

**As Passed by the House**

**125th General Assembly**

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**Sub. H. B. No. 127**

**Representatives Jolivette, Young, Price, S. Patton, Hartnett, Seitz,  
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Reidelbach, Schlichter, Schmidt, Setzer, Sferra, G. Smith, S. Smith,  
D. Stewart, Wagner, Webster, Wilson, Wolpert**

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**A B I L L**

To amend sections 323.152, 718.01, 718.14, 4503.065, 1  
5722.01, and 5722.02 and to enact section 5722.21 2  
of the Revised Code to permit municipal 3  
corporations and townships to acquire 4  
tax-delinquent land for redevelopment free from 5  
liens for the unpaid taxes, to revise municipal 6  
taxation of non-Ohio source S corporation income, 7  
and to change the inflation adjustment rounding 8  
for homestead exemption tax reductions. 9

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

**Section 1.** That sections 323.152, 718.01, 718.14, 4503.065, 10  
5722.01, and 5722.02 be amended and section 5722.21 of the Revised 11  
Code be enacted to read as follows: 12

**Sec. 323.152.** In addition to the reduction in taxes required 13  
under section 319.302 of the Revised Code, taxes shall be reduced 14

as provided in divisions (A) and (B) of this section. 15

(A)(1) Division (A) of this section applies to any of the 16  
following: 17

(a) A person who is permanently and totally disabled; 18

(b) A person who is sixty-five years of age or older; 19

(c) A person who is the surviving spouse of a deceased person 20  
who was permanently and totally disabled or sixty-five years of 21  
age or older and who applied and qualified for a reduction in 22  
taxes under this division in the year of death, provided the 23  
surviving spouse is at least fifty-nine but not sixty-five or more 24  
years of age on the date the deceased spouse dies. 25

(2) Real property taxes on a homestead owned and occupied, or 26  
a homestead in a housing cooperative occupied, by a person to whom 27  
division (A) of this section applies shall be reduced for each 28  
year for which the owner obtains a certificate of reduction from 29  
the county auditor under section 323.154 of the Revised Code or 30  
for which the occupant obtains a certificate of reduction in 31  
accordance with section 323.159 of the Revised Code. The reduction 32  
shall equal the amount obtained by multiplying the tax rate for 33  
the tax year for which the certificate is issued by the reduction 34  
in taxable value shown in the following schedule: 35

Reduce Taxable Value		36
Total Income	by the Lesser of:	37
\$11,900 or less	\$5,000 or seventy-five per cent	38
More than \$11,900 but not more than \$17,500	\$3,000 or sixty per cent	39
More than \$17,500 but not more than \$23,000	\$1,000 or twenty-five per cent	40
More than \$23,000	-0-	41

(3) Each calendar year, the tax commissioner shall adjust the 42  
foregoing schedule by completing the following calculations in 43

September of each year:	44
(a) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States department of commerce from the first day of January of the preceding calendar year to the last day of December of the preceding calendar year;	45 46 47 48 49
(b) Multiply that percentage increase by each of the total income amounts, and by each dollar amount by which taxable value is reduced, for the current tax year;	50 51 52
(c) Add the resulting product to each of the total income amounts, and to each of the dollar amounts by which taxable value is reduced, for the current tax year;	53 54 55
(d) Round the resulting sum <u>for each of the total income amounts</u> to the nearest multiple of one hundred dollars;	56 57
(e) <u>Round the resulting sum for each of the dollar amounts by which taxable value is reduced to the nearest multiple of ten dollars.</u>	58 59 60
The commissioner shall certify the amounts resulting from the adjustment to each county auditor not later than the first day of December each year. The certified amounts apply to the following tax year. The commissioner shall not make the adjustment in any calendar year in which the amounts resulting from the adjustment would be less than the total income amounts, or less than the dollar amounts by which taxable value is reduced, for the current tax year.	61 62 63 64 65 66 67 68
(B) Real property taxes on any homestead, and manufactured home taxes on any manufactured or mobile home on which a manufactured home tax is assessed pursuant to division (D)(2) of section 4503.06 of the Revised Code, shall be reduced for each year for which the owner obtains a certificate of reduction from the county auditor under section 323.154 of the Revised Code. The	69 70 71 72 73 74

amount of the reduction shall equal one-fourth of the amount by 75  
which the taxes charged and payable on the homestead or the 76  
manufactured or mobile home are reduced for such year under 77  
section 319.302 of the Revised Code. 78

