

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 666

Representatives West, Ingram

A BILL

To create a rent rebate pilot program and to 1
transfer funds and make an appropriation to 2
support the program. 3

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

Section 1. As used in this act: 4

(A) "Claimant" means a person who files a claim for a rent 5
rebate with the Department of Commerce for rent paid during the 6
preceding calendar year. 7

(B) "Household income" means all income received by a 8
claimant and the claimant's spouse while residing in the 9
residential rental property during the calendar year for which a 10
rebate is claimed. 11

(C) (1) "Income" means, subject to divisions (C) (2) and (3) 12
of this section, all income from whatever source derived, 13
including all of the following: 14

(a) Salaries, wages, bonuses, commissions, income from 15
self-employment, alimony, support money, and cash public 16
assistance and relief; 17

(b) The gross amount of any pensions or annuities; 18

(c) All benefits received from unemployment insurance;	19
(d) All interest received from the federal or any state government or any political subdivision;	20 21
(e) Realized capital gains and rentals;	22
(f) Workers' compensation benefits.	23
(2) "Income" includes all of the following:	24
(a) Fifty per cent of all benefits received under the "Social Security Act," 42 U.S.C. 301 et seq., except medicare benefits;	25 26 27
(b) The gross amount of loss of time insurance benefits, life insurance benefits and proceeds, except the first five thousand dollars of the total death benefit payments;	28 29 30
(c) Gifts of cash or property, other than transfers by gift between members of a household, in excess of a total value of three hundred dollars.	31 32 33
(3) "Income" does not include medicare benefits, surplus food or other relief in kind supplied by a governmental agency, a property tax or rent rebate or inflation dividend, or federal veterans' disability payments or state veterans' benefits.	34 35 36 37
(D) "Permanently disabled person" means a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to continue indefinitely.	38 39 40 41
(E) "Residential rental property" means real property consisting of one or more dwelling units leased or otherwise rented to tenants solely for residential purposes and occupied by the claimant. "Residential rental property" includes a	42 43 44 45

manufactured home, as defined in section 3781.06 of the Revised Code, a mobile home, or recreational vehicle, as defined in section 4501.01 of the Revised Code, that is used solely for residential purposes. "Residential rental property" does not include a hotel or a college or university dormitory.

(F) "State veterans' benefits" means service-connected compensation or benefits of any kind provided to a veteran or unmarried surviving spouse of a veteran by an agency of this state or authorized under the laws of this state.

(G) "Widow" or "widower" means the surviving spouse who has not remarried.

Section 2. (A) The Department of Commerce shall establish a two-year pilot program in which low-income elderly and disabled persons may apply to the Department to receive a cash payment for a portion of their rent paid the preceding calendar year.

(B) In order to be eligible for the program, the person shall qualify as any of the following at the time the rental payment became due and payable in the preceding calendar year:

(1) The person or the person's spouse who is a member of the household was at least sixty-five years of age.

(2) The person was a widow or widower and was at least fifty years of age.

(3) The person was a permanently disabled person eighteen years of age or older.

(C) The amount of any claim for a rent rebate for rent due and payable during the preceding calendar year shall be determined by the following:

(1) If the household income is fifteen thousand dollars or less, the amount of rent rebate is six hundred fifty dollars.	74 75
(2) If the household income is greater than fifteen thousand dollars and equal to or less than twenty-five thousand dollars, the amount of rent rebate is five hundred dollars.	76 77 78
(D) The maximum amount of rent rebate payable to a claimant shall not exceed the lesser of either of the following:	79 80
(1) The amount of the claim under division (C) of this section;	81 82
(2) Twenty per cent of the gross rent actually paid.	83
(E) The Department shall apportion the rent rebate in accordance with the period or degree of leasehold or eligibility of the claimant in determining the amount of rebate for which the claimant is eligible, including consideration of all of the following:	84 85 86 87 88
(1) The residential rental property is rented and occupied for only a portion of a year or is rented in part by a person who does not meet the qualifications for a claimant, exclusive of any interest leased by a claimant's spouse.	89 90 91 92
(2) The claimant is a widow or widower who remarries.	93
(3) The claimant is a formerly permanently disabled person who is no longer disabled.	94 95
(F) A claimant who receives public housing assistance shall not be eligible for a rent rebate for those months in which the claimant receives the public housing assistance.	96 97 98
Section 3. (A) Except as provided in division (B) of this section, a claim for a rent rebate shall be filed with the	99 100

Department of Commerce on or before the thirtieth day of June of 101
the year next succeeding the end of the calendar year in which 102
rent was due and payable. 103

(B) A claim filed after the thirtieth of June deadline 104
until the thirty-first of December of such calendar year shall 105
be accepted by the Department as long as funds are available to 106
pay the benefits to the late filing claimant. 107

(C) (1) Only one claimant from a residential rental 108
property each year shall be entitled to the rent rebate. 109

