891
of ten, may disapprove the exemption for the percentage of the 892
improvements to be exempted in excess of seventy-five per cent, 893
or both, or may approve the exemption on the condition that the 894
legislative authority and the board negotiate an agreement 895
providing for compensation to the school district equal in value 896

to a percentage of the amount of taxes exempted in the eleventh 897
and subsequent years of the exemption period, or, in the case of 898
exemption percentages in excess of seventy-five per cent, 899
compensation equal in value to a percentage of the taxes that 900
would be payable on the portion of the improvement in excess of 901
seventy-five per cent were that portion to be subject to 902
taxation. The board of education shall certify its resolution to 903
the legislative authority not later than fourteen days prior to 904
the date the legislative authority intends to adopt the 905
ordinance or resolution as indicated in the notice. If the board 906
of education approves the exemption on the condition that a 907
compensation agreement be negotiated, the board in its 908
resolution shall propose a compensation percentage. If the board 909
of education and the legislative authority negotiate a mutually 910
acceptable compensation agreement, the ordinance or resolution 911
may declare the improvements a public purpose for the number of 912
years specified in the ordinance or resolution or, in the case 913
of exemption percentages in excess of seventy-five per cent, for 914
the exemption percentage specified in the ordinance or 915
resolution. In either case, if the board and the legislative 916
authority fail to negotiate a mutually acceptable compensation 917
agreement, the ordinance or resolution may declare the 918
improvements a public purpose for not more than ten years, but 919
shall not exempt more than seventy-five per cent of the 920
improvements from taxation. If the board fails to certify a 921
resolution to the legislative authority within the time 922
prescribed by this division, the legislative authority thereupon 923
may adopt the ordinance or resolution and may declare the 924
improvements a public purpose for up to thirty years. The 925
legislative authority may adopt the ordinance or resolution at 926
any time after the board of education certifies its resolution 927
approving the exemption to the legislative authority, or, if the 928

board approves the exemption on the condition that a mutually 929
acceptable compensation agreement be negotiated, at any time 930
after the compensation agreement is agreed to by the board and 931
the legislative authority. If a mutually acceptable compensation 932
agreement is negotiated between the legislative authority and 933
the board, including agreements for payments in lieu of taxes 934
under section 5709.42 or 5709.74 of the Revised Code, the 935
legislative authority shall compensate the joint vocational 936
school district within the territory of which the improvements 937
are or will be located at the same rate and under the same terms 938
received by the city, local, or exempted village school 939
district. 940

(3) If a board of education has adopted a resolution 941
waiving its right to approve exemptions from taxation and the 942
resolution remains in effect, approval of exemptions by the 943
board is not required under this division. If a board of 944
education has adopted a resolution allowing a legislative 945
authority to deliver the notice required under this division 946
fewer than forty-five business days prior to the legislative 947
authority's adoption of the ordinance or resolution, the 948
legislative authority shall deliver the notice to the board not 949
later than the number of days prior to such adoption as 950
prescribed by the board in its resolution. If a board of 951
education adopts a resolution waiving its right to approve 952
exemptions or shortening the notification period, the board 953
shall certify a copy of the resolution to the legislative 954
authority. If the board of education rescinds such a resolution, 955
it shall certify notice of the rescission to the legislative 956
authority. 957

(4) If the legislative authority is not required by 958
division (C) (1), (2), or (3) of this section to notify the board 959

of education of the legislative authority's intent to declare 960
improvements to be a public purpose, the legislative authority 961
shall comply with the notice requirements imposed under section 962
5709.83 of the Revised Code, unless the board has adopted a 963
resolution under that section waiving its right to receive such 964
a notice. 965

(5) Nothing in division (C) of this section prohibits the 966
legislative authority of a municipal corporation or township 967
from amending the ordinance or resolution under section 5709.51 968
or 5709.511 of the Revised Code to extend the term of the 969
exemption. 970

(D) An exemption granted under this section commences with 971
the tax year specified in the ordinance or resolution so long as 972
the year specified in the ordinance or resolution commences 973
after the effective date of the ordinance or resolution. If the 974
ordinance or resolution specifies a year commencing before the 975
effective date of the ordinance or resolution or specifies no 976
year, the exemption commences with the tax year in which an 977
exempted improvement first appears on the tax list and that 978
commences after the effective date of the ordinance or 979
resolution. In lieu of stating a specific year, the ordinance or 980
resolution may provide that the exemption commences in the tax 981
year in which the value of an improvement exceeds a specified 982
amount or in which the construction of one or more improvements 983
is completed, provided that such tax year commences after the 984
effective date of the ordinance or resolution. In lieu of 985
stating a specific year, the ordinance or resolution may allow 986
for the exemption to commence in different tax years on a 987
parcel-by-parcel basis, with a separate exemption term specified 988
for each parcel. The exemption ends on the date specified in the 989
ordinance or resolution as the date the improvement ceases to be 990

a public purpose. The exemption shall be claimed and allowed in 991
the same or a similar manner as in the case of other real 992
property exemptions. If an exemption status changes during a tax 993
year, the procedure for the apportionment of the taxes for that 994
year is the same as in the case of other changes in tax 995
exemption status during the year. 996

(E) A municipal corporation or township, not later than 997
fifteen days after the adoption of an ordinance or resolution 998
granting a tax exemption under this section, shall submit to the 999
director of development a copy of the ordinance or resolution. 1000
On or before the thirty-first day of March each year, the 1001
municipal corporation or township shall submit a status report 1002
to the director of development outlining the progress of the 1003
project during each year that the exemption remains in effect. 1004

Sec. 5709.73. (A) As used in this section and section 1005
5709.74 of the Revised Code: 1006

(1) "Business day" means a day of the week excluding 1007
Saturday, Sunday, and a legal holiday as defined in section 1.14 1008
of the Revised Code. 1009

(2) "Further improvements" or "improvements" means the 1010
increase in the assessed value of real property that would first 1011
appear on the tax list and duplicate of real and public utility 1012
property after the effective date of a resolution adopted under 1013
this section were it not for the exemption granted by that 1014
resolution. For purposes of division (B) of this section, 1015
"improvements" do not include any property used or to be used 1016
for residential purposes. For this purpose, "property that is 1017
used or to be used for residential purposes" means property 1018
that, as improved, is used or to be used for purposes that would 1019
cause the tax commissioner to classify the property as 1020

residential property in accordance with rules adopted by the 1021
commissioner under section 5713.041 of the Revised Code. 1022

(3) "Housing renovation" means a project carried out for 1023
residential purposes. 1024

(4) "Incentive district" has the same meaning as in 1025
section 5709.40 of the Revised Code, except that a blighted area 1026
is in the unincorporated area of a township. 1027

(5) "Overlay" has the same meaning as in section 5709.40 1028
of the Revised Code, except that the overlay is delineated by 1029
the board of township trustees. 1030

(6) ~~"Project"~~ and "Project," "public infrastructure 1031
improvement," and "qualifying fire or emergency medical services 1032
tax" have the same meanings as in section 5709.40 of the Revised 1033
Code. 1034

(7) "Urban township" has the same meaning as in section 1035
504.01 of the Revised Code. 1036

(8) "Nonperforming parcel" means a parcel to which all of 1037
the following apply: 1038