(C) The reductions granted by this section do not apply to 79  
special assessments or respread of assessments levied against the 80  
homestead, and if there is a transfer of ownership subsequent to 81  
the filing of an application for a reduction in taxes, such 82  
reductions are not forfeited for such year by virtue of such 83  
transfer. 84

(D) The reductions in taxable value referred to in this 85  
section shall be applied solely as a factor for the purpose of 86  
computing the reduction of taxes under this section and shall not 87  
affect the total value of property in any subdivision or taxing 88  
district as listed and assessed for taxation on the tax lists and 89  
duplicates, or any direct or indirect limitations on indebtedness 90  
of a subdivision or taxing district. If after application of 91  
sections 5705.31 and 5705.32 of the Revised Code, including the 92  
allocation of all levies within the ten-mill limitation to debt 93  
charges to the extent therein provided, there would be 94  
insufficient funds for payment of debt charges not provided for by 95  
levies in excess of the ten-mill limitation, the reduction of 96  
taxes provided for in sections 323.151 to 323.159 of the Revised 97  
Code shall be proportionately adjusted to the extent necessary to 98  
provide such funds from levies within the ten-mill limitation. 99

(E) No reduction shall be made on the taxes due on the 100  
homestead of any person convicted of violating division (C) or (D) 101  
of section 323.153 of the Revised Code for a period of three years 102  
following the conviction. 103

**Sec. 718.01.** (A) As used in this chapter: 104

(1) "Internal Revenue Code" means the Internal Revenue Code 105

of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended.	106
(2) "Schedule C" means internal revenue service schedule C filed by a taxpayer pursuant to the Internal Revenue Code.	107 108
(3) "Form 2106" means internal revenue service form 2106 filed by a taxpayer pursuant to the Internal Revenue Code.	109 110
(4) "Intangible income" means income of any of the following types: income yield, interest, dividends, or other income arising from the ownership, sale, exchange, or other disposition of intangible property including, but not limited to, investments, deposits, money, or credits as those terms are defined in Chapter 5701. of the Revised Code.	111 112 113 114 115 116
(5) "S corporation" means a corporation that has made an election under subchapter S of Chapter 1 of Subtitle A of the Internal Revenue Code for its taxable year.	117 118 119
(B) No municipal corporation with respect to that income that it may tax shall tax such income at other than a uniform rate.	120 121
(C) No municipal corporation shall levy a tax on income at a rate in excess of one per cent without having obtained the approval of the excess by a majority of the electors of the municipality voting on the question at a general, primary, or special election. The legislative authority of the municipal corporation shall file with the board of elections at least seventy-five days before the day of the election a copy of the ordinance together with a resolution specifying the date the election is to be held and directing the board of elections to conduct the election. The ballot shall be in the following form: "Shall the Ordinance providing for a ... per cent levy on income for (Brief description of the purpose of the proposed levy) be passed?	122 123 124 125 126 127 128 129 130 131 132 133 134
FOR THE INCOME TAX	135

AGAINST THE INCOME TAX" 136

In the event of an affirmative vote, the proceeds of the levy 137  
may be used only for the specified purpose. 138

(D)(1) Except as otherwise provided in division (D)(2) or 139  
(F)(9) of this section, no municipal corporation shall exempt from 140  
a tax on income, compensation for personal services of individuals 141  
over eighteen years of age or the net profit from a business or 142  
profession. 143

(2) The legislative authority of a municipal corporation may, 144  
by ordinance or resolution, exempt from a tax on income any 145  
compensation arising from the grant, sale, exchange, or other 146  
disposition of a stock option; the exercise of a stock option; or 147  
the sale, exchange, or other disposition of stock purchased under 148  
a stock option. 149

