Executive	As Passed By House	As Reported By Senate Finance
Personal Income Tax		
TAXCD80 Ohio opportunity zone investment tax credit		
		R.C. 122.84
No provision.	No provision.	Makes the following changes to the existing income tax credit for investments in federally authorized Ohio opportunity zones:
No provision.	No provision.	Expands the eligibility to receive a credit allocation (i.e., tax credit certificate) to all investors in Ohio opportunity zones, not just investors subject to the personal income tax. (A nontaxpayer investor that cannot claim the credit may sell or transfer the credit to a taxpayer.)
No provision.	No provision.	Increases, from $1 million to $2 million, the limit on the amount of credits that may be awarded to an individual during a fiscal biennium.
		Fiscal effect: None. A $50 million per fiscal biennium limit on issuance of tax credit certificates in current law is unchanged by the bill.
TAXCD82 Motion picture tax credit		
		R.C. 122.85
No provision.	No provision.	Revokes the eligibility of "production contractors" (persons other than the production company that are involved in a motion picture or Broadway theatrical production) for the motion picture tax credit.
		Fiscal effect: Reduces the value of prospective credits awarded by the Director of Development. Continuing law permits a refundable tax credit that may be claimed for Ohio production expenditures by eligible productions. The total amount issued may not exceed $40 million per fiscal year, but the latest Tax Expenditure Report estimated that

Executive	As Passed By House	As Reported By Senate Finance
		the credit would reduce GRF receipts between $25 million and $30 million per year over the FY 2022- FY2023 biennium. The motion picture tax credit can be taken against the financial institutions tax, income tax and the commercial activity tax.
TAXCD2 Reciprocity agreement deduction		
R.C. 5747.01, Section 803.60	**R.C. 5747.01, Section 803.60**	**R.C. 5747.01, Section 803.60**
Clarifies that income not subject to tax based on a reciprocity agreement between Ohio and another state may be deducted on a taxpayer's annual return. (Those agreements allow nonresidents to be exempted from Ohio's income tax on income earned or received as long as that other state provides the same tax treatment for Ohio residents.)	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD26 Reference to a federal tax credit in Ohio income tax law		
R.C. 5747.01, Section 803.60	**R.C. 5747.01, Section 803.60**	**R.C. 5747.01, Section 803.60**
Amends references in the state's income tax law to the federal "targeted jobs" tax credit, which has been renamed in federal law as the "work opportunity" tax credit.	Same as the Executive.	Same as the Executive.
Fiscal effect: None. The work opportunity tax credit (WOTC) is a federal tax credit available to employers for hiring individuals from certain targeted groups who have faced significant barriers to employment.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD30 Definition of taxable business income - technical amendment		
R.C. 5747.01, 5747.10	**R.C. 5747.01, 5747.10**	**R.C. 5747.01, 5747.10**
Corrects, in the definition of taxable business income, a cross-reference error to the business income deduction.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD37 Railroad retirement benefits		
R.C. 5747.01, Section 803.60	**R.C. 5747.01, Section 803.60**	**R.C. 5747.01, Section 803.60**
Explicitly authorizes a personal income tax deduction for all railroad retirement benefits that are exempt from state taxation under federal law.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD53 Venture capital gains income tax deduction		
	R.C. 5747.01, 122.851, 5703.21	
No provision.	Authorizes an income tax deduction, for taxable years beginning in and after 2026, for all or a portion of capital gains received by investors in certain Ohio-based "venture capital operating companies" (VCOCs) certified by the Director of Development.	No provision.
No provision.	Requires that a VCOC, in order to qualify for certification, must manage, or have capital commitments of, at least $50 million in active assets and must have residents of Ohio constitute at least two-thirds of its managing and general partners. Limits deductibility of gains to those that occur during the period for which the company is certified as an Ohio VCOC.	No provision.
No provision.	Provides that the deduction equals 100% of the capital gain received by the taxpayer in the taxable year from a qualifying interest in an Ohio VCOC attributable to the company's investments in Ohio businesses and 50% of the capital gain received by the taxpayer from a qualifying interest in an Ohio VCOC attributable to the company's investments in all other businesses.	No provision.
	Fiscal effect: LBO staff is uncertain about the total amount of capital gains that will be generated by a VCOC after it is	

Executive	As Passed By House	As Reported By Senate Finance
	certified by the Development Services Agency. However, it is feasible to anticipate an income tax revenue loss of tens of millions per year beginning in FY 2027, albeit with substantial variability in revenue effects from year-to-year.	
TAXCD47 Personal income tax rate reduction		
	R.C. 5747.02, Section 803.97	**R.C. 5747.02, Section 803.97**
No provision.	Reduces tax rates on nonbusiness income by 2% across-the-board, starting for taxable years beginning in 2021.	Replaces the House version with a reduction in nonbusiness tax rates of 3.5% for taxable years beginning in 2021 and an additional 1.5% for taxable years beginning in 2022, for a total 5% reduction (the 1.5% reduction is calculated in comparison to tax year 2020 tax rates).
No provision.	No provision.	Suspends the annual inflation indexing adjustment of income tax brackets and personal exemption amounts for taxable years beginning in 2021 and 2022; indexing resumes in 2023.
	Fiscal effect: Reduces all funds revenue by $170 million in FY 2022 and $180 million in FY 2023. The GRF revenue loss would account for about $164 million and $174 million of these amounts, with the remaining losses split equally between the Local Government Fund and Public Library Fund. There would be an additional one-time revenue loss in FY 2022 associated with a reduction in withholding rates; depending on when the rates are adjusted, which may add roughly $85 million ($82 million GRF) to the FY 2022 revenue loss. (Note: This entry was revised on May 13, 2021. The error in the original estimates was corrected, which resulted in higher revenue loss estimates for both fiscal years. The original estimates showed all funds revenue losses of $148 million in FY 2022 and $156 million in FY 2023 with an additional one-time revenue loss of about $74 million in FY 2022 associated with a reduction in withholding rates.)	**Fiscal effect: The reduction in tax rates would reduce PIT revenue by about $298 million in FY 2022 and about $450 million in FY 2023. In addition, there would be a one time revenue reduction of about $225 million from adjustments to withholding rates, the timing of which would depend on decisions by the Tax Commissioner, but which would likely occur in FY 2022. The suspension of inflation indexing would partially offset these revenue losses, increasing FY 2022 revenue by about $44 million in FY 2022 and $145 million in FY 2023. The GRF share of these revenue losses would be 96.68% under codified law.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD1 Resident credit amended return time period		
R.C. 5747.05	**R.C. 5747.05**	**R.C. 5747.05**
Changes the time within which to file an amended return to report changes to a taxpayer's Ohio resident credit from 60 days to 90 days, making the time period consistent with other amended return deadlines. (Because the resident credit is often contingent on tax required to be paid to another state or the District of Columbia, when the tax liability to the other jurisdiction is corrected, the Ohio resident tax credit must also be corrected.)	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD77 Unemployment compensation income tax withholding		
		R.C. 5747.065, 610.02, 610.03
No provision.	No provision.	Requires the Department of Job and Family Services (JFS) to report and remit state income tax withholding on unemployment compensation on a monthly basis instead of using the frequencies prescribed for employer withholding, which vary according to the overall amount of accumulated withholdings. Amends S.B. 18 of the 134th General Assembly to delay by one year, from 2022 to 2023, the date by which JFS must begin to accept state income tax withholding requests from unemployment compensation recipients.
		Fiscal effect: Potential administrative costs for JFS to report and remit these withholdings. Potential change in the timing of a relatively small amount of personal income tax receipts.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD25 Income tax credit for tax withholdings		
R.C. 5747.08, Section 803.70	**R.C. 5747.08, Section 803.70**	**R.C. 5747.08, Section 803.70**
Clarifies that any income tax withheld, including from a taxpayer's wages, lottery and casino winnings, or retirement income, entitles the taxpayer to a credit for such amounts on the taxpayer's annual return.	Same as the Executive.	Same as the Executive.
States that the provision is intended to clarify existing law and applies to taxable years beginning on and after January 1, 2016.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD27 Business Income Deduction (BID) reporting requirement		
R.C. 5747.08, Section 803.80		**R.C. 5747.08, Section 803.130**
Removes the requirement that taxpayers claiming the business income deduction indicate on their annual return the North American Industry Classification System (NAICS) code of each business or professional activity from which that income is derived.	No provision.	Same as the Executive.
Fiscal effect: None. The reporting requirement was originally imposed by S.B. 26 of the 133rd General Assembly, which provided that, beginning with tax year 2020, taxpayers claiming the BID must report the 6-digit NAICS code for each of their sources of business income on "Ohio Schedule IT BUS," for purposes of the state income tax.		**Fiscal effect: Same as the Executive.**
TAXCD79 College savings 529 plan deduction expansion		
		R.C. 5747.70, 5747.01, Section 803.200
No provision.	No provision.	Expands the income tax deduction allowed for contributions to Ohio's 529 education savings program to include contributions to 529 programs established by other states.