(a) The parcel is exempted from taxation under division 1039
(B) of this section or has been included in a district created 1040
under division (C) of this section. 1041

(b) The parcel's owner is required to make payments in 1042
lieu of taxes in accordance with section 5709.74 of the Revised 1043
Code. 1044

(c) No such payments have been remitted to the county 1045
treasurer since the inception of the exemption or district. 1046

(B) A board of township trustees may adopt a resolution 1047

that declares to be a public purpose any public infrastructure 1048
improvements made that are necessary for the development of 1049
certain parcels of land located in the unincorporated area of 1050
the township. Except for a resolution adopted by the board of an 1051
urban township, the resolution shall be adopted by a unanimous 1052
vote of the board. Except as otherwise provided under division 1053
(D) of this section or section 5709.51 or 5709.511 of the 1054
Revised Code, the resolution may exempt from real property 1055
taxation not more than seventy-five per cent of further 1056
improvements to a parcel of land that directly benefits from the 1057
public infrastructure improvements, for a period of not more 1058
than ten years. The resolution shall specify the percentage of 1059
the further improvements to be exempted and the life of the 1060
exemption. Improvements exempted from taxation under this 1061
section shall not be exempted from a qualifying fire or 1062
emergency medical services tax. 1063

(C) (1) A board of township trustees may adopt a resolution 1064
creating an incentive district and declaring improvements to 1065
parcels within the district to be a public purpose and, except 1066
as provided in division (C) (2) of this section, exempt from 1067
taxation as provided in this section. Except for a resolution 1068
adopted by the board of an urban township, the resolution shall 1069
be adopted by a unanimous vote of the board. A board of township 1070
trustees of a township that has a population that exceeds 1071
twenty-five thousand, as shown by the most recent federal 1072
decennial census, may not adopt a resolution that creates an 1073
incentive district if the sum of the taxable value of real 1074
property in the proposed district for the preceding tax year and 1075
the taxable value of all real property in the township that 1076
would have been taxable in the preceding year were it not for 1077
the fact that the property was in an existing incentive district 1078

and therefore exempt from taxation exceeds twenty-five per cent 1079
of the taxable value of real property in the township for the 1080
preceding tax year. The district shall be located within the 1081
unincorporated area of the township and shall not include any 1082
territory that is included within a district created under 1083
division (B) of section 5709.78 of the Revised Code. The 1084
resolution shall delineate the boundary of the proposed district 1085
and specifically identify each parcel within the district. A 1086
proposed district may not include any parcel, other than a 1087
nonperforming parcel, that is or has been exempted from taxation 1088
under division (B) of this section or that is or has been within 1089
another district created under this division. On and after the 1090
effective date of the district, a nonperforming parcel within 1091
the district is no longer exempted from taxation under division 1092
(B) of this section or included within an incentive district 1093
under any previous resolution, and the parcel's owner is no 1094
longer required to make payments in lieu of taxes under such a 1095
previous resolution in accordance with section 5709.74 of the 1096
Revised Code. Any exemption application filed with the tax 1097
commissioner under section 5715.27 of the Revised Code under the 1098
second resolution shall identify the nonperforming parcels 1099
included in the second district, the original resolution under 1100
which the nonperforming parcels were originally exempted, and 1101
the value history of each nonperforming parcel since the 1102
enactment of the original resolution. A resolution may create 1103
more than one such district, and more than one resolution may be 1104
adopted under division (C) (1) of this section. 1105

(2) (a) Not later than thirty days prior to adopting a 1106
resolution under division (C) (1) of this section, if the 1107
township intends to apply for exemptions from taxation under 1108
section 5709.911 of the Revised Code on behalf of owners of real 1109

property located within the proposed incentive district, the 1110
board shall conduct a public hearing on the proposed resolution. 1111
Not later than thirty days prior to the public hearing, the 1112
board shall give notice of the public hearing and the proposed 1113
resolution by first class mail to every real property owner 1114
whose property is located within the boundaries of the proposed 1115
incentive district that is the subject of the proposed 1116
resolution. The notice shall include a map of the proposed 1117
incentive district on which the board of township trustees shall 1118
have delineated an overlay. The notice shall inform the property 1119
owner of the owner's right to exclude the owner's property from 1120
the incentive district if both of the following conditions are 1121
met: 1122

(i) The owner's entire parcel of property will not be 1123
located within the overlay. 1124

(ii) The owner has submitted a statement to the board of 1125
county commissioners of the county in which the parcel is 1126
located indicating the owner's intent to seek a tax exemption 1127
for improvements to the owner's parcel under division (A) or (B) 1128
of section 5709.78 of the Revised Code within the next five 1129
years. 1130

When both of the preceding conditions are met, the owner 1131
may exclude the owner's property from the incentive district by 1132
submitting a written response in accordance with division (C)(2) 1133
(b) of this section. The notice also shall include information 1134
detailing the required contents of the response, the address to 1135
which the response may be mailed, and the deadline for 1136
submitting the response. 1137

(b) Any owner of real property located within the 1138
boundaries of an incentive district proposed under division (C) 1139

(1) of this section who meets the conditions specified in 1140
divisions (C) (2) (a) (i) and (ii) of this section may exclude the 1141
property from the proposed incentive district by submitting a 1142
written response to the board not later than forty-five days 1143
after the postmark date on the notice required under division 1144
(C) (2) (a) of this section. The response shall include a copy of 1145
the statement submitted under division (C) (2) (a) (ii) of this 1146
section. The response shall be sent by first class mail or 1147
delivered in person at a public hearing held by the board under 1148
division (C) (2) (a) of this section. The response shall conform 1149
to any content requirements that may be established by the board 1150
and included in the notice provided under division (C) (2) (a) of 1151
this section. In the response, property owners may identify a 1152
parcel by street address, by the manner in which it is 1153
identified in the resolution, or by other means allowing the 1154
identity of the parcel to be ascertained. 1155

(c) Before adopting a resolution under division (C) (1) of 1156
this section, the board shall amend the resolution to exclude 1157
any parcel for which a written response has been submitted under 1158
division (C) (2) (b) of this section. A township shall not apply 1159
for exemptions from taxation under section 5709.911 of the 1160
Revised Code for any such parcel, and service payments may not 1161
be required from the owner of the parcel. Improvements to a 1162
parcel excluded from an incentive district under this division 1163
may be exempted from taxation under division (B) of this section 1164
pursuant to a resolution adopted under that division or under 1165
any other section of the Revised Code under which the parcel 1166
qualifies. 1167

(3) (a) A resolution adopted under division (C) (1) of this 1168
section shall specify the life of the incentive district and the 1169
percentage of the improvements to be exempted, shall designate 1170

the public infrastructure improvements made, to be made, or in 1171
the process of being made, that benefit or serve, or, once made, 1172
will benefit or serve parcels in the district. The resolution 1173
also shall identify one or more specific projects being, or to 1174
be, undertaken in the district that place additional demand on 1175
the public infrastructure improvements designated in the 1176
resolution. The project identified may, but need not be, the 1177
project under division (C) (3) (b) of this section that places 1178
real property in use for commercial or industrial purposes. 1179

