

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 513

Representatives Brenner, Ginter

**Cosponsors: Representatives Arndt, Butler, Carfagna, Gonzales, Hill, Hughes,
Leland, McClain, Perales, Riedel, Schaffer, Sprague, Stein**

A BILL

To amend sections 323.151, 323.152, 323.153, 1
4503.064, 4503.065, and 4503.066 of the Revised 2
Code to enhance the homestead exemption for 3
surviving spouses of peace officers, 4
firefighters, and emergency medical personnel 5
killed in the line of duty. 6

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

Section 1. That sections 323.151, 323.152, 323.153, 7
4503.064, 4503.065, and 4503.066 of the Revised Code be amended 8
to read as follows: 9

Sec. 323.151. As used in sections 323.151 to 323.159 of 10
the Revised Code: 11

(A) (1) "Homestead" means either of the following: 12

(a) A dwelling, including a unit in a multiple-unit 13
dwelling and a manufactured home or mobile home taxed as real 14
property pursuant to division (B) of section 4503.06 of the 15
Revised Code, owned and occupied as a home by an individual 16
whose domicile is in this state and who has not acquired 17

ownership from a person, other than the individual's spouse, 18
related by consanguinity or affinity for the purpose of 19
qualifying for the real property tax reduction provided in 20
section 323.152 of the Revised Code. 21

(b) A unit in a housing cooperative that is occupied as a 22
home, but not owned, by an individual whose domicile is in this 23
state. 24

(2) The homestead shall include so much of the land 25
surrounding it, not exceeding one acre, as is reasonably 26
necessary for the use of the dwelling or unit as a home. An 27
owner includes a holder of one of the several estates in fee, a 28
vendee in possession under a purchase agreement or a land 29
contract, a mortgagor, a life tenant, one or more tenants with a 30
right of survivorship, tenants in common, and a settlor of a 31
revocable or irrevocable inter vivos trust holding the title to 32
a homestead occupied by the settlor as of right under the trust. 33
The tax commissioner shall adopt rules for the uniform 34
classification and valuation of real property or portions of 35
real property as homesteads. 36

(B) "Sixty-five years of age or older" means a person who 37
has attained age sixty-four prior to the first day of January of 38
the year of application for reduction in real estate taxes. 39

(C) "Total income" means Ohio adjusted gross income of the 40
owner and the owner's spouse for the year preceding the year in 41
which application for a reduction in taxes is made, as 42
determined under division (A) of section 5747.01 of the Revised 43
Code. 44

(D) "Permanently and totally disabled" means that a person 45
other than a disabled veteran has, on the first day of January 46

of the year of application for reduction in real estate taxes, 47
some impairment in body or mind that makes the person unable to 48
work at any substantially remunerative employment that the 49
person is reasonably able to perform and that will, with 50
reasonable probability, continue for an indefinite period of at 51
least twelve months without any present indication of recovery 52
therefrom or has been certified as permanently and totally 53
disabled by a state or federal agency having the function of so 54
classifying persons. 55

(E) "Housing cooperative" means a housing complex of at 56
least two units that is owned and operated by a nonprofit 57
corporation that issues a share of the corporation's stock to an 58
individual, entitling the individual to live in a unit of the 59
complex, and collects a monthly maintenance fee from the 60
individual to maintain, operate, and pay the taxes of the 61
complex. 62

(F) "Disabled veteran" means a person who is a veteran of 63
the armed forces of the United States, including reserve 64
components thereof, or of the national guard, who has been 65
discharged or released from active duty in the armed forces 66
under honorable conditions, and who has received a total 67
disability rating or a total disability rating for compensation 68
based on individual unemployability for a service-connected 69
disability or combination of service-connected disabilities as 70
prescribed in Title 38, Part 4 of the Code of Federal 71
Regulations, as amended. 72

(G) "Public service officer" means a peace officer, 73
firefighter, first responder, EMT-basic, EMT-I, or paramedic, or 74
an individual holding any equivalent position in another state. 75

(H) "Killed in the line of duty" means either of the 76

<u>following:</u>	77
<u>(1) Death in the line of duty;</u>	78
<u>(2) Death from injury sustained in the line of duty,</u>	79
<u>including heart attack or other fatal injury or illness caused</u>	80
<u>while in the line of duty.</u>	81
<u>(I) "Peace officer" has the same meaning as in section</u>	82
<u>2935.01 of the Revised Code.</u>	83
<u>(J) "Firefighter" means a firefighter, whether paid or</u>	84
<u>volunteer, of a lawfully constituted fire department.</u>	85
<u>(K) "First responder," "EMT-basic," "EMT-I," and</u>	86
<u>"paramedic" have the same meanings as in section 4765.01 of the</u>	87
<u>Revised Code.</u>	88
Sec. 323.152. In addition to the reduction in taxes	89
required under section 319.302 of the Revised Code, taxes shall	90
be reduced as provided in divisions (A) and (B) of this section.	91
(A) (1) (a) Division (A) (1) of this section applies to any	92
of the following persons:	93
(i) A person who is permanently and totally disabled;	94
(ii) A person who is sixty-five years of age or older;	95
(iii) A person who is the surviving spouse of a deceased	96
person who was permanently and totally disabled or sixty-five	97
years of age or older and who applied and qualified for a	98
reduction in taxes under this division in the year of death,	99
provided the surviving spouse is at least fifty-nine but not	100
sixty-five or more years of age on the date the deceased spouse	101
dies.	102
(b) Real property taxes on a homestead owned and occupied,	103

or a homestead in a housing cooperative occupied, by a person to 104
whom division (A) (1) of this section applies shall be reduced 105
for each year for which an application for the reduction has 106
been approved. The reduction shall equal one of the following 107
amounts, as applicable to the person: 108