Executive	As Passed By House	As Reported By Senate Finance
		Fiscal effect: Loss of revenue from Ohio's PIT, likely in the low millions. PIT revenue is deposited into the GRF.
TAXCD73 Income tax credits for education-related items		
		R.C. 5747.72, 5747.08, 5747.73, and 5747.98; Section 803.97
No provision.	No provision.	Authorizes the following two nonrefundable income tax credits for taxable years beginning on or after January 1, 2021:
1) No provision.	1) No provision.	1) A credit of up to $250 for certain education expenses for one or more of the taxpayer's dependents who are home schooled for the school year;
2) No provision.	2) No provision.	2) A credit of up to $1,000 for cash donations made to nonprofit scholarship granting organizations for primary and secondary school students that prioritize awards to low-income students and are certified by the Attorney General.
		Fiscal effect: State personal income tax revenue loss from the $250 credit per taxpayer for homeschooled dependents estimated at $2.8 million per year by Department of Taxation. In FY 2020, 33,238 students were homeschooled in Ohio, Department of Education figures show. Additional losses for donations to scholarship granting organizations are uncertain, because of insufficient data, are expected in a range with an upper end of $70 million, in a Department of Taxation estimate. GRF revenue losses would reduce distributions to the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065), which each receive 1.66% of GRF tax revenues in codified law. The rest of the loss would remain with the GRF.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD76 Income tax credit for private school tuition		
		R.C. 5747.75, 5747.08, and 5747.98; Section 803.180
No provision.	No provision.	Authorizes a nonrefundable income tax credit of up to $2,500 per year for tuition paid for one or more dependents to attend a nonchartered nonpublic school (i.e., a private school that is not chartered by the State Board of Education). Limits eligibility to taxpayers whose total federal adjusted gross income (FAGI), or the total FAGI of the taxpayer and spouse if filing jointly, does not exceed 300% of the federal poverty level.
		Fiscal effect: Potential all-funds revenue loss in excess of $2.1 million per year, in Department of Taxation estimates, including more than $2.0 million loss to the GRF and less than $0.1 million loss to the Local Government Fund (LGF, Fund 7069) and the Public Library Fund (PLF, Fund 7065). The LGF and PLF each receive 1.66% of GRF tax revenue in codified law.
TAXCD52 Income tax deduction for capital gain from sale of business		
	R.C. 5747.79, 5747.01	
No provision.	Allows an income tax deduction, beginning tax year 2026, for capital gains for taxpayers with an ownership interest in a business. Provides that the deduction equals the lesser of 1) the capital gain or 2) a percentage of the business' payroll over a specified period, based on the taxpayer's proportionate interest in the business.	No provision.
No provision.	Allows the deduction to taxpayers who either 1) materially participated in a business that was headquartered in Ohio for the five preceding years or 2) made a venture capital investment of at least $1 million in such a business. Provides that the deduction based on the business' payroll is based on	No provision.

Executive	As Passed By House	As Reported By Senate Finance
	payroll as defined for income tax withholding purposes, excluding amounts paid to the taxpayer or specified relatives of the taxpayer. **Fiscal effect: Revenue loss to the GRF, Local Government Fund, and Public Library Fund, beginning in FY 2027. Revenue losses likely would vary considerably from year to year. The Department of Taxation estimates annual revenue losses ranging from the upper tens of millions to the lower to middle hundreds of millions of dollars.**	
TAXCD64 Eliminate campaign contribution tax credit		
		R.C. 5747.98, 5747.29 (repealed); Section 803.160
No provision.	No provision.	Eliminates the nonrefundable dollar-for-dollar income tax credit (up to $50 for individuals or $100 for joint filers) for contributions made to the campaign committees of certain candidates for state offices. (The credit was previously repealed by H.B. 166 of the 133rd General Assembly, but was later reinstated by S.B. 39 of the 133rd General Assembly.) **Fiscal effect: Increases all-funds state income tax revenue. In tax years 2015-2019, credits totaled $2.5 million to $4.0 million per year. Increases revenue to the Local Government Fund (LGF, Fund 7069) and the Public Library Fund (PLF, Fund 7065), each of which receive 1.66% of GRF tax revenue under codified law. Increases amounts remaining in the GRF after transfers to the LGF and PLF.**
TAXCD36 Fraudulent unemployment compensation		
Section: 757.10	**Section: 757.10**	**Section: 757.10**
Declares that the State of Ohio does not intend to impose tax on unemployment compensation reported to a person whose identity was fraudulently used by a third party to collect unemployment compensation.	Same as the Executive, but requires the publication of information about such fraud on the websites of the Department of Job and Family Services and the Department of Taxation until June 2023.	Same as the House.