A resolution adopted under division (C) (1) of this section 1180
on or after March 30, 2006, shall not designate police or fire 1181
equipment as public infrastructure improvements, and, except as 1182
provided in division (F) of this section, no service payment 1183
provided for in section 5709.74 of the Revised Code and received 1184
by the township under the resolution shall be used for police or 1185
fire equipment. 1186

(b) A resolution adopted under division (C) (1) of this 1187
section may authorize the use of service payments provided for 1188
in section 5709.74 of the Revised Code for the purpose of 1189
housing renovations within the incentive district, provided that 1190
the resolution also designates public infrastructure 1191
improvements that benefit or serve the district, and that a 1192
project within the district places real property in use for 1193
commercial or industrial purposes. Service payments may be used 1194
to finance or support loans, deferred loans, and grants to 1195
persons for the purpose of housing renovations within the 1196
district. The resolution shall designate the parcels within the 1197
district that are eligible for housing renovations. The 1198
resolution shall state separately the amount or the percentages 1199
of the expected aggregate service payments that are designated 1200
for each public infrastructure improvement and for the purpose 1201

of housing renovations. 1202

(4) Except with the approval of the board of education of 1203
each city, local, or exempted village school district within the 1204
territory of which the incentive district is or will be located, 1205
and subject to division (E) of this section, the life of an 1206
incentive district shall not exceed ten years, and the 1207
percentage of improvements to be exempted shall not exceed 1208
seventy-five per cent. With approval of the board of education, 1209
the life of a district may be not more than thirty years, and 1210
the percentage of improvements to be exempted may be not more 1211
than one hundred per cent. The approval of a board of education 1212
shall be obtained in the manner provided in division (D) of this 1213
section. 1214

(D) Improvements with respect to a parcel may be exempted 1215
from taxation under division (B) of this section, and 1216
improvements to parcels within an incentive district may be 1217
exempted from taxation under division (C) of this section, for 1218
up to ten years or, with the approval of the board of education 1219
of the city, local, or exempted village school district within 1220
which the parcel or district is located, for up to thirty years. 1221
The percentage of the improvements exempted from taxation may, 1222
with such approval, exceed seventy-five per cent, but shall not 1223
exceed one hundred per cent. Not later than forty-five business 1224
days prior to adopting a resolution under this section declaring 1225
improvements to be a public purpose that is subject to approval 1226
by a board of education under this division, the board of 1227
township trustees shall deliver to the board of education a 1228
notice stating its intent to adopt a resolution making that 1229
declaration. The notice regarding improvements with respect to a 1230
parcel under division (B) of this section shall identify the 1231
parcels for which improvements are to be exempted from taxation, 1232

provide an estimate of the true value in money of the 1233
improvements, specify the period for which the improvements 1234
would be exempted from taxation and the percentage of the 1235
improvements that would be exempted, and indicate the date on 1236
which the board of township trustees intends to adopt the 1237
resolution. The notice regarding improvements made under 1238
division (C) of this section to parcels within an incentive 1239
district shall delineate the boundaries of the district, 1240
specifically identify each parcel within the district, identify 1241
each anticipated improvement in the district, provide an 1242
estimate of the true value in money of each such improvement, 1243
specify the life of the district and the percentage of 1244
improvements that would be exempted, and indicate the date on 1245
which the board of township trustees intends to adopt the 1246
resolution. The board of education, by resolution adopted by a 1247
majority of the board, may approve the exemption for the period 1248
or for the exemption percentage specified in the notice; may 1249
disapprove the exemption for the number of years in excess of 1250
ten, may disapprove the exemption for the percentage of the 1251
improvements to be exempted in excess of seventy-five per cent, 1252
or both; or may approve the exemption on the condition that the 1253
board of township trustees and the board of education negotiate 1254
an agreement providing for compensation to the school district 1255
equal in value to a percentage of the amount of taxes exempted 1256
in the eleventh and subsequent years of the exemption period or, 1257
in the case of exemption percentages in excess of seventy-five 1258
per cent, compensation equal in value to a percentage of the 1259
taxes that would be payable on the portion of the improvements 1260
in excess of seventy-five per cent were that portion to be 1261
subject to taxation, or other mutually agreeable compensation. 1262

The board of education shall certify its resolution to the 1263

board of township trustees not later than fourteen days prior to 1264
the date the board of township trustees intends to adopt the 1265
resolution as indicated in the notice. If the board of education 1266
and the board of township trustees negotiate a mutually 1267
acceptable compensation agreement, the resolution may declare 1268
the improvements a public purpose for the number of years 1269
specified in the resolution or, in the case of exemption 1270
percentages in excess of seventy-five per cent, for the 1271
exemption percentage specified in the resolution. In either 1272
case, if the board of education and the board of township 1273
trustees fail to negotiate a mutually acceptable compensation 1274
agreement, the resolution may declare the improvements a public 1275
purpose for not more than ten years, and shall not exempt more 1276
than seventy-five per cent of the improvements from taxation. If 1277
the board of education fails to certify a resolution to the 1278
board of township trustees within the time prescribed by this 1279
section, the board of township trustees thereupon may adopt the 1280
resolution and may declare the improvements a public purpose for 1281
up to thirty years or, in the case of exemption percentages 1282
proposed in excess of seventy-five per cent, for the exemption 1283
percentage specified in the resolution. The board of township 1284
trustees may adopt the resolution at any time after the board of 1285
education certifies its resolution approving the exemption to 1286
the board of township trustees, or, if the board of education 1287
approves the exemption on the condition that a mutually 1288
acceptable compensation agreement be negotiated, at any time 1289
after the compensation agreement is agreed to by the board of 1290
education and the board of township trustees. If a mutually 1291
acceptable compensation agreement is negotiated between the 1292
board of township trustees and the board of education, including 1293
agreements for payments in lieu of taxes under section 5709.74 1294
of the Revised Code, the board of township trustees shall 1295

compensate the joint vocational school district within which the 1296
parcel or district is located at the same rate and under the 1297
same terms received by the city, local, or exempted village 1298
school district. 1299

If a board of education has adopted a resolution waiving 1300
its right to approve exemptions from taxation under this section 1301
and the resolution remains in effect, approval of such 1302
exemptions by the board of education is not required under 1303
division (D) of this section. If a board of education has 1304
adopted a resolution allowing a board of township trustees to 1305
deliver the notice required under division (D) of this section 1306
fewer than forty-five business days prior to adoption of the 1307
resolution by the board of township trustees, the board of 1308
township trustees shall deliver the notice to the board of 1309
education not later than the number of days prior to the 1310
adoption as prescribed by the board of education in its 1311
resolution. If a board of education adopts a resolution waiving 1312
its right to approve exemptions or shortening the notification 1313
period, the board of education shall certify a copy of the 1314
resolution to the board of township trustees. If the board of 1315
education rescinds the resolution, it shall certify notice of 1316
the rescission to the board of township trustees. 1317

If the board of township trustees is not required by 1318
division (D) of this section to notify the board of education of 1319
the board of township trustees' intent to declare improvements 1320
to be a public purpose, the board of township trustees shall 1321
comply with the notice requirements imposed under section 1322
5709.83 of the Revised Code before taking formal action to adopt 1323
the resolution making that declaration, unless the board of 1324
education has adopted a resolution under that section waiving 1325
its right to receive the notice. 1326

Nothing in this division prohibits the board of township trustees from amending the resolution under section 5709.51 or 5709.511 of the Revised Code to extend the term of the exemption.