(i) If the person received a reduction under division (A) 109
(1) of this section for tax year 2006, the greater of the 110
reduction for that tax year or the amount computed under 111
division (A) (1) (c) of this section; 112

(ii) If the person received, for any homestead, a 113
reduction under division (A) (1) of this section for tax year 114
2013 or under division (A) of section 4503.065 of the Revised 115
Code for tax year 2014 or the person is the surviving spouse of 116
such a person and the surviving spouse is at least fifty-nine 117
years of age on the date the deceased spouse dies, the amount 118
computed under division (A) (1) (c) of this section. For purposes 119
of divisions (A) (1) (b) (ii) and (iii) of this section, a person 120
receives a reduction under division (A) (1) of this section or 121
under division (A) of section 4503.065 of the Revised Code for 122
tax year 2013 or 2014, respectively, if the person files a late 123
application for that respective tax year that is approved by the 124
county auditor under section 323.153 or 4503.066 of the Revised 125
Code. 126

(iii) If the person is not described in division (A) (1) (b) 127
(i) or (ii) of this section and the person's total income does 128
not exceed thirty thousand dollars, as adjusted under division 129
(A) (1) (d) of this section, the amount computed under division 130
(A) (1) (c) of this section. 131

(c) The amount of the reduction under division (A) (1) (c) 132
of this section equals the product of the following: 133

(i) Twenty-five thousand dollars of the true value of the property in money;	134 135
(ii) The assessment percentage established by the tax commissioner under division (B) of section 5715.01 of the Revised Code, not to exceed thirty-five per cent;	136 137 138
(iii) The effective tax rate used to calculate the taxes charged against the property for the current year, where "effective tax rate" is defined as in section 323.08 of the Revised Code;	139 140 141 142
(iv) The quantity equal to one minus the sum of the percentage reductions in taxes received by the property for the current tax year under section 319.302 of the Revised Code and division (B) of section 323.152 of the Revised Code.	143 144 145 146
(d) Each calendar year, the tax commissioner shall adjust the total income threshold described in division (A) (1) (b) (iii) of this section by completing the following calculations in September of each year:	147 148 149 150
(i) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States department of commerce from the first day of January of the preceding calendar year to the last day of December of the preceding calendar year;	151 152 153 154 155
(ii) Multiply that percentage increase by the total income threshold for the current tax year;	156 157
(iii) Add the resulting product to the total income threshold for the current tax year;	158 159
(iv) Round the resulting sum to the nearest multiple of one hundred dollars.	160 161

The commissioner shall certify the amount resulting from 162
the adjustment to each county auditor not later than the first 163
day of December each year. The certified amount applies to the 164
following tax year for persons described in division (A) (1) (b) 165
(iii) of this section. The commissioner shall not make the 166
adjustment in any calendar year in which the amount resulting 167
from the adjustment would be less than the total income 168
threshold for the current tax year. 169

(2) Real property taxes on a homestead owned and occupied, 170
or a homestead in a housing cooperative occupied, by a disabled 171
veteran shall be reduced for each year for which an application 172
for the reduction has been approved. The reduction shall equal 173
the product obtained by multiplying fifty thousand dollars of 174
the true value of the property in money by the amounts described 175
in divisions (A) (1) (c) (ii) to (iv) of this section. The 176
reduction is in lieu of any reduction under section 323.158 of 177
the Revised Code or division (A) (1) or (3) of this section. The 178
reduction applies to only one homestead owned and occupied by a 179
disabled veteran. 180

If a homestead qualifies for a reduction in taxes under 181
division (A) (2) of this section for the year in which the 182
disabled veteran dies, and the disabled veteran is survived by a 183
spouse who occupied the homestead when the disabled veteran died 184
and who acquires ownership of the homestead or, in the case of a 185
homestead that is a unit in a housing cooperative, continues to 186
occupy the homestead, the reduction shall continue through the 187
year in which the surviving spouse dies or remarries. 188

(3) Real property taxes on a homestead owned and occupied, 189
or a homestead in a housing cooperative occupied, by the 190
surviving spouse of a public service officer killed in the line 191

of duty shall be reduced for each year for which an application 192
for the reduction has been approved. The reduction shall equal 193
the product obtained by multiplying fifty thousand dollars of 194
the true value of the property in money by the amounts described 195
in divisions (A) (1) (c) (ii) to (iv) of this section. The 196
reduction is in lieu of any reduction under section 323.158 of 197
the Revised Code or division (A) (1) or (2) of this section. The 198
reduction applies to only one homestead owned and occupied by 199
such a surviving spouse. A homestead qualifies for a reduction 200
in taxes under division (A) (3) of this section for the tax year 201
in which the public service officer dies through the tax year in 202
which the surviving spouse dies or remarries. 203