Executive	As Passed By House	As Reported By Senate Finance
Fiscal effect: None. The Internal Revenue Service instructs taxpayers who are unable to obtain a timely, corrected Form 1099-G for unemployment benefits from states to file an accurate tax return, reporting only the income they received. Taxpayers are not expected to include unemployment benefits they did not actually receive because of identity theft.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Sales and Use Taxes

TAXCD68 Sales tax exemption for sales of employment services

Executive	As Passed By House	As Reported By Senate Finance
		R.C. 5739.01, 5739.02, 5739.03, Section 803.93
No provision.	No provision.	Exempts employment services (providing personnel to perform work under the supervision and control of the purchaser) and employment placement services (locating employment for a job-seeker or locating job candidates for an employer) from sales and use tax. **Fiscal effect: Reduces sales tax revenue in FY 2022 to the GRF by $92.4 million, the LGF and the PLF by a combined $3.2 million and by $25.6 million to counties and transit authorities. Reduces sales tax revenue in FY 2023 to the GRF by $138.6 million, the LGF and the PLF by a combined $4.8 million and by $38.5 million to counties and transit authorities. Estimates are from the Department of Taxation.**

TAXCD75 Sales tax exemption for nonprofit fitness and recreational and sports club facilities

Executive	As Passed By House	As Reported By Senate Finance
		R.C. 5739.01, Section 803.93
No provision.	No provision.	Exempts from the sales and use tax memberships to physical fitness facilities or recreational and sports club facilities operated by nonprofit 501(c)(3) organizations. **Fiscal effect: Would reduce revenue from the sales and use tax to the GRF by up to $6.2 million in FY 2022 and up to $8.6 million in FY 2023. Would also reduce distributions to**

Executive	As Passed By House	As Reported By Senate Finance
		the LGF and the PLF by a total of $0.2 million to $0.3 million per year. Would decrease revenue from permissive county and transit authorities sales taxes by up to $2.2 million per year.
TAXCD40 Sales tax exemption-investment metal bullion and coins		
	R.C. 5739.02, Section 803.93	**R.C. 5739.02, Section 803.93**
No provision.	Reinstates the sales and use tax exemption for sales of investment metal bullion and investment coins. (The exemption was repealed by H.B. 166 of the 133rd General Assembly.)	Same as the House.
	Fiscal effect: Reduces sales tax revenue by about $4.6 million in FY 2022 and $6.9 million in FY 2023. GRF losses would be $4.4 million and $6.7 million, respectively. Combined losses to the LGF and the PLF would be about $0.2 million each year. Reduces revenue from permissive county and transit authorities sales taxes by $1.1 million in FY 2022 and $1.7 million in FY 2023.	**Fiscal effect: Same as the House.**
TAXCD49 County sales tax -operation of detention facility		
	R.C. 5739.021	**R.C. 5739.021**
No provision.	Authorizes county sales taxes levied to fund the construction, acquisition, equipping, or repair of a detention facility to additionally be used to fund the facility's operations. (Continuing law authorizes counties, under certain circumstances, to levy up to a 0.5% sales tax for this purpose).	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD33 Use tax for remote sellers		
R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30	**R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30**	**R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30**
Repeals certain provisions of use tax law that would have applied only in the event that an act of Congress authorized states to compel "remote sellers" to collect and remit use tax.	Same as the Executive.	Same as the Executive.
Fiscal effect: None. Following a U.S. Supreme Court decision in 2018 which allowed states to require collection and remittance of use tax by remote sellers, H.B. 166 (133rd G.A.) enacted language implementing the Court's decision. The Court's decision made Congressional action unnecessary, which made the provisions to be repealed obsolete.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Commercial Activity Tax

Executive	As Passed By House	As Reported By Senate Finance
TAXCD28 JCTC reporting of work-from home employees		
R.C. 122.17	**R.C. 122.17**	**R.C. 122.17**
Allows any business that receives the Job Creation Tax Credit (JCTC) to include work-from-home employees in its annual reporting of employment and payroll, thus allowing those employees' payroll to count towards computing and verifying the credit, beginning with reports filed for 2020. (Current law only allows JCTC recipients whose applications were approved after September 29, 2017, to include work-from-home employees).	Same as the Executive.	Same as the Executive.
Fiscal effect: None. (Potentially prevents a loss of approved credits for taxpayers with JCTC agreements authorized prior to September 29, 2017, and whose employees may be required to work from home).	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD29 JCTC expansion - alternative eligibility		
R.C. 122.17, 122.86, Section 701.20		
Requires the Director of Development to adopt rules establishing alternative JCTC eligibility requirements for businesses that do not meet the minimum employment (ten new employees) or payroll thresholds prescribed by current rules but are otherwise eligible for the credit. Limits total credits awarded under the new eligibility criteria to $25 million per fiscal biennium.	No provision.	No provision.
Reduces, from $50 million to $25 million, the biennial credit allotment for an existing income tax credit for investments in smaller businesses. (This credit is issued by the Director of Development).	No provision.	No provision.
Fiscal effect: The JCTC may be claimed against the commercial activity tax (CAT), the petroleum activity tax, the personal income tax, the financial institutions tax, the domestic and foreign insurance taxes, and the corporate franchise tax. The executive anticipates this provision would reduce CAT receipts to the GRF by $10 million in FY 2023, the earliest expected revenue loss.		

Executive	As Passed By House	As Reported By Senate Finance
TAXCD71 Job retention tax credit: priority of applications		
		R.C. 122.171
No provision.	No provision.	Requires the Tax Credit Authority and Director of Development, when recommending and approving job retention tax credit (JRTC) applications, to give priority to applications that meet one or more of the following criteria: (1) the applicant has not received a JRTC or job creation tax credit (JCTC) for the same location within the preceding five years, (2) the applicant is not currently receiving a JRTC or JCTC, (3) the applicant's facility has been operating in Ohio for the preceding 10 years, (4) the project will involve more than routine maintenance, and (5) the applicant intends to use materials and equipment sourced from Ohio businesses in the project. **Fiscal effect: None.**
TAXCD69 Permanent CAT exemption for BWC dividends		
		R.C. 5751.01, Section 803.170
No provision.	No provision.	Authorizes a CAT exemption for Bureau of Workers' Compensation (BWC) dividends paid to employers, beginning with dividends paid in 2022. (S.B. 18 of the 134th General Assembly exempted dividends paid in 2020 and 2021). **Fiscal effect: Decreases yearly CAT receipts by an uncertain amount, dependent on BWC distributions to employers. CAT receipts are distributed to the GRF (85%), the School District Tangible Property Tax Replacement Fund (Fund 7047, 13%) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081, 2%).**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD34 Common ownership test for CAT taxpayers groups		
R.C. 5751.015		
Codifies an administrative rule related to which business entities are considered to be part of a consolidated elected or combined taxpayer group. (Under the CAT, each entity in a consolidated elected taxpayer group may elect, and each entity in a combined taxpayer group is required, to aggregate their taxable gross receipts and file as a single taxpayer.)	No provision.	No provision.
Fiscal effect: None.		
TAXCD41 Commercial activity tax (CAT) administrative earmark		
	R.C. 5751.02, 812.20	**R.C. 5751.02, 812.20**
No provision.	Reduces from 0.65% to 0.5% beginning July 1, 2021, the percentage of CAT revenue credited to the Revenue Enhancement Fund (Fund 2280).	Same as the House, but reduces the percentage only from 0.65% to 0.575%.
	Fiscal effect: Lowers the amount of CAT revenue deposited into Fund 2280 for the Department's tax administration purposes by about $3.3 million each fiscal year, and correspondingly increases the combined amount of CAT receipts deposited in the GRF (85%), the School District Tangible Property Tax Replacement Fund (Fund 7047, 13%), and the Local Government Tangible Property Tax Replacement Fund (Fund 7081, 2%) by $3.3 million per year.	**Fiscal effect: Same as the House, but reduces revenue to Fund 2280 by roughly $1.7 million instead of $3.3 million, with commensurate gains to the GRF and Funds 7047 and 7081.**
TAXCD31 Calculation of the annual minimum tax for the CAT		
R.C. 5751.03, Section 812.20	**R.C. 5751.03, Section 812.20**	**R.C. 5751.03, Section 812.20**
Requires the calculation of the annual minimum tax applicable to the first $1 million in taxable gross receipts to be determined on the basis of taxable gross receipts reported in the preceding, rather than the current calendar year.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
Fiscal effect: None. (Clarifies the reporting requirement for AMT taxpayers and reduces the process of reconciling actual tax paid with what was actually owed, as current law demands taxpayers estimate future gross receipts.)	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD32 CAT: QDC technical amendment		
R.C. 5751.40	**R.C. 5751.40**	**R.C. 5751.40**
Corrects a cross reference error in the law governing the qualified distribution center (QDC) exclusion used in computing taxable gross receipts for the CAT.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