(E) (1) If a proposed resolution under division (C) (1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the resolution the board of township trustees shall deliver to the board of county commissioners of the county within which the incentive district is or will be located a notice that states its intent to adopt a resolution creating an incentive district. The notice shall include a copy of the proposed resolution, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the board of township trustees intends to adopt the resolution.

(2) The board of county commissioners, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the board of township trustees. In no case shall the compensation provided to the board of county commissioners exceed the property taxes foregone due to the exemption. If the board of county commissioners

objects, and the board of county commissioners and board of 1358
township trustees fail to negotiate a mutually acceptable 1359
compensation agreement, the resolution adopted under division 1360
(C) (1) of this section shall provide to the board of county 1361
commissioners compensation in the eleventh and subsequent years 1362
of the exemption period equal in value to not more than fifty 1363
per cent of the taxes that would be payable to the county or, if 1364
the board of county commissioner's objection includes an 1365
objection to an exemption percentage in excess of seventy-five 1366
per cent, compensation equal in value to not more than fifty per 1367
cent of the taxes that would be payable to the county, on the 1368
portion of the improvement in excess of seventy-five per cent, 1369
were that portion to be subject to taxation. The board of county 1370
commissioners shall certify its resolution to the board of 1371
township trustees not later than thirty days after receipt of 1372
the notice. 1373

(3) If the board of county commissioners does not object 1374
or fails to certify its resolution objecting to an exemption 1375
within thirty days after receipt of the notice, the board of 1376
township trustees may adopt its resolution, and no compensation 1377
shall be provided to the board of county commissioners. If the 1378
board of county commissioners timely certifies its resolution 1379
objecting to the trustees' resolution, the board of township 1380
trustees may adopt its resolution at any time after a mutually 1381
acceptable compensation agreement is agreed to by the board of 1382
county commissioners and the board of township trustees, or, if 1383
no compensation agreement is negotiated, at any time after the 1384
board of township trustees agrees in the proposed resolution to 1385
provide compensation to the board of county commissioners of 1386
fifty per cent of the taxes that would be payable to the county 1387
in the eleventh and subsequent years of the exemption period or 1388

on the portion of the improvement in excess of seventy-five per 1389
cent, were that portion to be subject to taxation. 1390

(F) Service payments in lieu of taxes that are 1391
attributable to any amount by which the effective tax rate of 1392
either a renewal levy with an increase or a replacement levy 1393
exceeds the effective tax rate of the levy renewed or replaced, 1394
or that are attributable to an additional levy, for a levy 1395
authorized by the voters for any of the following purposes on or 1396
after January 1, 2006, and which are provided pursuant to a 1397
resolution creating an incentive district under division (C) (1) 1398
of this section that is adopted on or after January 1, 2006, or 1399
a later date as specified in this division, shall be distributed 1400
to the appropriate taxing authority as required under division 1401
(C) of section 5709.74 of the Revised Code in an amount equal to 1402
the amount of taxes from that additional levy or from the 1403
increase in the effective tax rate of such renewal or 1404
replacement levy that would have been payable to that taxing 1405
authority from the following levies were it not for the 1406
exemption authorized under division (C) of this section: 1407

(1) A tax levied under division (L) of section 5705.19 or 1408
section 5705.191 or 5705.222 of the Revised Code for community 1409
developmental disabilities programs and services pursuant to 1410
Chapter 5126. of the Revised Code; 1411

(2) A tax levied under division (Y) of section 5705.19 of 1412
the Revised Code for providing or maintaining senior citizens 1413
services or facilities; 1414

(3) A tax levied under section 5705.22 of the Revised Code 1415
for county hospitals; 1416

(4) A tax levied by a joint-county district or by a county 1417

under section 5705.19, 5705.191, or 5705.221 of the Revised Code	1418
for alcohol, drug addiction, and mental health services or	1419
families;	1420
(5) A tax levied under section 5705.23 of the Revised Code	1421
for library purposes;	1422
(6) A tax levied under section 5705.24 of the Revised Code	1423
for the support of children services and the placement and care	1424
of children;	1425
(7) A tax levied under division (Z) of section 5705.19 of	1426
the Revised Code for the provision and maintenance of zoological	1427
park services and facilities under section 307.76 of the Revised	1428
Code;	1429
(8) A tax levied under section 511.27 or division (H) of	1430
section 5705.19 of the Revised Code for the support of township	1431
park districts;	1432
(9) A tax levied under division (A), (F), or (H) of	1433
section 5705.19 of the Revised Code for parks and recreational	1434
purposes of a joint recreation district organized pursuant to	1435
division (B) of section 755.14 of the Revised Code;	1436
(10) A tax levied under section 1545.20 or 1545.21 of the	1437
Revised Code for park district purposes;	1438
(11) A tax levied under section 5705.191 of the Revised	1439
Code for the purpose of making appropriations for public	1440
assistance; human or social services; public relief; public	1441
welfare; public health and hospitalization; and support of	1442
general hospitals;	1443
(12) A tax levied under section 3709.29 of the Revised	1444
Code for a general health district program;	1445

(13) A tax levied by a township under section 505.39, 1446
505.51, or division (I), (J), (U), or (JJ) of section 5705.19 of 1447
the Revised Code for the purpose of funding fire, police, 1448
emergency medical, or ambulance services as described in those 1449
sections or by a township fire district. Division (F) (13) of 1450
this section applies only to incentive districts ~~created by a~~ 1451
~~resolution adopted on or after March 22, 2019, the effective~~ 1452
~~date of the amendment of this section by H.B. 500 of the 132nd~~ 1453
~~general assembly, and only if that~~ if the resolution adopted 1454
under division (C) of this section specifies that division (F) 1455
of this section shall apply to such a tax. 1456

(14) A tax levied by a joint fire district, fire and 1457
ambulance district, joint ambulance district, or joint emergency 1458
medical services district. 1459

(G) An exemption from taxation granted under this section 1460
commences with the tax year specified in the resolution so long 1461
as the year specified in the resolution commences after the 1462
effective date of the resolution. If the resolution specifies a 1463
year commencing before the effective date of the resolution or 1464
specifies no year whatsoever, the exemption commences with the 1465
tax year in which an exempted improvement first appears on the 1466
tax list and duplicate of real and public utility property and 1467
that commences after the effective date of the resolution. In 1468
lieu of stating a specific year, the resolution may provide that 1469
the exemption commences in the tax year in which the value of an 1470
improvement exceeds a specified amount or in which the 1471
construction of one or more improvements is completed, provided 1472
that such tax year commences after the effective date of the 1473
resolution. With respect to the exemption of improvements to 1474
parcels under division (B) of this section, the resolution may 1475
allow for the exemption to commence in different tax years on a 1476

parcel-by-parcel basis, with a separate exemption term specified 1477
for each parcel. 1478