(B) To provide a partial exemption, real property taxes on 204
any homestead, and manufactured home taxes on any manufactured 205
or mobile home on which a manufactured home tax is assessed 206
pursuant to division (D) (2) of section 4503.06 of the Revised 207
Code, shall be reduced for each year for which an application 208
for the reduction has been approved. The amount of the reduction 209
shall equal two and one-half per cent of the amount of taxes to 210
be levied by qualifying levies on the homestead or the 211
manufactured or mobile home after applying section 319.301 of 212
the Revised Code. For the purposes of this division, "qualifying 213
levy" has the same meaning as in section 319.302 of the Revised 214
Code. 215

(C) The reductions granted by this section do not apply to 216
special assessments or respread of assessments levied against 217
the homestead, and if there is a transfer of ownership 218
subsequent to the filing of an application for a reduction in 219
taxes, such reductions are not forfeited for such year by virtue 220
of such transfer. 221

(D) The reductions in taxable value referred to in this 222
section shall be applied solely as a factor for the purpose of 223
computing the reduction of taxes under this section and shall 224
not affect the total value of property in any subdivision or 225
taxing district as listed and assessed for taxation on the tax 226
lists and duplicates, or any direct or indirect limitations on 227
indebtedness of a subdivision or taxing district. If after 228
application of sections 5705.31 and 5705.32 of the Revised Code, 229
including the allocation of all levies within the ten-mill 230
limitation to debt charges to the extent therein provided, there 231
would be insufficient funds for payment of debt charges not 232
provided for by levies in excess of the ten-mill limitation, the 233
reduction of taxes provided for in sections 323.151 to 323.159 234
of the Revised Code shall be proportionately adjusted to the 235
extent necessary to provide such funds from levies within the 236
ten-mill limitation. 237

(E) No reduction shall be made on the taxes due on the 238
homestead of any person convicted of violating division (D) or 239
(E) of section 323.153 of the Revised Code for a period of three 240
years following the conviction. 241

Sec. 323.153. (A) To obtain a reduction in real property 242
taxes under division (A) or (B) of section 323.152 of the 243
Revised Code or in manufactured home taxes under division (B) of 244
section 323.152 of the Revised Code, the owner shall file an 245
application with the county auditor of the county in which the 246
owner's homestead is located. 247

To obtain a reduction in real property taxes under 248
division (A) of section 323.152 of the Revised Code, the 249
occupant of a homestead in a housing cooperative shall file an 250
application with the nonprofit corporation that owns and 251

operates the housing cooperative, in accordance with this 252
paragraph. Not later than the first day of March each year, the 253
corporation shall obtain applications from the county auditor's 254
office and provide one to each new occupant. Not later than the 255
first day of May, any occupant who may be eligible for a 256
reduction in taxes under division (A) of section 323.152 of the 257
Revised Code shall submit the completed application to the 258
corporation. Not later than the fifteenth day of May, the 259
corporation shall file all completed applications, and the 260
information required by division (B) of section 323.159 of the 261
Revised Code, with the county auditor of the county in which the 262
occupants' homesteads are located. Continuing applications shall 263
be furnished to an occupant in the manner provided in division 264
(C) (4) of this section. 265

(1) An application for reduction based upon a physical 266
disability shall be accompanied by a certificate signed by a 267
physician, and an application for reduction based upon a mental 268
disability shall be accompanied by a certificate signed by a 269
physician or psychologist licensed to practice in this state, 270
attesting to the fact that the applicant is permanently and 271
totally disabled. The certificate shall be in a form that the 272
tax commissioner requires and shall include the definition of 273
permanently and totally disabled as set forth in section 323.151 274
of the Revised Code. An application for reduction based upon a 275
disability certified as permanent and total by a state or 276
federal agency having the function of so classifying persons 277
shall be accompanied by a certificate from that agency. ~~An~~ 278

An application by a disabled veteran for the reduction 279
under division (A) (2) of section 323.152 of the Revised Code 280
shall be accompanied by a letter or other written confirmation 281
from the United States department of veterans affairs, or its 282

predecessor or successor agency, showing that the veteran 283
qualifies as a disabled veteran. 284

An application by the surviving spouse of a public service 285
officer killed in the line of duty for the reduction under 286
division (A) (3) of section 323.152 of the Revised Code shall be 287
accompanied by a letter or other written confirmation from an 288
employee or officer of the board of trustees of a retirement or 289
pension fund in this state or another state or from the chief or 290
other chief executive of the department, agency, or other 291
employer for which the public service officer served when killed 292
in the line of duty affirming that the public service officer 293
was killed in the line of duty. 294

An application for a reduction under division (A) of 295
section 323.152 of the Revised Code constitutes a continuing 296
application for a reduction in taxes for each year in which the 297
dwelling is the applicant's homestead. 298

(2) An application for a reduction in taxes under division 299
(B) of section 323.152 of the Revised Code shall be filed only 300
if the homestead or manufactured or mobile home was transferred 301
in the preceding year or did not qualify for and receive the 302
reduction in taxes under that division for the preceding tax 303
year. The application for homesteads transferred in the 304
preceding year shall be incorporated into any form used by the 305
county auditor to administer the tax law in respect to the 306
conveyance of real property pursuant to section 319.20 of the 307
Revised Code or of used manufactured homes or used mobile homes 308
as defined in section 5739.0210 of the Revised Code. The owner 309
of a manufactured or mobile home who has elected under division 310
(D) (4) of section 4503.06 of the Revised Code to be taxed under 311
division (D) (2) of that section for the ensuing year may file 312

the application at the time of making that election. The 313
application shall contain a statement that failure by the 314
applicant to affirm on the application that the dwelling on the 315
property conveyed is the applicant's homestead prohibits the 316
owner from receiving the reduction in taxes until a proper 317
application is filed within the period prescribed by division 318
(A) (3) of this section. Such an application constitutes a 319
continuing application for a reduction in taxes for each year in 320
which the dwelling is the applicant's homestead. 321

