

Sub. H. B. No. 96
As Passed by the Senate
DOHCD26

_____ moved to amend as follows:

After line 78676, insert:

"Sec. 3742.50. (A) As used in this section:

(1) "Lead abatement costs" means costs incurred by a taxpayer for either of the following:

(a) A lead abatement specialist to conduct a lead risk assessment, a lead abatement project, or a clearance examination, provided the specialist is authorized under this chapter to conduct the respective task;

(b) Relocation costs incurred in the relocation of occupants of an eligible dwelling to achieve occupant protection, as described in 24 C.F.R. 35.1345(a).

"Lead abatement costs" do not include such costs for which the taxpayer is reimbursed or such costs the taxpayer deducts or excludes in computing the taxpayer's federal adjusted gross income for federal income tax purposes or Ohio adjusted gross income as determined under section 5747.01 of the Revised Code.

(2) "Eligible dwelling" means a residential unit

constructed in this state before 1978. 18

(3) "Lead abatement specialist" means an individual who 19
holds a valid license issued under section 3742.05 of the 20
Revised Code. 21

(4) "Taxable year" and "taxpayer" have the same meanings 22
as in section 5747.01 of the Revised Code. 23

(B) A taxpayer who incurs lead abatement costs on an 24
eligible dwelling during a taxable year may apply to the 25
director of health for a lead abatement tax credit certificate. 26
The applicant shall list on the application the amount of lead 27
abatement costs the applicant incurred for the eligible dwelling 28
during the taxable year. The director, in consultation with the 29
tax commissioner, shall prescribe the form of a lead abatement 30
tax credit certificate, the manner by which an applicant shall 31
apply for the certificate, and requirements for the submission 32
of any record or other information an applicant must furnish 33
with the application to verify the lead abatement costs. 34

(C) (1) Upon receipt of an application under division (B) 35
of this section, the director of health shall verify all of the 36
following: 37

(a) The residential unit that is the subject of the 38
application is an eligible dwelling. 39

(b) The taxpayer incurred lead abatement costs during the 40
taxable year related to the eligible dwelling. 41

(c) The eligible dwelling has passed a clearance 42
examination in accordance with standards prescribed in rules 43
adopted by the director under section 3742.03 or 3742.45 of the 44
Revised Code. 45

(2) After verifying the conditions described in division 46
 (C) (1) of this section, the director shall issue a lead 47
 abatement tax credit certificate to the applicant equal to the 48
 lesser of (a) the lead abatement costs incurred by the taxpayer 49
 on the eligible dwelling during the taxable year, (b) the amount 50
 of lead abatement costs listed on the application, or (c) ~~ten-~~ 51
forty thousand dollars, subject to the limitation in division 52
 (C) (3) of this section. 53

(3) The director may not issue more than ~~five-three~~ 54
 million dollars in lead abatement tax credit certificates in any 55
 fiscal year. 56

(D) The director of health, in consultation with the tax 57
 commissioner, may adopt rules in accordance with Chapter 119. of 58
 the Revised Code as necessary for the administration of this 59
 section." 60

Update the title, amend, enact, or repeal clauses accordingly 61

The motion was _____ agreed to.

SYNOPSIS

Lead abatement tax credit

R.C. 3742.50

Restores an Executive provision increasing (from \$10,000) 65
 the maximum amount of the tax credit that can be issued by the 66
 ODH Director for lead abatement, but sets the maximum amount at 67
 \$40,000 (rather than at \$50,000 as under the Executive version). 68

Also revises an existing law provision (not previously	69
addressed in any bill version) limiting the ODH Director from	70
issuing more than \$5M in lead abatement tax credit certificates	71
in any fiscal year, by capping the amount at \$3M in any fiscal	72
year.	73