<u>Cigarette Taxes</u>

Executive	As Passed By House	As Reported By Senate Finance
TAXCD72 Changes to cigarette minimum pricing		
		R.C. 1333.11, 1333.12 through 1333.15
No provision.	No provision.	Qualifies the manner in which cigarettes' wholesale minimum sale price is calculated.
No provision.	No provision.	Prescribes the manner by which a wholesaler must obtain the Tax Commissioner's approval before using its actual cost of doing business in pricing cigarettes instead of statutory cost.
No provision.	No provision.	Explicitly permits one wholesaler to sell cigarettes to another wholesaler without having to recover the minimum wholesale cost.
No provision.	No provision.	Requires a retailer or wholesaler to obtain approval from the Commissioner before conducting cigarette sales exempt from the minimum pricing law.
No provision.	No provision.	Explicitly requires a competitor's price to be approved by the Commissioner before another wholesaler may match the competitor's price.

Executive	As Passed By House	As Reported By Senate Finance
No provision.	No provision.	Clarifies an existing offense prohibiting a wholesaler from selling cigarettes at less than the applicable minimum sale price. **Fiscal effect: None.**

<u>Financial Institutions Tax</u>

TAXCD12 Financial institutions tax - technical amendment

Executive	As Passed By House	As Reported By Senate Finance
R.C. 5726.20, Section 803.50	**R.C. 5726.20, Section 803.50**	**R.C. 5726.20, Section 803.50**
Corrects an erroneous cross-reference in the financial institutions tax law.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

<u>Kilowatt-hour and Natural Gas Consumption Taxes</u>

TAXCD48 Kilowatt-hour tax exemption

Executive	As Passed By House	As Reported By Senate Finance
	R.C. 5727.80, 5727.81 and Section 803.100	**R.C. 5727.80, 5727.81 and Section 803.100**
No provision.	Clarifies the law exempting certain end users from the kilowatt-hour tax by specifying that the tax does not apply to an end user that (1) generates its own electricity primarily for its own consumption on the same premises, but that also provides excess electricity to other entities, or (2) generates its own electricity primarily for its own consumption at a facility that is located on property that is contiguous to the property on which the electricity is consumed, provided, in either case, the generation facility does not initially exceed the end user's necessary electricity needs. (Currently, an end user is exempt if it uses self-generated electricity on the same site where the electricity was generated.)	Same as the House.
No provision.	States that the amendment is intended to clarify existing law.	Same as the House.
	Fiscal effect: The Tax Department estimates that this would reduce all funds revenue by approximately $2.6 million in	**Fiscal effect: Same as the House.**

Executive	As Passed By House	As Reported By Senate Finance
	FY 2022 and $3.9 million in FY 2023, of which the GRF revenue loss would be about $2.5 million and $3.8 million in FY 2022 and FY 2023, respectively. The remaining approximately $0.1 million revenue loss each year would be split equally between the Local Government Fund and Public Library Fund. The reductions to LGF and PLF allocations will reduce distributions to counties, municipalities, townships, public libraries and other political subdivisions.	

Property Taxes and Transfer Fees

TAXCD45 Property tax exemption: urban agricultural area

Executive	As Passed By House	As Reported By Senate Finance
	R.C. 323.161, 319.302, 323.155	
No provision.	Allows a county with a population between 400,000 and 450,000 (Lucas County) to designate areas within the boundaries of a municipality an "urban agricultural area" and to allow qualifying urban farmers located within such an area to apply for a full or partial exemption only from property taxes charged by the county. Limits the initial term of the exemption to five years or less, but permits it to be renewed. Specifies that the urban farm must not be enrolled in the current agricultural use valuation program, and the urban farmer must meet certain eligibility criteria in order to **Fiscal effect: May result in loss of property tax revenue to Lucas County. The county's levies totaled about 20.08 mills or 2% for tax year 2020, implying that the county could choose to exempt taxes totaling about that percentage of the taxable value of the qualifying urban farm.**	No provision.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD43 Clark County lodging tax		
	R.C. 351.021	
No provision.	Authorizes a county that has a 2000 population of between 130,000 and 150,000, and that has a city with a 2000 population of more than 50,000 (Clark County), to increase its existing Convention Facilities Authority lodging tax rate from 3% to 4%. **Fiscal effect: Department of Taxation data indicate that 6% lodging taxes in the City of Springfield and two townships, all in Clark County, raised $1.1 million in 2018. Based on these figures, a 1 percentage point increase in Clark County's lodging tax might raise about $190,000 per year. (No data are shown in this source for the county's lodging tax.)**	No provision.
TAXCD61 JEDD notice, petition, and contract requirements		
		R.C. 715.72
No provision.	No provision.	Makes the following changes to the procedure for creating certain joint economic development districts (JEDDs): 1) Modifies the notice and opt-out procedures for certain property that (a) is located within 1/2 mile of the JEDD or (b) receives water or sewer services under certain agreements from a municipality that is not part of the JEDD, and 2) Requires that the JEDD contract include certain information relating to the district's public utility infrastructure, if the proposed JEDD would include any property in which any non-JEDD party would provide water or sewer services. **Fiscal effect: None.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD56 Special assessments exemption: nonprofit arts institutions		
		R.C. 727.031, 1710.06, 6101.48, and 6101.53; Section 803.30
No provision.	No provision.	Temporarily exempts, for tax years 2020 to 2024, real property (1) located in a county having a population greater than 500,000 but less than 540,000 and (2) owned and operated by a qualifying tax-exempt nonprofit arts institution, or a limited liability company whose sole member is such an institution, from special assessments levied by a municipality, special improvement district, or a conservancy district, but only if that owner and operator does not currently owe any delinquent special assessments. Requires the county auditor and treasurer to refund any special assessments already paid for a tax year in which such real property qualifies for the exemption, i.e., tax year 2020.
		Fiscal effect: Will result in loss of revenue from special assessments on qualifying property located in Montgomery County.
TAXCD44 Improper homestead exemption recovery		
	R.C. 4503.066, 323.153	**R.C. 4503.066, 323.153**
No provision.	Imposes a charge against real property or manufactured or mobile homes receiving the homestead exemption if the property owner or occupant failed to notify the county auditor that the owner or occupant no longer qualified for the exemption, as required under continuing law. Specifies the amount of the charge equals the tax savings, plus interest, for each tax year that the owner or occupant did not qualify for the exemption.	Same as the House.
	Fiscal effect: Increases local property tax receipts by an indeterminate amount on behalf of erroneously claimed	**Fiscal effect: Same as the House.**