(3) Failure to receive a new application filed under 322
division (A) (1) or (2) or notification under division (C) of 323
this section after an application for reduction has been 324
approved is prima-facie evidence that the original applicant is 325
entitled to the reduction in taxes calculated on the basis of 326
the information contained in the original application. The 327
original application and any subsequent application, including 328
any late application, shall be in the form of a signed statement 329
and shall be filed on or before the thirty-first day of December 330
of the year for which the reduction is sought. The original 331
application and any subsequent application for a reduction in 332
manufactured home taxes shall be filed in the year preceding the 333
year for which the reduction is sought. The statement shall be 334
on a form, devised and supplied by the tax commissioner, which 335
shall require no more information than is necessary to establish 336
the applicant's eligibility for the reduction in taxes and the 337
amount of the reduction, and, except for homesteads that are 338
units in a housing cooperative, shall include an affirmation by 339
the applicant that ownership of the homestead was not acquired 340
from a person, other than the applicant's spouse, related to the 341
owner by consanguinity or affinity for the purpose of qualifying 342
for the real property or manufactured home tax reduction 343

provided for in division (A) or (B) of section 323.152 of the Revised Code. The form shall contain a statement that conviction of willfully falsifying information to obtain a reduction in taxes or failing to comply with division (C) of this section results in the revocation of the right to the reduction for a period of three years. In the case of an application for a reduction in taxes for persons described in division (A) (1) (b) (iii) of section 323.152 of the Revised Code, the form shall contain a statement that signing the application constitutes a delegation of authority by the applicant to the tax commissioner or the county auditor, individually or in consultation with each other, to examine any tax or financial records relating to the income of the applicant as stated on the application for the purpose of determining eligibility for the exemption or a possible violation of division (D) or (E) of this section.

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

The amount of such reduction shall be treated by the auditor as an overpayment of taxes by the applicant and shall be refunded in the manner prescribed in section 5715.22 of the Revised Code for making refunds of overpayments. The county auditor shall certify the total amount of the reductions in taxes made in the current year under this division to the tax

commissioner, who shall treat the full amount thereof as a 375
reduction in taxes for the preceding tax year and shall make 376
reimbursement to the county therefor in the manner prescribed by 377
section 323.156 of the Revised Code, from money appropriated for 378
that purpose. 379

(C) (1) If, in any year after an application has been filed 380
under division (A) (1) or (2) of this section, the owner does not 381
qualify for a reduction in taxes on the homestead or on the 382
manufactured or mobile home set forth on such application, the 383
owner shall notify the county auditor that the owner is not 384
qualified for a reduction in taxes. 385

(2) If, in any year after an application has been filed 386
under division (A) (1) of this section, the occupant of a 387
homestead in a housing cooperative does not qualify for a 388
reduction in taxes on the homestead, the occupant shall notify 389
the county auditor that the occupant is not qualified for a 390
reduction in taxes or file a new application under division (A) 391
(1) of this section. 392

(3) If the county auditor or county treasurer discovers 393
that the owner of property not entitled to the reduction in 394
taxes under division (B) of section 323.152 of the Revised Code 395
failed to notify the county auditor as required by division (C) 396
(1) of this section, a charge shall be imposed against the 397
property in the amount by which taxes were reduced under that 398
division for each tax year the county auditor ascertains that 399
the property was not entitled to the reduction and was owned by 400
the current owner. Interest shall accrue in the manner 401
prescribed by division (B) of section 323.121 or division (G) (2) 402
of section 4503.06 of the Revised Code on the amount by which 403
taxes were reduced for each such tax year as if the reduction 404

became delinquent taxes at the close of the last day the second 405
installment of taxes for that tax year could be paid without 406
penalty. The county auditor shall notify the owner, by ordinary 407
mail, of the charge, of the owner's right to appeal the charge, 408
and of the manner in which the owner may appeal. The owner may 409
appeal the imposition of the charge and interest by filing an 410
appeal with the county board of revision not later than the last 411
day prescribed for payment of real and public utility property 412
taxes under section 323.12 of the Revised Code following receipt 413
of the notice and occurring at least ninety days after receipt 414
of the notice. The appeal shall be treated in the same manner as 415
a complaint relating to the valuation or assessment of real 416
property under Chapter 5715. of the Revised Code. The charge and 417
any interest shall be collected as other delinquent taxes. 418

(4) Each year during January, the county auditor shall 419
furnish by ordinary mail a continuing application to each person 420
receiving a reduction under division (A) of section 323.152 of 421
the Revised Code. The continuing application shall be used to 422
report changes in total income, ownership, occupancy, 423
disability, and other information earlier furnished the auditor 424
relative to the reduction in taxes on the property. The 425
continuing application shall be returned to the auditor not 426
later than the thirty-first day of December; provided, that if 427
such changes do not affect the status of the homestead exemption 428
or the amount of the reduction to which the owner is entitled 429
under division (A) of section 323.152 of the Revised Code or to 430
which the occupant is entitled under section 323.159 of the 431
Revised Code, the application does not need to be returned. 432

