

Taxation

Am. Sub. H.B. 9

Reps. Boose, Blessing, Hambley, Hood, Scherer, Sprague, Strahorn, Young, Dever, Driehaus, Rogers, Anielski, Antonio, Ashford, Baker, Barnes, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Clyde, Conditt, Derickson, Dovilla, Duffey, Fedor, Green, Grossman, Hackett, Hagan, Henne, Hill, Huffman, T. Johnson, Koehler, Kraus, Lepore-Hagan, Maag, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ramos, Reineke, Retherford, Rezabek, Romanchuk, Ryan, Schuring, Sears, K. Smith, Stinziano, Sweeney, Sykes, Terhar, Thompson

Sens. Gardner, Peterson, Sawyer, Tavares, Uecker

Effective date: March 21, 2017

- Creates a permanent joint legislative committee of six legislators and the Tax Commissioner (or designee) to periodically review all existing "tax expenditures."
- Requires the committee to make recommendations to the General Assembly as to the continuation, modification, or repeal of existing tax expenditures.
- Requires any bill proposing a new or modified tax expenditure to include a statement of the objectives and intent of the tax expenditure.

Sub. H.B. 166

Reps. Green, Brenner, Blessing, Hambley, Becker, Amstutz, Anielski, Boose, Conditt, Cupp, Grossman, Hackett, T. Johnson, McClain, Reineke, Retherford, Rogers, Ruhl, Ryan, Sprague, Thompson, Young

Sens. Beagle, LaRose, Eklund, Hite, Patton, Peterson, Seitz, Uecker

Effective date: September 8, 2016

- Allows municipalities located in a charter county to certify garbage collection fees to the property tax list for collection in the same manner as property taxes.
- Specifies that property owned by an economic development corporation is not considered to be "publicly owned" unless the corporation obtains a property tax exemption based on the property's public use.
- Clarifies provisions of the law governing county land reutilization corporations, and allows them to receive grants under the Abandoned Gas Station Cleanup Grant Program.
- Provides for the creation of a county special elections fund to accept a political subdivision's pre-payment of the estimated expenses of a special election.

- Extends the filing deadline for the homestead exemption and 2.5% property tax reduction until the end of the tax year to which the exemption or reduction applies.
- Extends the dates by which county auditors must take certain actions involving agricultural property enrolled in the current agricultural use value (CAUV) program.
- Requires county auditors to advertise that the county board of revision has completed its annual property tax equalization once a week for two consecutive weeks, rather than for ten consecutive days.
- Eliminates the requirement that intracounty Local Government Fund allocations be reported by certified mail.
- Eliminates the requirement that county auditors certify interest rates to local courts and that the courts post the notice.
- Eliminates the requirement that notices be provided to local taxing authorities regarding pending applications for tax exemption of pollution control or energy conversion or conservation property used in industrial or commercial operations.
- Removes the requirement that statements submitted by persons contracting with local governments certifying whether they owe delinquent tangible personal property taxes in the county be incorporated into a contract if no delinquent tax is owed.
- Requires a party appealing the decision of the Board of Tax Appeals on a complaint originally filed with a county board of revision to submit a copy of the appellate notice to the board of revision and the county auditor.
- Eliminates statutory requirements to obtain permits for traveling exhibitions and licenses and bonds to conduct public auctions of new merchandise.
- Removes a requirement that county auditors audit the contents of a safety deposit box held by a ward of the state before the ward's guardian may access the box.
- Modifies a provision that waives penalties for the late payment of property taxes under certain circumstances by specifying that the county treasurer, not the county auditor, be notified that the waiver requirements are met.

Am. Sub. H.B. 277

Reps. Brenner, Rogers, Hambley, Ruhl, Amstutz, Arndt, Ashford, Baker, Boose, Buchy, Craig, Fedor, Green, Lepore-Hagan, S. O'Brien, Romanchuk, Sprague, Sweeney

Sens. Coley, Hughes, Eklund, Gardner, Jordan, Tavares

Effective date: Emergency, June 28, 2016

- Authorizes a subdivision to impose a 9-1-1 system levy in only the portion of the subdivision that would be served by the 9-1-1 system.