Executive	As Passed By House	As Reported By Senate Finance
	homestead exemptions later recovered by the applicable county. Although existing law provides for the recoupment of the owner-occupancy reduction (i.e., 2.5% property tax rollback) if the auditor later discovers that the owner was not entitled to the reduction and failed to notify the auditor, there is no similar reference in law for the recoupment of a homestead exemption. Nor is there any reference to an auditor's ability to retroactively invalidate a prior year's application or continuing application.	
TAXCD46 Emergency and police services combined levy		
	R.C. 5705.19, Section 803.90	**R.C. 5705.19, Section 803.90**
No provision.	Authorizes a municipal corporation or a township to permanently impose, with voter approval, a combined levy for fire and emergency medical services (EMS) and police services. (Separate police and fire/EMS levies may already be levied for a continuing period, and combined levies may already be levied for five or fewer years.)	Same as the House.
	Fiscal effect: Allows another option for funding local police and fire/EMS services, reducing the number of times levies would need voter approval.	**Fiscal effect: Same as the House.**
TAXCD54 Wetland-related property tax exemption		
		R.C. 5709.09, Section 803.140
No provision.	No provision.	Authorizes a property tax exemption for certain property owned by a charitable organization and used for federal or state wetland mitigation or water quality improvement projects.
		Fiscal effect: May result in revenue losses for local governments, the extent of which appears uncertain.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD4 Property tax exemption for supportive mental health housing		
R.C. 5709.121, Section 803.30	**R.C. 5709.121, Section 803.30**	
Authorizes a property tax exemption for qualifying housing used by individuals diagnosed with mental illness or substance use disorder and their families. Applies beginning in tax year 2021, as well as to any pending tax exemption application.	Same as the Executive.	No provision. (An identical provision was recently enacted in S.B. 57 of the 134th General Assembly.)
Fiscal effect: Expanded criteria under which housing for disabled persons may qualify for property tax exemption may result in lower real property tax revenue to school districts and other units of local government. Such property was determined to be taxable in a recent Board of Tax Appeals decision. Revenue loss from tax exemption is uncertain but may range up to $15 million-$32 million per year.	**Fiscal effect: Same as the Executive.**	
TAXCD51 Disability housing property tax exemption		
	R.C. 5709.121, Section 803.30	
No provision.	Modifies the eligibility criteria for an existing tax exemption for property used to provide housing to persons with developmental disabilities. Waives a requirement in current law, that the charitable organization that owns the property must receive funding from one or more county boards of developmental disabilities, if at least 75% of the persons who lease the property for housing are eligible for certain Medicaid-funded services administered by the Department of Developmental Disabilities.	No provision.
	Fiscal effect: Exempts additional property from taxation. Will result in revenue losses for school districts and local governments.	

Executive	As Passed By House	As Reported By Senate Finance
TAXCD55 Property tax exemption: Arts institution parking garage		
		R.C. 5709.121, Section 803.30
No provision.	No provision.	Temporarily extends, for tax years 2020 to 2024, the charitable use property tax exemption to any parking garage owned and operated by a qualifying tax-exempt nonprofit arts institution, or a limited liability company whose sole member is such an institution, but only if that owner and operator does not currently owe any delinquent property tax.
No provision.	No provision.	Allows the owner and operator of that parking garage to file a special exemption application for tax year 2020 to allow the parking garage to qualify for the tax exemption for that tax year and to receive a refund of any taxes paid.
		Fiscal effect: Will result in loss of property tax revenue from a parking garage in Montgomery County. May apply to other qualifying real property.
TAXCD58 Fraternal organization property tax exemption		
		R.C. 5709.17, Section 803.150
No provision.	No provision.	Allows a fraternal organization operating under a national governing body that has been operating in Ohio for at least 85 years to qualify for the existing property tax exemption for certain of its property. (Currently, the exemption is available only to fraternal organizations operating under a state governing body meeting those requirements.)
		Fiscal effect: Will result in loss of property tax revenue to school districts and local governments.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD59 TIF and downtown development district changes		
		R.C. 5709.40, 5709.41; Section 803.100
No provision.	No provision.	Modifies the law governing tax increment financing districts (TIF) and downtown redevelopment districts (DRD) to (1) allow subdivisions to use TIF or DRD service payments for off-street parking facilities and (2) allow municipalities that create certain types of TIFs the discretion to designate the beginning date of the TIF exemption, rather than the exemption automatically beginning on the effective date of the designating ordinance. (This latter discretion is already allowed to subdivisions creating other types of TIFs and DRDs.) **Fiscal effect: Explicitly allows use of service payments for off-street parking facilities.**
TAXCD78 Exempt property: Notice of taxable use		
		R.C. 5713.083, 803.190
No provision.	No provision.	Requires the owner of tax-exempt property to notify the county auditor if the property ceases to qualify for exemption so that the auditor may return the property to the tax list. Imposes a charge on property whose owner fails to give such notice equal to the tax savings for up to the five preceding years that the property did not qualify for exemption. **Fiscal effect: Likely no fiscal effect for most owners of such property; may result in an increase, likely minimal, for charges imposed for failure to give the required notice.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD65 Valuation of subsidized residential rental property		
		R.C. 5715.01, 5713.03
No provision.	No provision.	Requires federally subsidized residential rental property to be valued for tax purposes based on its market rent without regard to the effects of government police powers or other governmental action, which may include subsidized rent, favorable financing, tax credits, or use restrictions.
		Fiscal effect: Could result in higher tax revenues than otherwise to units of local government, the magnitude of which is uncertain but could be substantial. This conclusion is based on an assumption that the Ohio Supreme Court's 2018 decision in Notestine Manor, Inc. v. Logan Cty. Bd. of Revision would be generally applicable throughout the state. The decision affirmed the use of contract rents in property tax value determinations for certain properties.
TAXCD50 Property tax exemption for qualified energy projects		
	R.C. 5727.75	**R.C. 5727.75**
No provision.	Extends, by two years, the deadline by which the owner or lessee of a qualified renewable energy project may apply for a property tax exemption.	Same as the House.
	Fiscal effect: Potential revenue losses to school districts and other political subdivisions, though revenue losses to counties are permissive in certain cases, as explained below. The provision applies to prospective renewable energy (e.g., wind and solar) facilities that will newly obtain the property tax exemption for the two-year period, tax year (TY) 2024-TY 2025. Once a renewable energy project qualifies for this certification, it is exempt from taxation in all ensuing tax years. Since this exemption was originally enacted in 2010, the Ohio Development Services Agency	**Fiscal effect: Same as the House.**