Except as otherwise provided in this division and sections 1479
5709.51 and 5709.511 of the Revised Code, the exemption ends on 1480
the date specified in the resolution as the date the improvement 1481
ceases to be a public purpose or the incentive district expires, 1482
or ends on the date on which the public infrastructure 1483
improvements and housing renovations are paid in full from the 1484
township public improvement tax increment equivalent fund 1485
established under section 5709.75 of the Revised Code, whichever 1486
occurs first. The exemption of an improvement with respect to a 1487
parcel or within an incentive district may end on a later date, 1488
as specified in the resolution, if the board of township 1489
trustees and the board of education of the city, local, or 1490
exempted village school district within which the parcel or 1491
district is located have entered into a compensation agreement 1492
under section 5709.82 of the Revised Code with respect to the 1493
improvement and the board of education has approved the term of 1494
the exemption under division (D) of this section, but in no case 1495
shall the improvement be exempted from taxation for more than 1496
thirty years. The board of township trustees may, by majority 1497
vote, adopt a resolution permitting the township to enter into 1498
such agreements as the board finds necessary or appropriate to 1499
provide for the construction or undertaking of public 1500
infrastructure improvements and housing renovations. Any 1501
exemption shall be claimed and allowed in the same or a similar 1502
manner as in the case of other real property exemptions. If an 1503
exemption status changes during a tax year, the procedure for 1504
the apportionment of the taxes for that year is the same as in 1505
the case of other changes in tax exemption status during the 1506
year. 1507

(H) The board of township trustees may issue the notes of 1508
the township to finance all costs pertaining to the construction 1509
or undertaking of public infrastructure improvements and housing 1510
renovations made pursuant to this section. The notes shall be 1511
signed by the board and attested by the signature of the 1512
township fiscal officer, shall bear interest not to exceed the 1513
rate provided in section 9.95 of the Revised Code, and are not 1514
subject to Chapter 133. of the Revised Code. The resolution 1515
authorizing the issuance of the notes shall pledge the funds of 1516
the township public improvement tax increment equivalent fund 1517
established pursuant to section 5709.75 of the Revised Code to 1518
pay the interest on and principal of the notes. The notes, which 1519
may contain a clause permitting prepayment at the option of the 1520
board, shall be offered for sale on the open market or given to 1521
the vendor or contractor if no sale is made. 1522

(I) The township, not later than fifteen days after the 1523
adoption of a resolution under this section, shall submit to the 1524
director of development a copy of the resolution. On or before 1525
the thirty-first day of March of each year, the township shall 1526
submit a status report to the director. The report shall 1527
indicate, in the manner prescribed by the director, the progress 1528
of the project during each year that the exemption remains in 1529
effect, including a summary of the receipts from service 1530
payments in lieu of taxes; expenditures of money from the fund 1531
created under section 5709.75 of the Revised Code; a description 1532
of the public infrastructure improvements and housing 1533
renovations financed with the expenditures; and a quantitative 1534
summary of changes in private investment resulting from each 1535
project. 1536

(J) Nothing in this section shall be construed to prohibit 1537
a board of township trustees from declaring to be a public 1538

purpose improvements with respect to more than one parcel. 1539

If a parcel is located in a new community district in 1540
which the new community authority imposes a community 1541
development charge on the basis of rentals received from leases 1542
of real property as described in division (L) (2) of section 1543
349.01 of the Revised Code, the parcel may not be exempted from 1544
taxation under this section. 1545

(K) A board of township trustees that adopted a resolution 1546
under this section prior to July 21, 1994, may amend that 1547
resolution to include any additional public infrastructure 1548
improvement. A board of township trustees that seeks by the 1549
amendment to utilize money from its township public improvement 1550
tax increment equivalent fund for land acquisition in aid of 1551
industry, commerce, distribution, or research, demolition on 1552
private property, or stormwater and flood remediation projects 1553
may do so provided that the board currently is a party to a 1554
hold-harmless agreement with the board of education of the city, 1555
local, or exempted village school district within the territory 1556
of which are located the parcels that are subject to an 1557
exemption. For the purposes of this division, a "hold-harmless 1558
agreement" means an agreement under which the board of township 1559
trustees agrees to compensate the school district for one 1560
hundred per cent of the tax revenue that the school district 1561
would have received from further improvements to parcels 1562
designated in the resolution were it not for the exemption 1563
granted by the resolution. 1564

(L) (1) Notwithstanding the limitation prescribed by 1565
division (D) of this section on the number of years that 1566
improvements to a parcel or parcels may be exempted from 1567
taxation, and subject to division (L) (3) of this section, a 1568

board of trustees of a township with a population of fifteen 1569
thousand or more may amend a resolution originally adopted under 1570
this section before December 31, 1994, to extend the exemption 1571
of improvements to the parcel or parcels included in such 1572
resolution for an additional period not to exceed fifteen years. 1573
The amendment shall not increase the percentage of improvements 1574
to the parcel or parcels exempted from taxation. 1575

(2) Notwithstanding the limitations prescribed by 1576
divisions (C) and (D) of this section on the life of an 1577
incentive district and the number of years that improvements to 1578
a parcel or parcels within an incentive district may be exempted 1579
from taxation, and subject to division (L)(3) of this section, a 1580
board of township trustees may amend a resolution originally 1581
adopted under division (C) of this section before January 1, 1582
2006, to extend the life of an incentive district created by 1583
that resolution. The extension shall be for a period not to 1584
exceed fifteen years and shall not increase the percentage of 1585
the value of improvements exempted from taxation. 1586

(3) Before adopting an amendment authorized under division 1587
(L)(1) or (2) of this section, the board of township trustees 1588
shall provide notice of the amendment to each board of education 1589
of the city, local, or exempted village school district in which 1590
the exempted parcels or incentive district are located, in the 1591
same manner as provided under division (D) of this section, and 1592
shall obtain the approval of each such board of education in the 1593
manner required under that division, except that (a) the board 1594
of education may approve the exemption on the condition that the 1595
board of township trustees and the board of education negotiate 1596
an agreement providing for compensation to the school district 1597
equal in value to the amount of taxes the district forgoes in 1598
each year the exemption is extended or any other mutually 1599

agreeable compensation and (b) if the board of education fails 1600
to certify a resolution approving the amendment to the board of 1601
township trustees within the time prescribed by division (D) of 1602
this section, the board of township trustees shall not adopt the 1603
amendment. 1604

No approval under division (L) (3) of this section shall be 1605
required for an amendment authorized under division (L) (2) of 1606
this section if the amendment provides for compensation to the 1607
city, local, or exempted village school district in which the 1608
incentive district is located equal in value to the amount of 1609
taxes that would be payable to the school district if the 1610
improvements exempted from taxation had not been exempted for 1611
the additional period. Approval is also not required for an 1612
amendment authorized under either division (L) (1) or (2) of this 1613
section from a board of education that has adopted a resolution 1614
waiving its right to approve exemptions from taxation pursuant 1615
to division (D) of this section. If the board of education has 1616
adopted such a resolution, the board of township trustees shall 1617
comply with the notice requirements imposed under section 1618
5709.83 of the Revised Code before taking formal action to adopt 1619
the amendment unless the board of education has adopted a 1620
resolution under that section waiving its right to receive the 1621
notice. Not later than fourteen days before adopting an 1622
amendment authorized under division (L) (1) or (2) of this 1623
section, the board of township trustees shall deliver a notice 1624
identical to a notice required under section 5709.83 of the 1625
Revised Code to the board of county commissioners of each county 1626
in which the exempted parcels or incentive district are located. 1627