H.B. 466

Reps. R. Smith, Schaffer, Dever, Hambley, Rogers, Amstutz, Anielski, Antani, Antonio, Arndt, Baker, Blessing, Boccieri, Boose, Boyce, Brenner, Brown, Buchy, Burkley, Celebrezze, Conditt, Craig, Cupp, Derickson, DeVitis, Duffey, Fedor, Green, Grossman, Hayes, Henne, T. Johnson, Leland, Lepore-Hagan, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Reece, Reineke, Retherford, Roegner, Romanchuk, Ruhl, Ryan, Schuring, Sears, Sheehy, Sprague, Strahorn, Sweeney, Terhar, Thompson, Young, Rosenberger

Sens. Jordan, Beagle, Balderson, Coley, Eklund, Faber, Hackett, Hottinger, Hughes, Oelslager, Patton, Peterson, Schiavoni, Seitz, Tavares, Uecker

Effective date: October 12, 2016

- Specifically exempts from sales and use tax digital advertising services and certain taxable electronic services that might be provided incidentally or supplementally to digital advertising services.

Sub. S.B. 2

Sens. Peterson, Beagle, Sawyer, Tavares, Balderson, Burke, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Lehner, Obhof, Oelslager, Patton, Seitz, Widener

Reps. Amstutz, Rogers, Cera, Anielski, Baker, Blessing, Boose, Burkley, Cupp, Dever, Dovilla, Duffey, Ginter, Green, Hackett, Hayes, Henne, T. Johnston, Leland, Manning, McClain, Perales, Reineke, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Sweeney, Terhar, Thompson, Young

Effective date: Emergency, February 14, 2016

- Incorporates into Ohio income tax law changes to federal tax law taking effect since April 1, 2015.

Sub. S.B. 172

Sens. Jordan, Seitz, Jones, Beagle, Burke, Coley, Eklund, Hite, Hottinger, Lehner, Patton, Peterson, Uecker

Reps. Scherer, Amstutz, Henne, Baker, Boose, Brenner, Buchy, Dever, Hambley, LaTourette, McClain, Retherford, Romanchuk, Schaffer, Sears, R. Smith, Sprague, Terhar, Thompson, Vitale, Young, Zeltwanger

Effective date: September 14, 2016

- Exempts from sales and use taxation sales of investment metal bullion and investment coins.
- Expands eligibility for a fraternal organization property tax exemption to property of an organization operating under a state governing body that has been operating in Ohio for at least 85 years.
- Extends the deadline for a payment of quarterly municipal income tax employer withholding.
- Modifies the rule for when municipal income tax employer withholding payments are considered to have been made.
- Modifies the rule for when any municipal income tax payment remitted electronically is considered to have been made.

Sub. S.B. 235

Sens. Beagle and Coley, Eklund, Patton, Seitz

Reps. Sprague, Anielski, Antonio, Driehaus, Grossman, Reineke, Schuring, Sheehy, K. Smith, R. Smith, Strahorn, Sweeney, Young, Rosenberger

Effective date: March 28, 2017; contains item vetoes

Taxation

Property tax

- Authorizes local governments to approve property tax exemptions for the increase in value of property planned for commercial or industrial development while the property is in the pre-development stage.
- Terminates the exemption once an occupancy permit is issued, the title is transferred, disqualifying zoning regulations are imposed, or any commercial, industrial, or agricultural operations occur there.
- Requires property taxes to be current as a condition for the exemption.
- Imposes a three-year tax penalty on property subject to the exemption if the title is transferred before any improvements are made or if any commercial, industrial, or agricultural operations occur before an occupancy permit is issued.
- Permits a downtown redevelopment district to include property that was previously part of a tax increment financing district.

Tax credits

- Discontinues the historic rehabilitation tax credit for "catalytic projects" after the FY 2016-2017 biennium.
- Requires the Director of Development Services to approve the application of each qualified person who applied for a catalytic project tax credit in the FY 2016-2017 biennium, but was not awarded one.
- Requires the Director to grant a motion picture tax credit for FY 2018 to a company producing a television program during the first six months of 2017.

Sales and use tax (PARTIALLY VETOED)

- Would have exempted from sales taxation the sale of digitized music from a jukebox, arcade machine, or similar amusement or entertainment device (VETOED).
- Would have modified the sales and use tax exemption for property used in producing oil and natural gas (VETOED).
- Requires a purchaser of employment services that claims exemption from sales or use tax to furnish an exemption certificate to the service provider, i.e., to an employment agency.