(2) If two or more persons are able to meet the 110
qualifications for a claimant, they may determine who the 111
claimant shall be. If they are unable to agree, the Department 112
shall determine to whom the rent rebate is to be paid. 113

(D) Each claim shall include all of the following: 114

(1) Reasonable proof of household income; 115

(2) The size and nature of the property claimed as the 116
residential rental property; 117

(3) Proof that rent has been paid in connection with the 118
occupancy of the residential rental property, however it shall 119
not be necessary that rent was paid directly by the claimant; 120

(4) If the claimant is a widow or widower, a declaration 121
of such status in such manner as prescribed by the Department; 122

(5) If the claimant's eligibility is based on the 123
claimant's permanent disability, then the claimant must provide 124
proof of either of the following: 125

(a) That the claimant is eligible to receive disability 126
benefits under the "Social Security Act," 42 U.S.C 301 et seq. 127

(b) Written documentation by a physician designated by the Department indicating that the physician has performed an examination and the claimant has a permanent disability as determined by using the same standards used by the federal social security administration.

(6) Unless the claimant claims to be a permanently disabled person, the first claim filed shall include proof that the claimant or the claimant's spouse was at least sixty-five years of age, or at least fifty years of age in the case of a widow or widower during the calendar year in which the rent was due and payable.

Section 4. The approved claims shall be paid from the rent rebate assistance fund hereby created in the state treasury. Moneys credited to the fund shall be expended by the Department of Commerce exclusively for the purpose of administering this act. If claims approved by the Department exceed the amount of moneys available in the rent rebate assistance fund for a particular calendar year, then each claimant's rebate for that calendar year shall be reduced by a pro rata amount, so that the total rebate amount does not exceed the amount of the fund for that calendar year.

Section 5. (A) No person shall knowingly file a fraudulent claim under this act.

(B) In any case in which a claim is excessive and was filed fraudulently, the claim shall be disallowed in full, and a penalty of twenty-five per cent of the amount claimed shall be imposed. The Department of Commerce may charge interest on the disallowed amount and the penalty from the date of the claim until repayment to the Department is made.

Section 6. The Department of Commerce shall adopt rules to 157
implement and administer this act, including both of the 158
following: 159

(A) A method in which a person who files a claim, but 160
whose claim is denied, or otherwise adversely affected by the 161
Department may file with the Department a petition for 162
redetermination within ninety days after the date the person is 163
notified of the denial or the otherwise adversely affected 164
claim. 165

(B) A procedure in which the Department will designate a 166
physician for purposes of division (D) (5) of Section 3 of this 167
act. 168

Section 7. All items in this act are hereby appropriated 169
as designated out of any moneys in the state treasury to the 170
credit of the designated fund. For all operating appropriations 171
made in this act, those in the first column are for fiscal year 172
2022 and those in the second column are for fiscal year 2023. 173
The operating appropriations made in this act are in addition to 174
any other operating appropriations made for the FY 2022-FY 2023 175
biennium. 176

Section 8. 177

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A COM DEPARTMENT OF COMMERCE

B Dedicated Purpose Fund Group

C	5SW0	800655	Rent Rebate Program	\$0	\$100,000,000
D	TOTAL Dedicated Purpose Fund Group			\$0	\$100,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$100,000,000

RENT REBATE PROGRAM 179

The foregoing appropriation item 800655, Rent Rebate Program, shall be used by the Department of Commerce to issue rent rebates in accordance with Sections 1 to 6 of this act. 180
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GENERAL REVENUE FUND TRANSFER TO RENT REBATE ASSISTANCE FUND 183
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On July 1, 2022, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$50,000,000 cash from the General Revenue Fund to the Rent Rebate Assistance Fund (Fund 5SW0), which is hereby created in the state treasury. 185
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UNCLAIMED FUND REMITTANCE 190

Notwithstanding division (A) of section 169.05 of the Revised Code, on July 1, 2022, or as soon as possible thereafter, the Director of Budget and Management shall request the Director of Commerce to remit for deposit into the Rent Rebate Assistance Fund (Fund 5SW0) up to \$50,000,000 of unclaimed funds that have been reported by holders of unclaimed funds under section 169.05 of the Revised Code, irrespective of the allocation of the unclaimed funds under that section. The Director of Commerce shall remit the funds at the time requested by the Director of Budget and Management. 191
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Section 9. Within the limits set forth in this act, the 201

Director of Budget and Management shall establish accounts 202
indicating the source and amount of funds for each appropriation 203
made in this act, and shall determine the form and manner in 204
which appropriation accounts shall be maintained. Expenditures 205
from operating appropriations contained in this act shall be 206
accounted for as though made in H.B. 110 of the 134th General 207
Assembly. The operating appropriations made in this act are 208
subject to all provisions of H.B. 110 of the 134th General 209
Assembly that are generally applicable to such appropriations. 210