Sec. 5709.78. (A) A board of county commissioners may, by 1628
resolution, declare improvements to certain parcels of real 1629
property located in the unincorporated territory of the county 1630

to be a public purpose. Except as otherwise provided under 1631
division (C) of this section or section 5709.51 or 5709.511 of 1632
the Revised Code, not more than seventy-five per cent of an 1633
improvement thus declared to be a public purpose may be exempted 1634
from real property taxation, for a period of not more than ten 1635
years. The resolution shall specify the percentage of the 1636
improvement to be exempted and the life of the exemption. 1637

A resolution adopted under this division shall designate 1638
the specific public infrastructure improvements made, to be 1639
made, or in the process of being made by the county that 1640
directly benefit, or that once made will directly benefit, the 1641
parcels for which improvements are declared to be a public 1642
purpose. The service payments provided for in section 5709.79 of 1643
the Revised Code shall be used to finance the public 1644
infrastructure improvements designated in the resolution, or as 1645
provided in section 5709.80 of the Revised Code. Improvements 1646
exempted from taxation under division (A) of this section shall 1647
not be exempted from a qualifying fire or emergency medical 1648
services tax, as defined in section 5709.40 of the Revised Code. 1649

(B) (1) A board of county commissioners may adopt a 1650
resolution creating an incentive district and declaring 1651
improvements to parcels within the district to be a public 1652
purpose and, except as provided in division (B) (2) of this 1653
section, exempt from taxation as provided in this section, but 1654
no board of county commissioners of a county that has a 1655
population that exceeds twenty-five thousand, as shown by the 1656
most recent federal decennial census, shall adopt a resolution 1657
that creates an incentive district if the sum of the taxable 1658
value of real property in the proposed district for the 1659
preceding tax year and the taxable value of all real property in 1660
the county that would have been taxable in the preceding year 1661

were it not for the fact that the property was in an existing 1662
incentive district and therefore exempt from taxation exceeds 1663
twenty-five per cent of the taxable value of real property in 1664
the county for the preceding tax year. The district shall be 1665
located within the unincorporated territory of the county and 1666
shall not include any territory that is included within a 1667
district created under division (C) of section 5709.73 of the 1668
Revised Code. The resolution shall delineate the boundary of the 1669
proposed district and specifically identify each parcel within 1670
the district. A proposed district may not include any parcel 1671
that is or has been exempted from taxation under division (A) of 1672
this section or that is or has been within another district 1673
created under this division. A resolution may create more than 1674
one such district, and more than one resolution may be adopted 1675
under division (B) (1) of this section. 1676

(2) (a) Not later than thirty days prior to adopting a 1677
resolution under division (B) (1) of this section, if the county 1678
intends to apply for exemptions from taxation under section 1679
5709.911 of the Revised Code on behalf of owners of real 1680
property located within the proposed incentive district, the 1681
board of county commissioners shall conduct a public hearing on 1682
the proposed resolution. Not later than thirty days prior to the 1683
public hearing, the board shall give notice of the public 1684
hearing and the proposed resolution by first class mail to every 1685
real property owner whose property is located within the 1686
boundaries of the proposed incentive district that is the 1687
subject of the proposed resolution. The board also shall provide 1688
the notice by first class mail to the clerk of each township in 1689
which the proposed incentive district will be located. The 1690
notice shall include a map of the proposed incentive district on 1691
which the board of county commissioners shall have delineated an 1692

overlay. The notice shall inform property owners of the owner's 1693
right to exclude the owner's property from the incentive 1694
district if both of the following conditions are met: 1695

(i) The owner's entire parcel of property will not be 1696
located within the overlay. 1697

(ii) The owner has submitted a statement to the board of 1698
township trustees of the township in which the parcel is located 1699
indicating the owner's intent to seek a tax exemption for 1700
improvements to the owner's parcel under section 5709.41 or 1701
division (B) or (C) of section 5709.73 of the Revised Code 1702
within the next five years. 1703

When both of the preceding conditions are met, the owner 1704
may exclude the owner's property from the incentive district by 1705
submitting a written response in accordance with division (B) (2) 1706
(b) of this section. The notice also shall include information 1707
detailing the required contents of the response, the address to 1708
which the response may be mailed, and the deadline for 1709
submitting the response. 1710

(b) Any owner of real property located within the 1711
boundaries of an incentive district proposed under division (B) 1712
(1) of this section who meets the conditions specified in 1713
divisions (B) (2) (a) (i) and (ii) of this section may exclude the 1714
property from the proposed incentive district by submitting a 1715
written response to the board not later than forty-five days 1716
after the postmark date on the notice required under division 1717
(B) (2) (a) of this section. The response shall include a copy of 1718
the statement submitted under division (B) (2) (a) (ii) of this 1719
section. The response shall be sent by first class mail or 1720
delivered in person at a public hearing held by the board under 1721
division (B) (2) (a) of this section. The response shall conform 1722

to any content requirements that may be established by the board 1723
and included in the notice provided under division (B) (2) (a) of 1724
this section. In the response, property owners may identify a 1725
parcel by street address, by the manner in which it is 1726
identified in the resolution, or by other means allowing the 1727
identity of the parcel to be ascertained. 1728

(c) Before adopting a resolution under division (B) (1) of 1729
this section, the board shall amend the resolution to exclude 1730
any parcel for which a written response has been submitted under 1731
division (B) (2) (b) of this section. A county shall not apply for 1732
exemptions from taxation under section 5709.911 of the Revised 1733
Code for any such parcel, and service payments may not be 1734
required from the owner of the parcel. Improvements to a parcel 1735
excluded from an incentive district under this division may be 1736
exempted from taxation under division (A) of this section 1737
pursuant to a resolution adopted under that division or under 1738
any other section of the Revised Code under which the parcel 1739
qualifies. 1740

(3) (a) A resolution adopted under division (B) (1) of this 1741
section shall specify the life of the incentive district and the 1742
percentage of the improvements to be exempted, shall designate 1743
the public infrastructure improvements made, to be made, or in 1744
the process of being made, that benefit or serve, or, once made, 1745
will benefit or serve parcels in the district. The resolution 1746
also shall identify one or more specific projects being, or to 1747
be, undertaken in the district that place additional demand on 1748
the public infrastructure improvements designated in the 1749
resolution. The project identified may, but need not be, the 1750
project under division (B) (3) (b) of this section that places 1751
real property in use for commercial or industrial purposes. 1752

A resolution adopted under division (B) (1) of this section 1753
on or after March 30, 2006, shall not designate police or fire 1754
equipment as public infrastructure improvements, and no service 1755
payment provided for in section 5709.79 of the Revised Code and 1756
received by the county under the resolution shall be used for 1757
police or fire equipment. 1758

(b) A resolution adopted under division (B) (1) of this 1759
section may authorize the use of service payments provided for 1760
in section 5709.79 of the Revised Code for the purpose of 1761
housing renovations within the incentive district, provided that 1762
the resolution also designates public infrastructure 1763
improvements that benefit or serve the district, and that a 1764
project within the district places real property in use for 1765
commercial or industrial purposes. Service payments may be used 1766
to finance or support loans, deferred loans, and grants to 1767
persons for the purpose of housing renovations within the 1768
district. The resolution shall designate the parcels within the 1769
district that are eligible for housing renovations. The 1770
resolution shall state separately the amount or the percentages 1771
of the expected aggregate service payments that are designated 1772
for each public infrastructure improvement and for the purpose 1773
of housing renovations. 1774