Water pollution control facilities (VETOED)

- Would have specified that the Department of Natural Resources is an agency qualified to approve water pollution control facilities for property tax exemption and sales and use tax exemption (VETOED).

Small business investment companies

- Exempts small business investment companies from the financial institutions tax both prospectively and retrospectively to the first year that tax was levied (2014).

Municipal Income Tax Net Operating Loss Committee

- Modifies the information that municipalities must report to the Municipal Income Tax Net Operating Loss Committee, and extends the deadline by which the Committee must complete its work.

Unemployment compensation

- Raises, for a two-year period, the taxable wage base used for the payment of unemployment contributions from \$9,000 to \$9,500.
- Eliminates the unemployment contribution rate increase for paying principal on federal advances.
- Freezes, for calendar years 2018 and 2019, the maximum weekly unemployment benefit amounts at the maximum benefit amounts in effect on the act's effective date.

Climbing facility requirements

- Establishes duties for rock climbers, climbing facility operators, and climbing facility employees while climbing or working in a climbing facility.
- Requires climbing facility operators to obtain liability insurance to cover the facility and file a certificate of insurance with the Department of Commerce.
- Prohibits a climbing facility owner from engaging in facility operations if the insurance policy is cancelled or lapses.
- Creates an express assumption of risk on the part of a climber with respect to an injury sustained while climbing that is a complete defense in a lawsuit brought by a climber against the climbing facility operator for injuries sustained while climbing.
- States the General Assembly's findings with respect to climbing and notes that the act is in the public interest.

Pawnbroker regulations

- Specifies that a pawnbroker must obtain a separate license for each place of business.
- Increases the amount of liquid assets or surety bonds a licensed pawnbroker is required to maintain.
- Increases the amount of interest and fees a pawnbroker can charge for a loan.
- Eliminates a pawnbroker's authority to charge a fee for a lost pledge statement.
- Eliminates the requirement that a pawnbroker retain pledged goods for 72 hours after the pledge is made and permits a pledgor to redeem a loan any time after the pledge is made.
- Prohibits prepayment of interest and storage charges at the time a pawn loan is originated.
- Reduces the continuing education requirements for pawnbrokers from 12 to 8 hours and repeals other requirements relating to continuing education.

Grants for major sports events (VETOED)

- Would have provided for ongoing reappropriation of money set aside to fund grants to local governments hosting major sporting events but remaining unspent at the end of a fiscal year (VETOED).

Animal control

- Applies the law governing animals running at large to all poultry, rather than only to geese.

Use of municipal water and sewer funds

- Reauthorizes municipal corporations in Stark County to use up to 5% of the money in their water and sewer funds for system extensions under certain circumstances during FYs 2017 and 2018.

Hospital board meetings

- Authorizes boards of county hospital trustees, boards of hospital commissioners, and boards of governors of municipal hospitals to attend board meetings by means of communications equipment, regardless of the Open Meetings Act's requirement that a board member be present in person.
- Requires the boards to adopt rules designating the equipment authorized for use during board meetings, establishing procedures for its use, and ensuring verification of the identity of board members attending meetings via communications equipment.

Sub. S.B. 264

Sens. Bacon, Hughes, Jones, Obhof, Patton, Brown, Seitz, Manning, Eklund, Hite, Yuko, Lehner, Balderson, Beagle, Burke, Faber, Gardner, Gentile, Hackett, Hottinger, LaRose, Oelslager, Peterson, Thomas, Uecker, Williams

Reps. R. Smith, Schuring, Anielski, Burkley, Cera, Derickson, Grossman, Hall, Kunze, McClain, Reece, Reineke, Romanchuk, Thompson, Amstutz, Antani, Antonio, Arndt, Baker, Barnes, Boccieri, Boggs, Boose, Boyce, Boyd, Brenner, Brown, Buchy, Celebrezze, Clyde, Condit, Craig, Cupp, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Hagan, Hambley, Hill, G. Johnson, T. Johnson, Koehler, Kuhns, Landis, Leland, Lepore-Hagan, Maag, Manning, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Retherford, Rezabek, Roegner, Rogers, Ruhl, Ryan, Schaffer, Sheehy, Slaby, Strahorn, Sweeney, Terhar, Young, Zeltwanger, Rosenberger

Effective date: August 5, 2016. The act is repealed on August 10, 2016.

- Exempts sales of clothing and school supplies and instructional materials from sales and use taxation during August 5, 6, and 7, 2016.