(5) Each year during February, the county auditor, except 433
as otherwise provided in this paragraph, shall furnish by 434
ordinary mail an original application to the owner, as of the 435

first day of January of that year, of a homestead or a 436
manufactured or mobile home that transferred during the 437
preceding calendar year and that qualified for and received a 438
reduction in taxes under division (B) of section 323.152 of the 439
Revised Code for the preceding tax year. In order to receive the 440
reduction under that division, the owner shall file the 441
application with the county auditor not later than the thirty- 442
first day of December. If the application is not timely filed, 443
the auditor shall not grant a reduction in taxes for the 444
homestead for the current year, and shall notify the owner that 445
the reduction in taxes has not been granted, in the same manner 446
prescribed under section 323.154 of the Revised Code for 447
notification of denial of an application. Failure of an owner to 448
receive an application does not excuse the failure of the owner 449
to file an original application. The county auditor is not 450
required to furnish an application under this paragraph for any 451
homestead for which application has previously been made on a 452
form incorporated into any form used by the county auditor to 453
administer the tax law in respect to the conveyance of real 454
property or of used manufactured homes or used mobile homes, and 455
an owner who previously has applied on such a form is not 456
required to return an application furnished under this 457
paragraph. 458

(D) No person shall knowingly make a false statement for 459
the purpose of obtaining a reduction in the person's real 460
property or manufactured home taxes under section 323.152 of the 461
Revised Code. 462

(E) No person shall knowingly fail to notify the county 463
auditor of changes required by division (C) of this section that 464
have the effect of maintaining or securing a reduction in taxes 465
under section 323.152 of the Revised Code. 466

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

Sec. 4503.064. As used in sections 4503.064 to 4503.069 of the Revised Code:

(A) "Sixty-five years of age or older" means a person who will be age sixty-five or older in the calendar year following the year of application for reduction in the assessable value of the person's manufactured or mobile home.

(B) "Permanently and totally disabled" means that a person other than a disabled veteran has, on the first day of January of the year of application, including late application, for reduction in the assessable value of a manufactured or mobile home, some impairment in body or mind that makes the person unable to work at any substantially remunerative employment which the person is reasonably able to perform and which will, with reasonable probability, continue for an indefinite period of at least twelve months without any present indication of recovery therefrom or has been certified as permanently and totally disabled by a state or federal agency having the function of so classifying persons.

(C) "Homestead exemption" means the reduction in taxes allowed under division (A) of section 323.152 of the Revised Code for the year in which an application is filed under section 4503.066 of the Revised Code.

(D) "Manufactured home" has the meaning given in division (C) (4) of section 3781.06 of the Revised Code, and includes a structure consisting of two manufactured homes that were

purchased either together or separately and are combined to form 496
a single dwelling, but does not include a manufactured home that 497
is taxed as real property pursuant to division (B) of section 498
4503.06 of the Revised Code. 499

(E) "Mobile home" has the meaning given in division (O) of 500
section 4501.01 of the Revised Code and includes a structure 501
consisting of two mobile homes that were purchased together or 502
separately and combined to form a single dwelling, but does not 503
include a mobile home that is taxed as real property pursuant to 504
division (B) of section 4503.06 of the Revised Code. 505

(F) "Late application" means an application filed with an 506
original application under division (A) (3) of section 4503.066 507
of the Revised Code. 508

(G) "Total income," ~~and~~ "disabled veteran," "public 509
service officer," and "killed in the line of duty" have the same 510
meanings as in section 323.151 of the Revised Code. 511

Sec. 4503.065. (A) (1) Division (A) of this section applies 512
to any of the following persons: 513

(a) An individual who is permanently and totally disabled; 514

(b) An individual who is sixty-five years of age or older; 515

(c) An individual who is the surviving spouse of a 516
deceased person who was permanently and totally disabled or 517
sixty-five years of age or older and who applied and qualified 518
for a reduction in assessable value under this section in the 519
year of death, provided the surviving spouse is at least fifty- 520
nine but not sixty-five or more years of age on the date the 521
deceased spouse dies. 522

(2) The manufactured home tax on a manufactured or mobile 523

home that is paid pursuant to division (C) of section 4503.06 of 524
the Revised Code and that is owned and occupied as a home by an 525
individual whose domicile is in this state and to whom this 526
section applies, shall be reduced for any tax year for which an 527
application for such reduction has been approved, provided the 528
individual did not acquire ownership from a person, other than 529
the individual's spouse, related by consanguinity or affinity 530
for the purpose of qualifying for the reduction. An owner 531
includes a settlor of a revocable or irrevocable inter vivos 532
trust holding the title to a manufactured or mobile home 533
occupied by the settlor as of right under the trust. 534

(a) For manufactured and mobile homes for which the tax 535
imposed by section 4503.06 of the Revised Code is computed under 536
division (D)(2) of that section, the reduction shall equal one 537
of the following amounts, as applicable to the person: 538

(i) If the person received a reduction under this section 539
for tax year 2007, the greater of the reduction for that tax 540
year or the amount computed under division (A)(2)(b) of this 541
section; 542