Executive	As Passed By House	As Reported By Senate Finance
	has certified more than 60 renewable energy projects. The property tax exemption applies to real and tangible personal property used by the energy facility. If the nameplate capacity of a qualified energy project is 20 megawatts (MW) or greater, the local board of county commissioners must approve its tax-exempt status. In return for this approval, the owner or lessee of an energy project must make a payment in lieu of taxes (or "PILOT") ranging between $6,000 and $9,000 per each MW of nameplate capacity.	
TAXCD10 Property tax administration		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Requires the Tax Commissioner in FY 2022, notwithstanding section 5703.80 or division (F) of section 321.24 of the Revised Code, not to compute or certify the amounts calculated under divisions (A) and (B) of that section. Requires the Director of Budget and Management not to transfer any amounts from the General Revenue Fund to the Property Tax Administration Fund (Fund 5V80) in fiscal year 2022.	Same as the Executive.	Same as the Executive.
Prohibits the Director of Budget and Management to transfer any amounts from the General Revenue Fund to the Property Tax Administration Fund in fiscal year 2022, and prohibits the Tax Commissioner to subtract any amounts computed under section 5703.80 of the Revised Code, as amended by this act, from the payments made from the GRF to county treasurers under division (F) of section 321.24 of the Revised Code.	Same as the Executive.	Same as the Executive.
Specifies that the Property Tax Administration Fund shall be funded as provided in section 5703.80 and division (F) of section 321.24 of the Revised Code during FY 2023.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
Fiscal effect: Section 5703.80 provides for funding of property tax administration with 0.25% or less of the amount of the 10% rollback on residential and agricultural real property and 0.45% or less of the amount of taxes on public utility tangible personal property, limited to costs to administer these taxes. These percentages were reduced by H.B. 26 of the 132nd G.A. and calculation of them was suspended in FY 2018 through FY 2021. Prior to FY 2018, revenues to Fund 5V80 considerably outpaced expenditures, and cash accumulated in Fund 5V80, due in part to expansion of pipelines in the state. Property tax administration costs were paid out of these accumulated cash balances during FY 2018 through FY 2021 while transfers to Fund 5V80 were suspended. Property tax administration expenses totaled about $3.6 million in FY 2020. Suspension of transfers is to continue in FY 2022 under the Executive's proposed budget, and transfers resume in FY 2023.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD84 Property tax abatement for charitable use property		
		Section: 757.50
No provision.	No provision.	Establishes a temporary procedure by which a 501(c)(3) organization that acquired property from a school district may apply for a tax exemption and the abatement of more than three years of unpaid property taxes, penalties, and interest due on the property, provided it currently qualifies for the charitable use exemption. (Under continuing law, property is tax-exempt if it is used exclusively for a charitable purpose, but such property may not be exempted if more than three years' worth of taxes remain unpaid.) **Fiscal effect: Will reduce taxes due from a property owner in Stark County and possibly elsewhere on any other**

Executive	As Passed By House	As Reported By Senate Finance
		qualifying property.

Other Taxation Provisions

TAXCD62 Tax Expenditure Review Committee repeal

Executive	As Passed By House	As Reported By Senate Finance
		R.C. 107.03, 5101.806, and 5703.95 (repealed)
No provision.	No provision.	Eliminates the Tax Expenditure Review Committee and its related reporting duties. Repeals a provision recommending that any bill proposing to enact or modify a tax expenditure include a statement of the bill's intent. **Fiscal effect: Possible minimal cost savings for state agencies required to assist the committee, including the Department of Taxation, the Office of Budget and Management, the Department of Development, and the Legislative Service Commission.**

TAXCD83 Transformational mixed use development tax credit

Executive	As Passed By House	As Reported By Senate Finance
		R.C. 122.09
No provision.	No provision.	Modifies an existing insurance premium tax credit for capital contributions to the construction of a transformational mixed use development (TMUD) by (1) extending the sunset date for certifying new TMUD projects by two years, to June 30, 2025; and (2) setting the maximum annual credit allotment for FY 2024 and FY 2025 at $100 million (the same limit that applies under current law to FY 2020 to FY 2022, though no credits have been issued in FY 2020 or FY 2021). **Fiscal effect: None. Potential revenue loss associated with the tax credit may occur in future fiscal years, instead of beginning in FY 2021.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD81 Rural business growth program		
		R.C. 122.15, 122.151, 122.153, 122.154, 122.156, and section 757.60
No provision.	No provision.	Makes the following changes to the existing insurance premiums tax credit for investments in rural business growth funds: Increases by $45 million the amount of tax credits that may be awarded by the Department of Development. (The current tax credit program has already exhausted its previous $45 million credit limit. Under continuing law, credits are claimed in four annual installments following a three-year holding period after the investment is certified as tax-credit eligible.)
No provision.	No provision.	Modifies the eligibility criteria and investment criteria for the new credit allocation as follows: (1) decreases for businesses located in a border county, the percentage of the business's employees who must reside in Ohio or, alternatively, the percentage of the business's payroll that must be paid to Ohio residents in order for investments in that business to be credit-eligible, (2) increases, by one year, the time over which the rural business growth fund must invest its contribution in a way that would qualify for the credit, (3) creates tiers of rural counties, based on population, where eligible investments must occur, and (4) adjusts the amount of credit-eligible contributions that may be invested in a single business.
No provision.	No provision.	Authorizes the Department to begin accepting applications from growth funds to qualify for the new credit allocation beginning 30 days after the bill's 90-day effective date. **Fiscal effect: No revenue impact for the FY2022-FY 2023 biennium. The tax credits created in this amendment and**

Executive	As Passed By House	As Reported By Senate Finance
		associated revenue losses to the GRF, the Local Government Fund, and the Public Library Fund will first occur in FY 2024.
TAXCD13 Wireless 9-1-1 Government Assistance Fund distribution		
R.C. 128.55	**R.C. 128.55**	**R.C. 128.55**
Requires the monthly disbursements made by the Tax Commissioner from the Wireless 9-1-1 Government Assistance Fund (Fund 7093) to county treasurers to be made in the same proportion distributed to that county in the corresponding month of the previous calendar year, instead of the current law disbursements requirement that is based on the same amounts disbursed in the corresponding months in 2013 made by the Public Utilities Commission of Ohio (PUCO).	Same as the Executive.	Same as the Executive.
Requires any shortfall in distributions resulting from the timing of funds received in a previous month to be distributed in the following month. (Under current law, the distribution requirement due to insufficient funds is based on reducing each county's share in proportion to the corresponding month in 2013 until the amount available in Fund 7093 is allocated, and such shortfalls must be remedied in the following month.)	Same as the Executive.	Same as the Executive.
Fiscal effect: None. Total disbursements to counties in calendar year (CY) 2020 were the same as the distributions made by PUCO in CY 2013.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD42 Delinquent municipal income tax collection: federal Treasury Offset Program		
	R.C. 131.025	**R.C. 131.025**
No provision.	Requires the Attorney General to participate in the federal Treasury Offset Program (TOP) for the collection of past due municipal income taxes to the extent that such taxes qualify for the program.	Same as the House.