(E) Nothing in this section shall prevent a municipal 150  
corporation from permitting lawful deductions as prescribed by 151  
ordinance. If a taxpayer's taxable income includes income against 152  
which the taxpayer has taken a deduction for federal income tax 153  
purposes as reportable on the taxpayer's form 2106, and against 154  
which a like deduction has not been allowed by the municipal 155  
corporation, the municipal corporation shall deduct from the 156  
taxpayer's taxable income an amount equal to the deduction shown 157  
on such form allowable against such income, to the extent not 158  
otherwise so allowed as a deduction by the municipal corporation. 159  
In the case of a taxpayer who has a net profit from a business or 160  
profession that is operated as a sole proprietorship, no municipal 161  
corporation may tax or use as the base for determining the amount 162  
of the net profit that shall be considered as having a taxable 163  
situs in the municipal corporation, a greater amount than the net 164  
profit reported by the taxpayer on schedule C filed in reference 165  
to the year in question as taxable income from such sole 166

prietorship, except as otherwise specifically provided by 167  
ordinance or regulation. 168

(F) A municipal corporation shall not tax any of the 169  
following: 170

(1) The military pay or allowances of members of the armed 171  
forces of the United States and of members of their reserve 172  
components, including the Ohio national guard; 173

(2) The income of religious, fraternal, charitable, 174  
scientific, literary, or educational institutions to the extent 175  
that such income is derived from tax-exempt real estate, 176  
tax-exempt tangible or intangible property, or tax-exempt 177  
activities; 178

(3) Except as otherwise provided in division (G) of this 179  
section, intangible income; 180

(4) Compensation paid under section 3501.28 or 3501.36 of the 181  
Revised Code to a person serving as a precinct election official, 182  
to the extent that such compensation does not exceed one thousand 183  
dollars annually. Such compensation in excess of one thousand 184  
dollars may be subjected to taxation by a municipal corporation. A 185  
municipal corporation shall not require the payer of such 186  
compensation to withhold any tax from that compensation. 187

(5) Compensation paid to an employee of a transit authority, 188  
regional transit authority, or regional transit commission created 189  
under Chapter 306. of the Revised Code for operating a transit bus 190  
or other motor vehicle for the authority or commission in or 191  
through the municipal corporation, unless the bus or vehicle is 192  
operated on a regularly scheduled route, the operator is subject 193  
to such a tax by reason of residence or domicile in the municipal 194  
corporation, or the headquarters of the authority or commission is 195  
located within the municipal corporation; 196

(6) The income of a public utility when that public utility 197

is subject to the tax levied under section 5727.24 or 5727.30 of 198  
the Revised Code, except starting January 1, 2002, the income of 199  
an electric company or combined company, as defined in section 200  
5727.01 of the Revised Code, may be taxed by a municipal 201  
corporation, subject to Chapter 5745. of the Revised Code. 202

(7) On and after January 1, 2003, items excluded from federal 203  
gross income pursuant to section 107 of the Internal Revenue Code; 204

(8) On and after January 1, 2001, compensation paid to a 205  
nonresident individual to the extent prohibited under section 206  
718.011 of the Revised Code; 207

(9)(a) An S corporation shareholder's distributive share of 208  
net profits of the S corporation to the extent such distributive 209  
share would not be allocated or apportioned to this state under 210  
divisions (B)(1) and (2) of section 5733.05 of the Revised Code if 211  
the S corporation were a corporation subject to the taxes imposed 212  
under Chapter 5733. of the Revised Code. 213

(b) Except as provided in division (H) of this section, an S 214  
corporation shareholder's distributive share of net profits of the 215  
S corporation that would be so allocated or apportioned to this 216  
state, other than any part of the distributive share of net 217  
profits that represents wages as defined in section 3121(a) of the 218  
Internal Revenue Code or net earnings from self-employment as 219  
defined in section 1402(a) of the Internal Revenue Code, ~~to the 220  
extent such distributive share would not be allocated or 221  
apportioned to this state under division (B)(1) and (2) of section 222  
5733.05 of the Revised Code if the S corporation were a 223  
corporation subject to the taxes imposed under Chapter 5733. of 224  
the Revised Code. 225~~

(G) Any municipal corporation that taxes any type of 226  
intangible income on March 29, 1988, pursuant to Section 3 of 227  
Amended Substitute Senate Bill No. 238 of the 116th general 228



assembly, may continue to tax that type of income after 1988 if a 229  
majority of the electors of the municipal corporation voting on 230  
the question of whether to permit the taxation of that type of 231  
intangible income after 1988 vote in favor thereof at an election 232  
held on November 8, 1988. 233