(ii) If the person received, for any homestead, a 543
reduction under division (A) of this section for tax year 2014 544
or under division (A)(1) of section 323.152 of the Revised Code 545
for tax year 2013 or the person is the surviving spouse of such 546
a person and the surviving spouse is at least fifty-nine years 547
of age on the date the deceased spouse dies, the amount computed 548
under division (A)(2)(b) of this section. For purposes of 549
divisions (A)(2)(a)(ii) and (iii) of this section, a person 550
receives a reduction under division (A) of this section or 551
division (A)(1) of section 323.152 of the Revised Code for tax 552
year 2014 or 2013, respectively, if the person files a late 553

application for that respective tax year that is approved by the 554
county auditor under section 4503.066 or 323.153 of the Revised 555
Code. 556

(iii) If the person is not described in division (A) (2) (a) 557
(i) or (ii) of this section and the person's total income does 558
not exceed thirty thousand dollars, as adjusted under division 559
(A) (2) (e) of this section, the amount computed under division 560
(A) (2) (b) of this section. 561

(b) The amount of the reduction under division (A) (2) (b) 562
of this section equals the product of the following: 563

(i) Twenty-five thousand dollars of the true value of the 564
property in money; 565

(ii) The assessment percentage established by the tax 566
commissioner under division (B) of section 5715.01 of the 567
Revised Code, not to exceed thirty-five per cent; 568

(iii) The effective tax rate used to calculate the taxes 569
charged against the property for the current year, where 570
"effective tax rate" is defined as in section 323.08 of the 571
Revised Code; 572

(iv) The quantity equal to one minus the sum of the 573
percentage reductions in taxes received by the property for the 574
current tax year under section 319.302 of the Revised Code and 575
division (B) of section 323.152 of the Revised Code. 576

(c) For manufactured and mobile homes for which the tax 577
imposed by section 4503.06 of the Revised Code is computed under 578
division (D) (1) of that section, the reduction shall equal one 579
of the following amounts, as applicable to the person: 580

(i) If the person received a reduction under this section 581

for tax year 2007, the greater of the reduction for that tax 582
year or the amount computed under division (A) (2) (d) of this 583
section; 584

(ii) If the person received, for any homestead, a 585
reduction under division (A) of this section for tax year 2014 586
or under division (A) (1) of section 323.152 of the Revised Code 587
for tax year 2013 or the person is the surviving spouse of such 588
a person and the surviving spouse is at least fifty-nine years 589
of age on the date the deceased spouse dies, the amount computed 590
under division (A) (2) (d) of this section. For purposes of 591
divisions (A) (2) (c) (ii) and (iii) of this section, a person 592
receives a reduction under division (A) of this section or under 593
division (A) (1) of section 323.152 of the Revised Code for tax 594
year 2014 or 2013, respectively, if the person files a late 595
application for a refund of overpayments for that respective tax 596
year that is approved by the county auditor under section 597
4503.066 of the Revised Code. 598

(iii) If the person is not described in division (A) (2) (c) 599
(i) or (ii) of this section and the person's total income does 600
not exceed thirty thousand dollars, as adjusted under division 601
(A) (2) (e) of this section, the amount computed under division 602
(A) (2) (d) of this section. 603

(d) The amount of the reduction under division (A) (2) (d) 604
of this section equals the product of the following: 605

(i) Twenty-five thousand dollars of the cost to the owner, 606
or the market value at the time of purchase, whichever is 607
greater, as those terms are used in division (D) (1) of section 608
4503.06 of the Revised Code; 609

(ii) The percentage from the appropriate schedule in 610

division (D) (1) (b) of section 4503.06 of the Revised Code; 611

(iii) The assessment percentage of forty per cent used in 612
division (D) (1) (b) of section 4503.06 of the Revised Code; 613

(iv) The tax rate of the taxing district in which the home 614
has its situs. 615

(e) Each calendar year, the tax commissioner shall adjust 616
the income threshold described in divisions (A) (2) (a) (iii) and 617
(A) (2) (c) (iii) of this section by completing the following 618
calculations in September of each year: 619

(i) Determine the percentage increase in the gross 620
domestic product deflator determined by the bureau of economic 621
analysis of the United States department of commerce from the 622
first day of January of the preceding calendar year to the last 623
day of December of the preceding calendar year; 624

(ii) Multiply that percentage increase by the total income 625
threshold for the ensuing tax year; 626

(iii) Add the resulting product to the total income 627
threshold for the ensuing tax year; 628

(iv) Round the resulting sum to the nearest multiple of 629
one hundred dollars. 630

The commissioner shall certify the amount resulting from 631
the adjustment to each county auditor not later than the first 632
day of December each year. The certified amount applies to the 633
second ensuing tax year. The commissioner shall not make the 634
adjustment in any calendar year in which the amount resulting 635
from the adjustment would be less than the total income 636
threshold for the ensuing tax year. 637

(B) The manufactured home tax levied pursuant to division 638

(C) of section 4503.06 of the Revised Code on a manufactured or 639
mobile home that is owned and occupied by a disabled veteran 640
shall be reduced for any tax year for which an application for 641
such reduction has been approved, provided the disabled veteran 642
did not acquire ownership from a person, other than the disabled 643
veteran's spouse, related by consanguinity or affinity for the 644
purpose of qualifying for the reduction. An owner includes an 645
owner within the meaning of division (A) (2) of this section. 646

(1) For manufactured and mobile homes for which the tax 647
imposed by section 4503.06 of the Revised Code is computed under 648
division (D) (2) of that section, the reduction shall equal the 649
product obtained by multiplying fifty thousand dollars of the 650
true value of the property in money by the amounts described in 651
divisions (A) (2) (b) (ii) to (iv) of this section. 652