Executive	As Passed By House	As Reported By Senate Finance
No provision.	Specifies that the Attorney General is the tax administrator with respect to past due municipal income taxes that are certified to the Attorney General for collection solely for the purpose of qualifying for the TOP.	Same as the House.
	Fiscal effect: TOP is a program in which state and federal tax administrators cooperate to collect delinquent taxes. Adding municipal income taxes to the program will increase collections, but likely not by a substantial amount; participation is voluntary for municipalities. Since the state already participates in TOP, additional costs, including AGO costs, would be minimal.	**Fiscal effect: Same as the House.**
TAXCD14 Estate tax filing and fees		
R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41	**R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41**	**R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41**
Makes administrative changes to the repealed estate tax and the fees allowed to officials and agents for collecting the tax. Provides that no estate tax is due for property first discovered after December 31, 2021. (The state estate tax was repealed on January 1, 2013, but the tax continues to apply to newly-discovered property of decedents who died before that date.)	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential revenue loss is likely negligible; estate tax receipts continue to trickle in since the tax was repealed. In FY 2020, receipts were about $0.5 million; about $0.1 million was deposited into the GRF and $0.4 million was the share to local governments.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD70 Local gross receipts taxes and fees on medical marijuana		
		R.C. 3796.31
No provision.	No provision.	Prohibits local governments from imposing a tax or fee based on the gross receipts of medical marijuana businesses, or one that is the same or similar to a tax or fee imposed by the state, unless explicitly authorized by the Revised Code.
		Fiscal effect: Eliminates a potential source of revenue for political subdivisions.
TAXCD18 Verification of liquor permit holder payments to local subdivisions		
R.C. 4303.271, 4303.26, Section 803.20	**R.C. 4303.271, 4303.26, Section 803.20**	**R.C. 4303.271, 4303.26, Section 803.20**
Requires the Tax Commissioner, beginning February 1, 2022, to annually verify that a liquor permit holder is current on its payments of resort area and tourism development district gross receipts taxes, which are levied by certain subdivisions.	Same as the Executive.	Same as the Executive.
Fiscal effect: May increase resort areas and tourism development districts receipts by a minimal amount.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD35 Motor vehicle title fee partial reallocation		
R.C. 4505.09	**R.C. 4505.09**	**R.C. 4505.09**
Reallocates 10¢ of each fee collected on vehicle title issuance from the Motor Vehicle Sales Audit Fund (Fund 4360), used by the Department of Taxation, to the Highway Operating Fund (Fund 7002), used by the Department of Transportation.	Same as the Executive.	Same as the Executive.
Fiscal effect: Revenue increase of approximately $600,000 per fiscal year to Fund 7002, and an equal decline of revenue to Fund 4360.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD20 Sharing information with State Racing Commission, other tax administrators		
R.C. 5703.21	**R.C. 5703.21**	**R.C. 5703.21**
Permits the Department of Taxation to share certain information with the State Racing Commission necessary to verify compliance with horse-racing laws.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Authorizes the Department of Taxation to provide to municipal tax administrators municipal income tax returns or other information filed or reported electronically with the state, including through the Ohio Business Gateway, but only if the return or information relates to that municipality's income taxes.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD3 Tax refund application review process		
R.C. 5703.70	**R.C. 5703.70**	**R.C. 5703.70**
Explicitly authorizes the Tax Commissioner to adjust the amount of a state tax refund multiple times before issuing a final refund determination in response to the refund requestor's submission of additional information following notice of the Commissioner's preliminary determination.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD21 Political subdivision funds transfer approval period		
R.C. 5705.16	**R.C. 5705.16**	**R.C. 5705.16**
Extends, from 10 days to 30 days, the time allowed the Tax Commissioner to approve or disapprove a political subdivision's petition for a transfer of moneys between certain of the subdivision's funds.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
TAXCD11 Pollution control facility tax exemptions		
R.C. 5709.21, Section 803.40		
Requires an application to the Tax Commissioner for a property and sales and use tax exemption for certain facilities used to abate pollution, noise, or energy waste (i.e., an exempt facility certificate) to separately identify property exclusively and necessarily used for the operation of the facility ("exclusive property"), as distinct from auxiliary property that may also be used for other purposes. (A property tax exemption for auxiliary property is calculated differently than for exclusive property.)	No provision.	No provision.
Specifies that the requirement to separately identify exclusive property applies to applications for an exempt facility certificate filed on and after the provision's effective date.	No provision.	No provision.
Requires an applicant to prove which property is exclusive property for applications filed before that date, in which such property was not separately distinguished.	No provision.	No provision.
Fiscal effect: None.		

Executive	As Passed By House	As Reported By Senate Finance
TAXCD74 Municipal income tax temporary COVID-19 withholding rules		
		Section: 610.115, 610.116, 757.40
No provision.	No provision.	Amends section 29 of H.B. 197 of the 133rd General Assembly to provide that a temporary municipal income tax withholding rule in effect during the Governor's COVID-19 emergency declaration extends through December 31, 2021, regardless of when the declaration ends. (Under current law, the rule is set to expire 30 days after the emergency declaration expires; under the temporary rule, employers withhold municipal income taxes to an employee's principal place of work even though the employee may be working from home or another location due to the emergency declaration.)
No provision.	No provision.	States that the temporary rule applies only to an employer's tax withholding obligations and net profit calculation, and not to an employee's actual tax liability.
No provision.	No provision.	Prohibits a municipal tax administrator from assessing tax, penalty, or interest against an employer for the failure to withhold municipal income tax from an employee's wages to the extent the employer withheld taxes to the employee's principal place of work during the period of time the temporary withholding rule is in effect.
No provision.	No provision.	Provides that, if an employee requests a refund of municipal income taxes withheld pursuant to the temporary rule, the municipal tax administrator may not require any documentation from the employer to process the request other than a statement verifying that the employer has not refunded any withholding to the employee and the number of days the employee worked at their employee's principal place of work.

Executive	As Passed By House	As Reported By Senate Finance
No provision.	No provision.	Clarifies the manner in which an employee's municipal corporation of residence may treat the employee's qualifying wages as income if the tax rate of the municipal corporation in which the employee's principal place of work is located is higher than the municipal corporation of residence.
No provision.	No provision.	Clarifies the manner in which an employee's municipal corporation of residence may treat the employee's qualifying wages as income for the purpose of determining the amount of tax if municipal credits to the employee are less than one hundred per cent of the taxes paid to another municipal corporation. **Fiscal effect: Would likely result in an undetermined revenue loss for certain municipalities for calendar years 2020 and 2021. May increase the cost to certain municipalities of processing requests for refunds and other administrative costa.**
TAXCD38 Business incentive tax credits		
Section: 757.20	**Section: 757.20**	**Section: 757.20**
Provides estimates of the amounts of business incentive tax credits that may be authorized and claimed during the biennium and the amount of authorized credits that may be outstanding at the end of the biennium.	Same as the Executive.	Same as the Executive.