(H) Any municipal corporation that, on December 6, 2002, 234  
taxes an S corporation shareholder's distributive share of net 235  
profits of the S corporation to any greater extent than that 236  
permitted under division (F)(9)(b) of this section may continue 237  
after 2002 to tax such distributive shares to such greater extent 238  
only if a majority of the electors of the municipal corporation 239  
voting on the question of such continuation vote in favor thereof 240  
at an election held on November 4, 2003. ~~If a majority of electors 241  
vote in favor of that question, then, for purposes of section 242  
718.14 of the Revised Code, "pass through entity" includes S 243  
corporations, "income from a pass through entity" includes 244  
distributive shares from an S corporation, and "owner" includes a 245  
shareholder of an S corporation, notwithstanding that section to 246  
the contrary.~~ 247

(I) Nothing in this section or section 718.02 of the Revised 248  
Code shall authorize the levy of any tax on income that a 249  
municipal corporation is not authorized to levy under existing 250  
laws or shall require a municipal corporation to allow a deduction 251  
from taxable income for losses incurred from a sole proprietorship 252  
or partnership. 253

**Sec. 718.14.** (A) As used in this section: 254

(1) "Limited liability company" means a limited liability 255  
company formed under Chapter 1705. of the Revised Code or under 256  
the laws of another state. 257

(2) "Pass-through entity" means a partnership, limited 258  
liability company, S corporation, or any other class of entity the 259

income or profits from which are given pass-through treatment 260  
under the Internal Revenue Code, ~~excluding an S corporation.~~ 261

(3) "Income from a pass-through entity" means partnership 262  
income of partners, membership interests of members of a limited 263  
liability company, distributive shares of shareholders of an S 264  
corporation, or other distributive or proportionate shares of 265  
income from other pass-through entities. 266

(4) "Owner" means a partner of a partnership, a member of a 267  
limited liability company, a shareholder of an S corporation, or 268  
other person with an ownership interest in a pass-through entity. 269

(5) "Owner's proportionate share," with respect to each owner 270  
of a pass-through entity, means the ratio of (a) the owner's 271  
income from the pass-through entity that is subject to taxation by 272  
the municipal corporation, to (b) the total income from that 273  
entity of all owners whose income from the entity is subject to 274  
taxation by that municipal corporation. 275

(B) On and after January 1, 2003, any municipal corporation 276  
imposing a tax that applies to income from a pass-through entity 277  
shall grant a credit to each owner who is domiciled in the 278  
municipal corporation for taxes paid to another municipal 279  
corporation by a pass-through entity that does not conduct 280  
business in the municipal corporation. The amount of the credit 281  
shall equal the lesser of the following amounts, subject to 282  
division (C) of this section: 283

(1) The owner's proportionate share of the amount, if any, of 284  
tax paid by the pass-through entity to another municipal 285  
corporation in this state; 286

(2) The owner's proportionate share of the amount of tax that 287  
would be imposed on the pass-through entity by the municipal 288  
corporation in which the taxpayer is domiciled if the pass-through 289  
entity conducted business in the municipal corporation. 290

(C) If a municipal corporation grants a credit for a 291  
percentage, less than one hundred per cent, of the amount of 292  
income taxes paid on compensation by an individual who resides or 293  
is domiciled in the municipal corporation to another municipal 294  
corporation, the amount of credit otherwise required by division 295  
(B) of this section shall be multiplied by that percentage. 296

(D) On and after January 1, 2003, any municipal corporation 297  
that imposes a tax on income of or from a pass-through entity 298  
shall specify by ordinance or rule whether the tax applies to 299  
income of the pass-through entity in the hands of the entity or to 300  
income from the pass-through entity in the hands of the owners of 301  
the entity. A municipal corporation may specify a different 302  
ordinance or rule under this division for each of the classes of 303  
pass-through entity enumerated in division (A)(2) of this section. 304

**Sec. 4503.065.** (A) This section applies to any of the 305  
following: 306

(1) An individual who is permanently and totally disabled; 307

(2) An individual who is sixty-five years of age or older; 308

(3) An individual who is the surviving spouse of a deceased 309  
person who was permanently and totally disabled or sixty-five 310  
years of age or older and who applied and qualified for a 311  
reduction in assessable value under this section in the year of 312  
death, provided the surviving spouse is at least fifty-nine but 313  
not sixty-five or more years of age on the date the deceased 314  
spouse dies. 315