(2) For manufactured and mobile homes for which the tax 653
imposed by section 4503.06 of the Revised Code is computed under 654
division (D) (1) of that section, the reduction shall equal the 655
product obtained by multiplying fifty thousand dollars of the 656
cost to the owner, or the market value at the time of purchase, 657
whichever is greater, as those terms are used in division (D) (1) 658
of section 4503.06 of the Revised Code, by the amounts described 659
in divisions (A) (2) (d) (ii) to (iv) of this section. 660

The reduction is in lieu of any reduction under section 661
4503.0610 of the Revised Code or division (A) or (C) of this 662
section. The reduction applies to only one manufactured or 663
mobile home owned and occupied by a disabled veteran. 664

If a manufactured or mobile home qualifies for a reduction 665
in taxes under this division for the year in which the disabled 666
veteran dies, and the disabled veteran is survived by a spouse 667
who occupied the home when the disabled veteran died and who 668

acquires ownership of the home, the reduction shall continue 669
through the year in which the surviving spouse dies or 670
remarries. 671

(C) The manufactured home tax levied pursuant to division 672
(C) of section 4503.06 of the Revised Code on a manufactured or 673
mobile home that is owned and occupied by the surviving spouse 674
of a public service officer killed in the line of duty shall be 675
reduced for any tax year for which an application for such 676
reduction has been approved, provided the surviving spouse did 677
not acquire ownership from a person, other than the surviving 678
spouse's deceased public service officer spouse, related by 679
consanguinity or affinity for the purpose of qualifying for the 680
reduction. An owner includes an owner within the meaning of 681
division (A) (2) of this section. 682

(1) For manufactured and mobile homes for which the tax 683
imposed by section 4503.06 of the Revised Code is computed under 684
division (D) (2) of that section, the reduction shall equal the 685
product obtained by multiplying fifty thousand dollars of the 686
true value of the property in money by the amounts described in 687
divisions (A) (2) (b) (ii) to (iv) of this section. 688

(2) For manufactured and mobile homes for which the tax 689
imposed by section 4503.06 of the Revised Code is computed under 690
division (D) (1) of that section, the reduction shall equal the 691
product obtained by multiplying fifty thousand dollars of the 692
cost to the owner, or the market value at the time of purchase, 693
whichever is greater, as those terms are used in division (D) (1) 694
of section 4503.06 of the Revised Code, by the amounts described 695
in divisions (A) (2) (d) (ii) to (iv) of this section. 696

The reduction is in lieu of any reduction under section 697
4503.0610 of the Revised Code or division (A) or (B) of this 698

section. The reduction applies to only one manufactured or 699
mobile home owned and occupied by such a surviving spouse. A 700
manufactured or mobile home qualifies for a reduction in taxes 701
under this division for the tax year in which the public service 702
officer dies through the tax year in which the surviving spouse 703
dies or remarries. 704

(D) If the owner or the spouse of the owner of a 705
manufactured or mobile home is eligible for a homestead 706
exemption on the land upon which the home is located, the 707
reduction to which the owner or spouse is entitled under this 708
section shall not exceed the difference between the reduction to 709
which the owner or spouse is entitled under division (A) ~~or~~, 710
(B), or (C) of this section and the amount of the reduction 711
under the homestead exemption. 712

~~(D)~~ (E) No reduction shall be made with respect to the 713
home of any person convicted of violating division (C) or (D) of 714
section 4503.066 of the Revised Code for a period of three years 715
following the conviction. 716

Sec. 4503.066. (A) (1) To obtain a tax reduction under 717
section 4503.065 of the Revised Code, the owner of the home 718
shall file an application with the county auditor of the county 719
in which the home is located. An application for reduction in 720
taxes based upon a physical disability shall be accompanied by a 721
certificate signed by a physician, and an application for 722
reduction in taxes based upon a mental disability shall be 723
accompanied by a certificate signed by a physician or 724
psychologist licensed to practice in this state. The certificate 725
shall attest to the fact that the applicant is permanently and 726
totally disabled, shall be in a form that the department of 727
taxation requires, and shall include the definition of totally 728

and permanently disabled as set forth in section 4503.064 of the Revised Code. An application for reduction in taxes based upon a disability certified as permanent and total by a state or federal agency having the function of so classifying persons shall be accompanied by a certificate from that agency. ~~An~~

An application by a disabled veteran for the reduction under division (B) of section 4503.065 of the Revised Code shall be accompanied by a letter or other written confirmation from the United States department of veterans affairs, or its predecessor or successor agency, showing that the veteran qualifies as a disabled veteran.

An application by the surviving spouse of a public service officer killed in the line of duty for the reduction under division (C) of section 4503.065 of the Revised Code shall be accompanied by a letter or other written confirmation from an officer or employee of the board of trustees of a retirement or pension fund in this state or another state or from the chief or other chief executive of the department, agency, or other employer for which the public service officer served when killed in the line of duty affirming that the public service officer was killed in the line of duty.