Appropriation Language

Executive	As Passed By House	As Reported By Senate Finance
TAXCD5 Tax refunds		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Specifies that appropriation item 110635, Tax Refunds, is to be used to pay refunds under section 5703.052 of the Revised Code. Appropriates additional amounts if needed for this purpose.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD6 Vendor's license payments		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Specifies that appropriation item 110631, Vendor's License Application, is to be used to make payments to county auditors under section 5739.17 of the Revised Code. Appropriates additional amounts if necessary to make such payments.	Same as the Executive.	Same as the Executive.
TAXCD7 International registration plan administration		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Specifies that appropriation item 110616, International Registration Plan Administration, is to be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.	Same as the Executive.	Same as the Executive.
TAXCD8 Travel expenses for the streamlined sales tax project		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Specifies that appropriation item 110607, Local Tax Administration, may be used by the Tax Commissioner to disburse funds, if available, for the purposes of paying travel expenses incurred by members of Ohio's delegation to the Streamlined Sales Tax Project, as appointed under section 5740.02 of the Revised Code. Requires any travel expense reimbursement paid for by the Department of Taxation to be done in accordance with applicable state laws and guidelines.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
TAXCD9 Tobacco settlement enforcement		
Section: 409.20	**Section: 409.20**	**Section: 409.20**
Requires appropriation item 110404, Tobacco Settlement Enforcement, to be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 of the Revised Code.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
AGRCD1 Wine tax revenue credited to the Ohio Grape Industries Fund		
R.C. 4301.43	**R.C. 4301.43**	**R.C. 4301.43**
Makes permanent the 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund (Fund 4960), which is used to support and promote the Ohio grape and wine industry. (Currently, the earmark expires on June 30, 2021).	Same as the Executive.	Same as the Executive.
Fiscal effect: Fund 4960 received approximately $1.2 million from wine tax proceeds in FY 2020. Receipts from the wine tax are otherwise credited to the GRF. In contrast to prior budgets which have extended this provision every two years, this provision makes the 2¢ per-gallon earmark permanent.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
OBMCD6 Void income tax refund warrants		
R.C. 126.37	**R.C. 126.37**	
Reduces the amount of time by which the Director of Budget and Management must void any aged warrant that draws on the state treasury for income tax refunds from two years to 90 days, which is consistent with the time for voiding all other warrants drawn from the state treasury.	Same as the Executive.	No provision.
Fiscal effect: Will result in a one-time gain of perhaps as much as $10 million or more from taxpayers that do not cash their income tax refund checks between 91 days and two years after the warrant is issued.	**Fiscal effect: Same as the Executive.**	

Executive	As Passed By House	As Reported By Senate Finance
COMCD39 Beer and wine tax exemption		
		R.C. 4303.332, 4303.333
No provision.	No provision.	Expands the tax exemption related to wine production to S-1 and S-2 permit holders.
No provision.	No provision.	Eliminates the tax credit for small breweries (A-1c permit holders) for purposes of the state beer tax that applies to the first 9.3 million gallons of annual production of beer sold and distributed in Ohio, and instead establishes a tax exemption for A-1c permit holders that only produce up to 9.3 million gallons or less of beer per calendar year.
		Fiscal effect: Potential GRF revenue loss.

Executive	As Passed By House	As Reported By Senate Finance
Scholarship Programs		
EDUCD193 Scholarship administrative procedures		
		R.C. 3310.16, 3317.022, 3313.978
No provision.	No provision.	Requires ODE to make monthly partial payments of scholarships rather than periodic partial payments.
No provision.	No provision.	Requires the application window for EdChoice and Cleveland scholarships to open on February 1 prior to the school year for which a scholarship is sought, rather than a priority application window opening on February 1 and running not less than 75 days as under current law.
No provision.	No provision.	Requires ODE to determine if an applicant who submits an application is eligible for an EdChoice or Cleveland scholarship within 45 days of receiving the application and provide notification to the applicant regarding the determination.
No provision.	No provision.	Specifies that scholarships awarded after the school year begins must be prorated based on the amount of the school year remaining.
No provision.	No provision.	Requires ODE to do all of the following regarding EdChoice scholarships:
No provision.	No provision.	(1) Accept applications for conditional approval of a scholarship sought for the current or next school year.
No provision.	No provision.	(2) Within five days of receiving an application for conditional approval, grant such approval if the applicant is eligible and notify the applicant of whether or not approval was granted.
No provision.	No provision.	(3) Award a scholarship to a student who receives conditional approval provided that the student enrolls in an eligible chartered nonpublic school within a year of receiving conditional approval and does not change addresses after

Executive	As Passed By House	As Reported By Senate Finance
		receiving approval and prior to enrolling.
No provision.	No provision.	Requires ODE to notify applicants who submitted an application that contains errors or deficiencies within 14 days of receiving the application.
No provision.	No provision.	Prohibits school districts from having access to EdChoice scholarship applications.
No provision.	No provision.	Requires ODE, the Department of Job and Family Services, and the Department of Taxation to enter into a data sharing agreement to assist ODE in determining, when administering EdChoice applications, if a student is eligible for a performance-based EdChoice scholarship or meets the residency requirement for an income-based EdChoice scholarship (that is, the student does not live in Cleveland). **Fiscal effect: May increase ODE's administrative workload to comply with the new timelines. The data sharing agreement with JFS and ODT may increase costs for the three agencies to establish a data sharing infrastructure.**

Executive	As Passed By House	As Reported By Senate Finance
DOHCD45 Wishes for Sick Children eligibility change		
		R.C. 3701.602
No provision.	No provision.	Reduces, from $1,000,000 to $250,000, the amount a nonprofit corporation must spend granting wishes of minors with life-threatening illnesses to qualify for funds from the Wishes for Sick Children Income Tax Contribution Fund (Fund 5SH0).
		Fiscal effect: Additional entities may become eligible to receive funds under this provision.
DOHCD9 Combined health district property tax authority		
R.C. 3709.291		**R.C. 3709.291**
Authorizes combined health districts to levy property tax, with voter approval, for operating expenses.	No provision.	Same as the Executive.
Fiscal effect: Potential increase in administrative costs to county boards of elections, as well as a potential gain in tax revenue for boards of health of a combined health district if a new tax levy is approved. According to ODH, this could facilitate local health district mergers.		**Fiscal effect: Same as the Executive.**

Executive	As Passed By House	As Reported By Senate Finance
INSCD5 Long-term care insurance tax credit study		
	Section: 757.30	
No provision.	Requires the Departments of Insurance and Medicaid to complete a joint study by July 1, 2022, analyzing whether offering tax credits for the purchase of long-term care insurance would increase the number of Ohioans with such insurance. **Fiscal effect: Increase in costs to the departments. If production of the report is contracted out instead of using existing staff, the cost could be in the tens of thousands. Department of Insurance costs would be paid from Fund 5540.**	No provision.

Executive	As Passed By House	As Reported By Senate Finance
DNRCD42 Tax reimbursements for DNR land		
		R.C. 1501.29, 1531.17, and 1546.21
No provision.	No provision.	Requires the Director of Natural Resources to annually reimburse school districts and other taxing units for a portion of forgone property tax revenue resulting from the state's acquisition of certain Department of Natural Resources (DNR) land acquired beginning in 2018.
No provision.	No provision.	Specifies that the payments equal 2.5% of the land's unimproved taxable value for the tax year in which DNR acquired the land.
No provision.	No provision.	Requires that 60% of payments be allocated to school districts and the remaining 40% be allocated to other taxing units.
No provision.	No provision.	Requires the Director to draw the payments from the State Park Fund (Fund 5120), or the Wildlife Fund (Fund 7015), or both.
		Fiscal effect: These provisions appear to apply only to DNR property that encompasses the Jesse Owens State Park and Wildlife Area and Appalachian Hills Wildlife Area in Morgan, Muskingum, and Noble counties. DNR will incur new costs totaling hundreds of thousands of dollars per year to make the required payments.

Executive	As Passed By House	As Reported By Senate Finance
Other Taxation Provisions		
RDFCD9 Public Library Fund		
		Section: 387.10, 387.20
No provision.	No provision.	Increases the share of GRF tax revenue transferred to the Public Library Fund each month from 1.66% in codified law to 1.70% in FY 2022 and FY 2023. **Fiscal effect: Increases RDF appropriation item 110965, Public Library Fund, by $11 million in FY 2022 and by $11 million in FY 2023. The amounts retained by the GRF are reduced by these same amounts.**