(B)(1) The manufactured home tax on a manufactured or mobile 316  
home that is paid pursuant to division (C) of section 4503.06 of 317  
the Revised Code and that is owned and occupied as a home by an 318  
individual whose domicile is in this state and to whom this 319  
section applies, shall be reduced for any tax year for which the 320

owner obtains a certificate of reduction from the county auditor 321  
under section 4503.067 of the Revised Code, provided the 322  
individual did not acquire ownership from a person, other than the 323  
individual's spouse, related by consanguinity or affinity for the 324  
purpose of qualifying for the reduction in assessable value. An 325  
owner includes a settlor of a revocable inter vivos trust holding 326  
the title to a manufactured or mobile home occupied by the settlor 327  
as of right under the trust. The reduction shall equal the amount 328  
obtained by multiplying the tax rate for the tax year for which 329  
the certificate is issued by the reduction in assessable value 330  
shown in the following schedule. 331

	Reduce Assessable Value	
Total Income	by the Lesser of:	
	Column A	Column B
\$11,900 or less	\$5,000 or seventy-five per cent	
More than \$11,900 but not more than \$17,500	\$3,000 or sixty per cent	
More than \$17,500 but not more than \$23,000	\$1,000 or twenty-five per cent	
More than \$23,000		-0-

(2) Each calendar year, the tax commissioner shall adjust the 339  
foregoing schedule by completing the following calculations in 340  
September of each year: 341

(a) Determine the percentage increase in the gross domestic 342  
product deflator determined by the bureau of economic analysis of 343  
the United States department of commerce from the first day of 344  
January of the preceding calendar year to the last day of December 345  
of the preceding calendar year; 346

(b) Multiply that percentage increase by each of the total 347  
income amounts, and by each dollar amount by which assessable 348  
value is reduced, for the ensuing tax year; 349

(c) Add the resulting product to each of the total income 350

amounts, and to each of the dollar amounts by which assessable value is reduced, for the ensuing tax year;

(d) Round the resulting sum for each of the total income amounts to the nearest multiple of one hundred dollars;

(e) Round the resulting sum for each of the dollar amounts by which assessable value is reduced to the nearest multiple of ten dollars.

The commissioner shall certify the amounts resulting from the adjustment to each county auditor not later than the first day of December each year. The certified amounts apply to the second ensuing tax year. The commissioner shall not make the adjustment in any calendar year in which the amounts resulting from the adjustment would be less than the total income amounts, or less than the dollar amounts by which assessable value is reduced, for the ensuing tax year.

(C) If the owner or the spouse of the owner of a manufactured or mobile home is eligible for a homestead exemption on the land upon which the home is located, the reduction in assessable value to which the owner or spouse is entitled under this section shall not exceed the difference between the reduction in assessable value to which the owner or spouse is entitled under column A of the above schedule and the amount of the reduction in taxable value that was used to compute the homestead exemption.

(D) No reduction shall be made on the assessable value of the home of any person convicted of violating division (C) or (D) of section 4503.066 of the Revised Code for a period of three years following the conviction.

**Sec. 5722.01.** As used in this chapter:

(A) "Electing subdivision" means a municipal corporation that has enacted an ordinance or a township or county that has adopted

a resolution pursuant to section 5722.02 of the Revised Code for 381  
purposes of adopting and implementing the procedures set forth in 382  
~~this chapter~~ sections 5722.02 to 5722.15 of the Revised Code. 383

(B) "Delinquent lands" and "delinquent vacant lands" have the 384  
same meanings as in section 5721.01 of the Revised Code. 385

(C) "Land reutilization program" means the procedures and 386  
activities concerning the acquisition, management, and disposition 387  
of affected delinquent lands set forth in ~~this chapter~~ sections 388  
5722.02 to 5722.15 of the Revised Code. 389

(D) "Minimum bid," in the case of a sale of property 390  
foreclosed pursuant to section 323.25 or 5721.18 or foreclosed and 391  
forfeited pursuant to section 5721.14 of the Revised Code, means a 392  
bid in an amount equal to the sum of the taxes, assessments, 393  
charges, penalties, and interest due and payable on the parcel 394  
subsequent to the delivery to the county prosecuting attorney of 395  
the delinquent land or delinquent vacant land tax certificate or 396  
master list of delinquent or delinquent vacant tracts containing 397  
the parcel, and prior to the transfer of the deed of the parcel to 398  
the purchaser following confirmation of sale, plus the costs of 399  
foreclosure or foreclosure and forfeiture proceedings against the 400  
property. 401