(4) Except with the approval of the board of education of 1775
each city, local, or exempted village school district within the 1776
territory of which the incentive district is or will be located, 1777
and subject to division (D) of this section, the life of an 1778
incentive district shall not exceed ten years, and the 1779
percentage of improvements to be exempted shall not exceed 1780
seventy-five per cent. With approval of the board of education, 1781
the life of a district may be not more than thirty years, and 1782
the percentage of improvements to be exempted may be not more 1783

than one hundred per cent. The approval of a board of education 1784
shall be obtained in the manner provided in division (C) of this 1785
section. 1786

(C) (1) Improvements with respect to a parcel may be 1787
exempted from taxation under division (A) of this section, and 1788
improvements to parcels within an incentive district may be 1789
exempted from taxation under division (B) of this section, for 1790
up to ten years or, with the approval of the board of education 1791
of each city, local, or exempted village school district within 1792
which the parcel or district is located, for up to thirty years. 1793
The percentage of the improvements exempted from taxation may, 1794
with such approval, exceed seventy-five per cent, but shall not 1795
exceed one hundred per cent. Not later than forty-five business 1796
days prior to adopting a resolution under this section declaring 1797
improvements to be a public purpose that is subject to the 1798
approval of a board of education under this division, the board 1799
of county commissioners shall deliver to the board of education 1800
a notice stating its intent to adopt a resolution making that 1801
declaration. The notice regarding improvements with respect to a 1802
parcel under division (A) of this section shall identify the 1803
parcels for which improvements are to be exempted from taxation, 1804
provide an estimate of the true value in money of the 1805
improvements, specify the period for which the improvements 1806
would be exempted from taxation and the percentage of the 1807
improvements that would be exempted, and indicate the date on 1808
which the board of county commissioners intends to adopt the 1809
resolution. The notice regarding improvements to parcels within 1810
an incentive district under division (B) of this section shall 1811
delineate the boundaries of the district, specifically identify 1812
each parcel within the district, identify each anticipated 1813
improvement in the district, provide an estimate of the true 1814

value in money of each such improvement, specify the life of the 1815
district and the percentage of improvements that would be 1816
exempted, and indicate the date on which the board of county 1817
commissioners intends to adopt the resolution. The board of 1818
education, by resolution adopted by a majority of the board, may 1819
approve the exemption for the period or for the exemption 1820
percentage specified in the notice; may disapprove the exemption 1821
for the number of years in excess of ten, may disapprove the 1822
exemption for the percentage of the improvements to be exempted 1823
in excess of seventy-five per cent, or both; or may approve the 1824
exemption on the condition that the board of county 1825
commissioners and the board of education negotiate an agreement 1826
providing for compensation to the school district equal in value 1827
to a percentage of the amount of taxes exempted in the eleventh 1828
and subsequent years of the exemption period or, in the case of 1829
exemption percentages in excess of seventy-five per cent, 1830
compensation equal in value to a percentage of the taxes that 1831
would be payable on the portion of the improvements in excess of 1832
seventy-five per cent were that portion to be subject to 1833
taxation, or other mutually agreeable compensation. 1834

(2) The board of education shall certify its resolution to 1835
the board of county commissioners not later than fourteen days 1836
prior to the date the board of county commissioners intends to 1837
adopt its resolution as indicated in the notice. If the board of 1838
education and the board of county commissioners negotiate a 1839
mutually acceptable compensation agreement, the resolution of 1840
the board of county commissioners may declare the improvements a 1841
public purpose for the number of years specified in that 1842
resolution or, in the case of exemption percentages in excess of 1843
seventy-five per cent, for the exemption percentage specified in 1844
the resolution. In either case, if the board of education and 1845

the board of county commissioners fail to negotiate a mutually 1846
acceptable compensation agreement, the resolution may declare 1847
the improvements a public purpose for not more than ten years, 1848
and shall not exempt more than seventy-five per cent of the 1849
improvements from taxation. If the board of education fails to 1850
certify a resolution to the board of county commissioners within 1851
the time prescribed by this section, the board of county 1852
commissioners thereupon may adopt the resolution and may declare 1853
the improvements a public purpose for up to thirty years or, in 1854
the case of exemption percentages proposed in excess of seventy- 1855
five per cent, for the exemption percentage specified in the 1856
resolution. The board of county commissioners may adopt the 1857
resolution at any time after the board of education certifies 1858
its resolution approving the exemption to the board of county 1859
commissioners, or, if the board of education approves the 1860
exemption on the condition that a mutually acceptable 1861
compensation agreement be negotiated, at any time after the 1862
compensation agreement is agreed to by the board of education 1863
and the board of county commissioners. If a mutually acceptable 1864
compensation agreement is negotiated between the board of county 1865
commissioners and the board of education, including agreements 1866
for payments in lieu of taxes under section 5709.79 of the 1867
Revised Code, the board of county commissioners shall compensate 1868
the joint vocational school district within which the parcel or 1869
district is located at the same rate and under the same terms 1870
received by the city, local, or exempted village school 1871
district. 1872

(3) If a board of education has adopted a resolution 1873
waiving its right to approve exemptions from taxation under this 1874
section and the resolution remains in effect, approval of such 1875
exemptions by the board of education is not required under 1876

division (C) of this section. If a board of education has 1877
adopted a resolution allowing a board of county commissioners to 1878
deliver the notice required under division (C) of this section 1879
fewer than forty-five business days prior to approval of the 1880
resolution by the board of county commissioners, the board of 1881
county commissioners shall deliver the notice to the board of 1882
education not later than the number of days prior to such 1883
approval as prescribed by the board of education in its 1884
resolution. If a board of education adopts a resolution waiving 1885
its right to approve exemptions or shortening the notification 1886
period, the board of education shall certify a copy of the 1887
resolution to the board of county commissioners. If the board of 1888
education rescinds such a resolution, it shall certify notice of 1889
the rescission to the board of county commissioners. 1890

(4) Nothing in division (C) of this section prohibits the 1891
board of county commissioners from amending the resolution under 1892
section 5709.51 or 5709.511 of the Revised Code to extend the 1893
term of the exemption. 1894

(D) (1) If a proposed resolution under division (B) (1) of 1895
this section exempts improvements with respect to a parcel 1896
within an incentive district for more than ten years, or the 1897
percentage of the improvement exempted from taxation exceeds 1898
seventy-five per cent, not later than forty-five business days 1899
prior to adopting the resolution the board of county 1900
commissioners shall deliver to the board of township trustees of 1901
any township within which the incentive district is or will be 1902
located a notice that states its intent to adopt a resolution 1903
creating an incentive district. The notice shall include a copy 1904
of the proposed resolution, identify the parcels for which 1905
improvements are to be exempted from taxation, provide an 1906
estimate of the true value in money of the improvements, specify 1907

the period of time for which the improvements would be exempted 1908
from taxation, specify the percentage of the improvements that 1909
would be exempted from taxation, and indicate the date on which 1910
the board intends to adopt the resolution. 1911