(2) Each application shall constitute a continuing application for a reduction in taxes for each year in which the manufactured or mobile home is occupied by the applicant. Failure to receive a new application or notification under division (B) of this section after an application for reduction has been approved is prima-facie evidence that the original applicant is entitled to the reduction calculated on the basis of the information contained in the original application. The original application and any subsequent application shall be in

the form of a signed statement and shall be filed on or before 759
the thirty-first day of December of the year for which the 760
reduction is sought. The statement shall be on a form, devised 761
and supplied by the tax commissioner, that shall require no more 762
information than is necessary to establish the applicant's 763
eligibility for the reduction in taxes and the amount of the 764
reduction to which the applicant is entitled. The form shall 765
contain a statement that signing such application constitutes a 766
delegation of authority by the applicant to the tax commissioner 767
or the county auditor, individually or in consultation with each 768
other, to examine any tax or financial records that relate to 769
the income of the applicant as stated on the application for the 770
purpose of determining eligibility under, or possible violation 771
of, division (C) or (D) of this section. The form also shall 772
contain a statement that conviction of willfully falsifying 773
information to obtain a reduction in taxes or failing to comply 774
with division (B) of this section shall result in the revocation 775
of the right to the reduction for a period of three years. 776

If an application filed for the current tax year is 777
approved after the taxes have been paid for the current year, 778
the amount of the reduction in taxes for the current year shall 779
be treated as an overpayment of taxes in the same manner as a 780
late application under division (A) (3) of this section. 781

(3) A late application for a reduction in taxes for the 782
year preceding the year for which an original application is 783
filed may be filed with an original application. If the auditor 784
determines that the information contained in the late 785
application is correct, the auditor shall determine both the 786
amount of the reduction in taxes to which the applicant would 787
have been entitled for the current tax year had the application 788
been timely filed and approved in the preceding year, and the 789

amount the taxes levied under section 4503.06 of the Revised 790
Code for the current year would have been reduced as a result of 791
the reduction. When an applicant is permanently and totally 792
disabled on the first day of January of the year in which the 793
applicant files a late application, the auditor, in making the 794
determination of the amounts of the reduction in taxes under 795
division (A)(3) of this section, is not required to determine 796
that the applicant was permanently and totally disabled on the 797
first day of January of the preceding year. 798

The amount of the reduction in taxes pursuant to a late 799
application shall be treated as an overpayment of taxes by the 800
applicant. The auditor shall credit the amount of the 801
overpayment against the amount of the taxes or penalties then 802
due from the applicant, and, at the next succeeding settlement, 803
the amount of the credit shall be deducted from the amount of 804
any taxes or penalties distributable to the county or any taxing 805
unit in the county that has received the benefit of the taxes or 806
penalties previously overpaid, in proportion to the benefits 807
previously received. If, after the credit has been made, there 808
remains a balance of the overpayment, or if there are no taxes 809
or penalties due from the applicant, the auditor shall refund 810
that balance to the applicant by a warrant drawn on the county 811
treasurer in favor of the applicant. The treasurer shall pay the 812
warrant from the general fund of the county. If there is 813
insufficient money in the general fund to make the payment, the 814
treasurer shall pay the warrant out of any undivided 815
manufactured or mobile home taxes subsequently received by the 816
treasurer for distribution to the county or taxing district in 817
the county that received the benefit of the overpaid taxes, in 818
proportion to the benefits previously received, and the amount 819
paid from the undivided funds shall be deducted from the money 820

otherwise distributable to the county or taxing district in the 821
county at the next or any succeeding distribution. At the next 822
or any succeeding distribution after making the refund, the 823
treasurer shall reimburse the general fund for any payment made 824
from that fund by deducting the amount of that payment from the 825
money distributable to the county or other taxing unit in the 826
county that has received the benefit of the taxes, in proportion 827
to the benefits previously received. The county auditor shall 828
certify the total amount of the reductions in taxes made in the 829
current year under division (A) (3) of this section to the tax 830
commissioner who shall treat that amount as a reduction in taxes 831
for the current tax year and shall make reimbursement to the 832
county of that amount in the manner prescribed in section 833
4503.068 of the Revised Code, from moneys appropriated for that 834
purpose. 835

(B) If in any year for which an application for reduction 836
in taxes has been approved the owner no longer qualifies for the 837
reduction, the owner shall notify the county auditor that the 838
owner is not qualified for a reduction in taxes. 839

During February of each year, the county auditor shall 840
furnish each person whose application for reduction has been 841
approved, by ordinary mail, a form on which to report any 842
changes in total income, ownership, occupancy, disability, and 843
other information earlier furnished the auditor relative to the 844
application. The form shall be completed and returned to the 845
auditor not later than the thirty-first day of December if the 846
changes would affect the person's eligibility for the reduction. 847

(C) No person shall knowingly make a false statement for 848
the purpose of obtaining a reduction in taxes under section 849
4503.065 of the Revised Code. 850

(D) No person shall knowingly fail to notify the county auditor of any change required by division (B) of this section that has the effect of maintaining or securing a reduction in taxes under section 4503.065 of the Revised Code.

(E) No person shall knowingly make a false statement or certification attesting to any person's physical or mental condition for purposes of qualifying such person for tax relief pursuant to sections 4503.064 to 4503.069 of the Revised Code.

(F) Whoever violates division (C), (D), or (E) of this section is guilty of a misdemeanor of the fourth degree.

Section 2. That existing sections 323.151, 323.152, 323.153, 4503.064, 4503.065, and 4503.066 of the Revised Code are hereby repealed.

Section 3. The amendment by this act of sections 323.151, 323.152, and 323.153 of the Revised Code applies to tax year 2018 and every tax year thereafter. The amendment by this act of sections 4503.064, 4503.065, and 4503.066 of the Revised Code applies to tax year 2019 and every tax year thereafter.