(E) "Nonproductive land" means any parcel of delinquent 402  
vacant land with respect to which a foreclosure proceeding 403  
pursuant to section 323.25, a foreclosure proceeding pursuant to 404  
division (A) or (B) of section 5721.18, or a foreclosure and 405  
forfeiture proceeding pursuant to section 5721.14 of the Revised 406  
Code has been instituted; and any parcel of delinquent land with 407  
respect to which a foreclosure proceeding pursuant to section 408  
323.25 or division (A) or (B) of section 5721.18 of the Revised 409  
Code has been instituted, and upon which there are no buildings or 410  
other structures, or upon which there are either: 411

(1) Buildings or other structures that are not in the 412  
occupancy of any person and as to which the township or municipal 413  
corporation within whose boundaries the parcel is situated has 414  
instituted proceedings under section 505.86 or 715.26 of the 415  
Revised Code, or Section 3 of Article XVIII, Ohio Constitution, 416  
for the removal or demolition of such buildings or other 417  
structures by the township or municipal corporation because of 418  
their insecure, unsafe, or structurally defective condition; 419

(2) Buildings or structures that are not in the occupancy of 420  
any person at the time the foreclosure proceeding is initiated and 421  
whose acquisition the municipal corporation, county, or township 422  
determines to be necessary for the implementation of an effective 423  
land reutilization program. 424

(F) "Occupancy" means the actual, continuous, and exclusive 425  
use and possession of a parcel by a person having a lawful right 426  
to such use and possession. 427

(G) "Land within an electing subdivision's boundaries" does 428  
not include land within the boundaries of a municipal corporation 429  
unless the electing subdivision is the municipal corporation. 430

**Sec. 5722.02.** Any municipal corporation, county, or township 431  
may elect to adopt and implement the procedures set forth in ~~this~~ 432  
~~chapter~~ sections 5722.02 to 5722.15 of the Revised Code to 433  
facilitate the effective reutilization of nonproductive land 434  
situated within its boundaries. Such election shall be made by 435  
ordinance in the case of a municipal corporation, and by 436  
resolution in the case of a county or township. The ordinance or 437  
resolution shall state that the existence of nonproductive land 438  
within its boundaries is such as to necessitate the implementation 439  
of a land reutilization program to foster either the return of 440  
such nonproductive land to tax revenue generating status or the 441  
devotion thereof to public use. 442

An electing subdivision shall promptly deliver certified 443  
copies of such ordinance or resolution to the auditor, treasurer, 444  
and the prosecutor of each county in which the electing 445  
subdivision is situated. On and after the effective date of such 446  
ordinance or resolution, the foreclosure, sale, management, and 447  
disposition of all nonproductive land situated within the electing 448  
subdivision's boundaries shall be governed by the procedures set 449  
forth in ~~this chapter~~ sections 5722.02 to 5722.15 of the Revised 450  
Code. 451

**Sec. 5722.21.** (A) As used in this section: 452

(1) "Eligible delinquent land" means delinquent land or 453  
delinquent vacant land, as defined in section 5721.01 of the 454  
Revised Code, included in a delinquent tax list or delinquent 455  
vacant land tax list that has been certified delinquent within the 456  
meaning of section 5721.03 of the Revised Code, excluding any 457  
certificate parcel as defined in section 5721.30 of the Revised 458  
Code. 459

(2) "Delinquent taxes" means the cumulative amount of unpaid 460  
taxes, assessments, recoupment charges, penalties, and interest 461  
charged against eligible delinquent land that became delinquent 462  
before transfer of title to a municipal corporation or township 463  
under this section. 464

(3) "Foreclosure costs" means the sum of all costs or other 465  
charges of publication, service of notice, prosecution, or other 466  
proceedings against the land under sections 323.25 to 323.28 or 467  
Chapter 5721. of the Revised Code as may pertain to delinquent 468  
land or be fairly apportioned to it by the county treasurer. 469