(2) The board of township trustees, by resolution adopted 1912
by a majority of the board, may object to the exemption for the 1913
number of years in excess of ten, may object to the exemption 1914
for the percentage of the improvement to be exempted in excess 1915
of seventy-five per cent, or both. If the board of township 1916
trustees objects, the board of township trustees may negotiate a 1917
mutually acceptable compensation agreement with the board of 1918
county commissioners. In no case shall the compensation provided 1919
to the board of township trustees exceed the property taxes 1920
forgone due to the exemption. If the board of township trustees 1921
objects, and the board of township trustees and the board of 1922
county commissioners fail to negotiate a mutually acceptable 1923
compensation agreement, the resolution adopted under division 1924
(B) (1) of this section shall provide to the board of township 1925
trustees compensation in the eleventh and subsequent years of 1926
the exemption period equal in value to not more than fifty per 1927
cent of the taxes that would be payable to the township or, if 1928
the board of township trustee's objection includes an objection 1929
to an exemption percentage in excess of seventy-five per cent, 1930
compensation equal in value to not more than fifty per cent of 1931
the taxes that would be payable to the township on the portion 1932
of the improvement in excess of seventy-five per cent, were that 1933
portion to be subject to taxation. The board of township 1934
trustees shall certify its resolution to the board of county 1935
commissioners not later than thirty days after receipt of the 1936
notice. 1937

(3) If the board of township trustees does not object or 1938

fails to certify a resolution objecting to an exemption within 1939
thirty days after receipt of the notice, the board of county 1940
commissioners may adopt its resolution, and no compensation 1941
shall be provided to the board of township trustees. If the 1942
board of township trustees certifies its resolution objecting to 1943
the commissioners' resolution, the board of county commissioners 1944
may adopt its resolution at any time after a mutually acceptable 1945
compensation agreement is agreed to by the board of county 1946
commissioners and the board of township trustees. If the board 1947
of township trustees certifies a resolution objecting to the 1948
commissioners' resolution, the board of county commissioners may 1949
adopt its resolution at any time after a mutually acceptable 1950
compensation agreement is agreed to by the board of county 1951
commissioners and the board of township trustees, or, if no 1952
compensation agreement is negotiated, at any time after the 1953
board of county commissioners in the proposed resolution to 1954
provide compensation to the board of township trustees of fifty 1955
per cent of the taxes that would be payable to the township in 1956
the eleventh and subsequent years of the exemption period or on 1957
the portion of the improvement in excess of seventy-five per 1958
cent, were that portion to be subject to taxation. 1959

(E) Service payments in lieu of taxes that are 1960
attributable to any amount by which the effective tax rate of 1961
either a renewal levy with an increase or a replacement levy 1962
exceeds the effective tax rate of the levy renewed or replaced, 1963
or that are attributable to an additional levy, for a levy 1964
authorized by the voters for any of the following purposes on or 1965
after January 1, 2006, and which are provided pursuant to a 1966
resolution creating an incentive district under division (B)(1) 1967
of this section that is adopted on or after January 1, 2006, 1968
shall be distributed to the appropriate taxing authority as 1969

required under division (D) of section 5709.79 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (B) of this section:

(1) A tax levied under division (L) of section 5705.19 or section 5705.191 or 5705.222 of the Revised Code for community developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;

(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;

(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;

(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or facilities;

(5) A tax levied under section 5705.23 of the Revised Code for library purposes;

(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;

(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;

(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;	1998 1999 2000
(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;	2001 2002 2003 2004
(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;	2005 2006
(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;	2007 2008 2009 2010 2011
(12) A tax levied under section 3709.29 of the Revised Code for a general health district program;	2012 2013
<u>(13) A qualifying fire or emergency medical services tax, as defined in section 5709.40 of the Revised Code.</u>	2014 2015
(F) An exemption from taxation granted under this section commences with the tax year specified in the resolution so long as the year specified in the resolution commences after the effective date of the resolution. If the resolution specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the resolution. In lieu of stating a specific year, the resolution may provide that the exemption commences in the tax year in which the value of an	2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026

improvement exceeds a specified amount or in which the 2027
construction of one or more improvements is completed, provided 2028
that such tax year commences after the effective date of the 2029
resolution. With respect to the exemption of improvements to 2030
parcels under division (A) of this section, the resolution may 2031
allow for the exemption to commence in different tax years on a 2032
parcel-by-parcel basis, with a separate exemption term specified 2033
for each parcel. 2034

Except as otherwise provided in this division, the 2035
exemption ends on the date specified in the resolution as the 2036
date the improvement ceases to be a public purpose or the 2037
incentive district expires, or ends on the date on which the 2038
county can no longer require annual service payments in lieu of 2039
taxes under section 5709.79 of the Revised Code, whichever 2040
occurs first. The exemption of an improvement with respect to a 2041
parcel or within an incentive district may end on a later date, 2042
as specified in the resolution, if the board of commissioners 2043
and the board of education of the city, local, or exempted 2044
village school district within which the parcel or district is 2045
located have entered into a compensation agreement under section 2046
5709.82 of the Revised Code with respect to the improvement, and 2047
the board of education has approved the term of the exemption 2048
under division (C)(1) of this section, but in no case shall the 2049
improvement be exempted from taxation for more than thirty 2050
years. Exemptions shall be claimed and allowed in the same or a 2051
similar manner as in the case of other real property exemptions. 2052
If an exemption status changes during a tax year, the procedure 2053
for the apportionment of the taxes for that year is the same as 2054
in the case of other changes in tax exemption status during the 2055
year. 2056

(G) If the board of county commissioners is not required 2057

by this section to notify the board of education of the board of 2058
county commissioners' intent to declare improvements to be a 2059
public purpose, the board of county commissioners shall comply 2060
with the notice requirements imposed under section 5709.83 of 2061
the Revised Code before taking formal action to adopt the 2062
resolution making that declaration, unless the board of 2063
education has adopted a resolution under that section waiving 2064
its right to receive such a notice. 2065

(H) The county, not later than fifteen days after the 2066
adoption of a resolution under this section, shall submit to the 2067
director of development a copy of the resolution. On or before 2068
the thirty-first day of March of each year, the county shall 2069
submit a status report to the director. The report shall 2070
indicate, in the manner prescribed by the director, the progress 2071
of the project during each year that an exemption remains in 2072
effect, including a summary of the receipts from service 2073
payments in lieu of taxes; expenditures of money from the fund 2074
created under section 5709.80 of the Revised Code; a description 2075
of the public infrastructure improvements and housing 2076
renovations financed with such expenditures; and a quantitative 2077
summary of changes in employment and private investment 2078
resulting from each project. 2079

(I) Nothing in this section shall be construed to prohibit 2080
a board of county commissioners from declaring to be a public 2081
purpose improvements with respect to more than one parcel. 2082

(J) If a parcel is located in a new community district in 2083
which the new community authority imposes a community 2084
development charge on the basis of rentals received from leases 2085
of real property as described in division (L) (2) of section 2086
349.01 of the Revised Code, the parcel may not be exempted from 2087

taxation under this section. 2088

Section 2. That existing sections 3735.67, 5709.40, 2089
5709.41, 5709.73, and 5709.78 of the Revised Code are hereby 2090
repealed. 2091

Section 3. The amendment by this act of sections 5709.40, 2092
5709.41, 5709.73, and 5709.78 applies to exemptions authorized 2093
in ordinances or resolutions adopted under those sections on or 2094
after the effective date of this section. 2095