(4) "Tax foreclosure sale" means a sale of delinquent land 470  
pursuant to foreclosure proceedings under sections 323.25 to 471  
323.28 or section 5721.14 or 5721.18 of the Revised Code. 472



(5) "Taxing authority" means the legislative authority of any taxing unit, as defined in section 5705.01 of the Revised Code, in which is located a parcel of eligible delinquent land acquired or to be acquired by a municipal corporation or township in which a declaration under division (B) of this section is in effect. 473  
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(B) The legislative authority of a municipal corporation or a board of township trustees may declare by ordinance or resolution that it is in the public interest for the municipal corporation or township to acquire tax-delinquent real property within the municipal corporation or township for the public purpose of redeveloping the property or otherwise rendering it suitable for productive, tax-paying use. In any municipal corporation or township in which such a declaration is in effect, the municipal corporation or township may purchase or otherwise acquire title to eligible delinquent land, other than by appropriation, and the title shall pass free and clear of the lien for delinquent taxes to the extent provided in division (D) of this section. The authority granted by this section is supplemental to the authority granted under sections 5722.01 to 5722.15 of the Revised Code. 478  
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(C) With respect to any parcel of eligible delinquent land purchased or acquired by a municipal corporation or township in which a declaration is in effect under this section, the municipal corporation or township may obtain the consent of each taxing authority for release of any claim on the delinquent taxes and associated costs attaching to that property at the time of conveyance to the municipal corporation or township. Consent shall be obtained in writing, and shall be certified by the taxing authority granting consent or by the fiscal officer or other person authorized by the taxing authority to provide such consent. Consent may be obtained before or after title to the eligible delinquent land is transferred to the municipal corporation or township. 492  
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The taxing authority of a taxing unit and a municipal corporation or township in which a declaration is in effect under this section may enter into an agreement whereby the taxing authority consents in advance to release of the taxing authority's claim on delinquent taxes and associated costs with respect to all or specified number of parcels of eligible delinquent land that may be purchased or acquired by the municipal corporation or township for the purposes of this section. The agreement shall provide for any terms and conditions on the release of such claim as are mutually agreeable to the taxing authority and municipal corporation or township, including any notice to be provided by the municipal corporation or township to the taxing authority of the purchase or acquisition of eligible delinquent land situated in the taxing unit; any option vesting in the taxing authority to revoke its release with respect to any parcel of eligible delinquent land before the release becomes effective; and the manner in which notice of such revocation shall be effected. Nothing in this section or in such an agreement shall be construed to bar a taxing authority from revoking its advance consent with respect to any parcels of eligible delinquent land purchased or acquired by the municipal corporation or township before the municipal corporation or township enters into a purchase or other agreement for acquisition of the parcels.

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(D) The lien for so much of the delinquent taxes and 528  
associated costs for which taxing authorities have consented to 529  
release their claim under this section is hereby extinguished, and 530  
the transfer of title to such delinquent land to the municipal 531  
corporation or township shall be transferred free and clear of the 532  
lien for such taxes and costs to that extent. If a taxing 533  
authority does not consent to the release of its claim on 534  
delinquent taxes and associated costs, the lien for such taxes and 535  
costs shall continue as otherwise provided by law until paid or 536  
otherwise discharged according to law. 537

(E) All eligible delinquent land acquired by a municipal 538  
corporation or township under this section is real property held 539  
for a public purpose and is exempted from taxation until the 540  
municipal corporation or township sells or otherwise disposes of 541  
property. 542

(F) If a municipal corporation or township sells or otherwise 543  
disposes of delinquent land it purchased or acquired and for which 544  
all or a portion of a taxing authority's claim for delinquent 545  
taxes was released under this section, the net proceeds from such 546  
sale or disposition shall be used for such redevelopment purposes 547  
the legislative authority of the municipal corporation or the 548  
board of township trustees considers necessary or appropriate. 549

**Section 2.** That existing sections 323.152, 718.01, 718.14, 550  
4503.065, 5722.01, and 5722.02 of the Revised Code are hereby 551  
repealed. 552

**Section 3.** (A) The amendment by this act of section 323.152 553  
of the Revised Code applies to tax year 2003 and thereafter. 554

(B) The amendment by this act of section 4503.065 of the 555  
Revised Code applies to taxes levied in 2004 and thereafter. 556