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Representatives Terhar, Gonzales

Cosponsors: Representatives Pillich, Brenner, Boose, Sprague, Retherford, Becker, Derickson, Reece, Amstutz, Beck, Hayes, McClain, Hall, Antonio, Dovilla, Adams, J., Adams, R., Anielski, Ashford, Baker, Barborak, Barnes, Bishoff, Blair, Blessing, Boyce, Boyd, Brown, Buchy, Burkley, Butler, Carney, Celebrezze, Cera, Conditt, Curtin, Damschroder, DeVitis, Driehaus, Duffey, Fedor, Gerberry, Green, Grossman, Hackett, Hagan, C., Hagan, R., Henne, Hill, Hood, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, Mallory, McGregor, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Phillips, Ramos, Rogers, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, Stebelton, Stinziano, Sykes, Thompson, Williams, Winburn, Young Speaker Batchelder

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A B I L L

To amend sections 323.151, 323.152, 323.153, 1
4503.064, 4503.065, and 4503.066 of the Revised 2
Code to enhance the homestead exemption for 3
military veterans who are 100% disabled from a 4
service-connected disability. 5

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

Section 1. That sections 323.151, 323.152, 323.153, 4503.064, 6
4503.065, and 4503.066 of the Revised Code be amended to read as 7
follows: 8

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

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

(a) A dwelling, including a unit in a multiple-unit dwelling and a manufactured home or mobile home taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code, owned and occupied as a home by an individual whose domicile is in this state and who has not acquired ownership from a person, other than the individual's spouse, related by consanguinity or affinity for the purpose of qualifying for the real property tax reduction provided in section 323.152 of the Revised Code.

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

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

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

(C) "Total income" means Ohio adjusted gross income of the

owner and the owner's spouse for the year preceding the year in 39
which application for a reduction in taxes is made, as determined 40
under division (A) of section 5747.01 of the Revised Code. 41

(D) "Permanently and totally disabled" means that a person 42
~~who~~ other than a disabled veteran has, on the first day of January 43
of the year of application for reduction in real estate taxes, 44
some impairment in body or mind that makes the person unable to 45
work at any substantially remunerative employment that the person 46
is reasonably able to perform and that will, with reasonable 47
probability, continue for an indefinite period of at least twelve 48
months without any present indication of recovery therefrom or has 49
been certified as permanently and totally disabled by a state or 50
federal agency having the function of so classifying persons. 51

(E) "Housing cooperative" means a housing complex of at least 52
two units that is owned and operated by a nonprofit corporation 53
that issues a share of the corporation's stock to an individual, 54
entitling the individual to live in a unit of the complex, and 55
collects a monthly maintenance fee from the individual to 56
maintain, operate, and pay the taxes of the complex. 57

(F) "Disabled veteran" means a person who is a veteran of the 58
armed forces of the United States, including reserve components 59
thereof, or of the national guard, who has received a permanent 60
total disability rating or a total disability rating for a 61
service-connected disability or combination of service-connected 62
disabilities for which the schedule for rating disabilities in 63
Schedule 38, Part 4 of the Code of Federal Regulations, as 64
amended, prescribes a one hundred per cent evaluation. 65

Sec. 323.152. In addition to the reduction in taxes required 66
under section 319.302 of the Revised Code, taxes shall be reduced 67
as provided in divisions (A) and (B) of this section. 68

(A)(1)(a) Division (A)(1) of this section applies to any of 69

the following persons: 70

~~(a)~~(i) A person who is permanently and totally disabled; 71

~~(b)~~(ii) A person who is sixty-five years of age or older; 72

~~(c)~~(iii) A person who is the surviving spouse of a deceased 73
person who was permanently and totally disabled or sixty-five 74
years of age or older and who applied and qualified for a 75
reduction in taxes under this division in the year of death, 76
provided the surviving spouse is at least fifty-nine but not 77
sixty-five or more years of age on the date the deceased spouse 78
dies. 79

~~(2)~~(b) Real property taxes on a homestead owned and occupied, 80
or a homestead in a housing cooperative occupied, by a person to 81
whom division (A)(1) of this section applies shall be reduced for 82
each year for which an application for the reduction has been 83
approved. The reduction shall equal one of the following amounts, 84
as applicable to the person: 85

~~(a)~~(i) If the person received a reduction under division 86
(A)(1) of this section for tax year 2006, the greater of the 87
reduction for that tax year or the amount computed under division 88
(A)~~(3)~~(1)(c) of this section; 89

~~(b)~~(ii) If the person received, for any homestead, a 90
reduction under division (A)(1) of this section for tax year 2013 91
or under division (A) of section 4503.065 of the Revised Code for 92
tax year 2014 or the person is the surviving spouse of such a 93
person and the surviving spouse is at least fifty-nine years of 94
age on the date the deceased spouse dies, the amount computed 95
under division (A)~~(3)~~(1)(c) of this section. For purposes of 96
divisions (A)~~(2)~~~~(b)~~(1)(b)(ii) and ~~(c)~~(iii) of this section, a 97
person receives a reduction under division (A)(1) of this section 98
or under division (A) of section 4503.065 of the Revised Code for 99
tax year 2013 or 2014, respectively, if the person files a late 100

application for that respective tax year that is approved by the 101
county auditor under section 323.153 or 4503.066 of the Revised 102
Code. 103

~~(e)(iii)~~ If the person is not described in division 104
(A)~~(2)(a)(1)(b)(i)~~ or ~~(b)(ii)~~ of this section and the person's 105
total income does not exceed thirty thousand dollars, as adjusted 106
under division (A)~~(4)(1)(d)~~ of this section, the amount computed 107
under division (A)~~(3)(1)(c)~~ of this section. 108

~~(3)(c)~~ The amount of the reduction under division 109
(A)~~(3)(1)(c)~~ of this section equals the product of the following: 110

~~(a)(i)~~ Twenty-five thousand dollars of the true value of the 111
property in money; 112

~~(b)(ii)~~ The assessment percentage established by the tax 113
commissioner under division (B) of section 5715.01 of the Revised 114
Code, not to exceed thirty-five per cent; 115

~~(e)(iii)~~ The effective tax rate used to calculate the taxes 116
charged against the property for the current year, where 117
"effective tax rate" is defined as in section 323.08 of the 118
Revised Code; 119

~~(d)(iv)~~ The quantity equal to one minus the sum of the 120
percentage reductions in taxes received by the property for the 121
current tax year under section 319.302 of the Revised Code and 122
division (B) of section 323.152 of the Revised Code. 123

~~(4)(d)~~ Each calendar year, the tax commissioner shall adjust 124
the total income threshold described in division 125
(A)~~(2)(e)(1)(b)(iii)~~ of this section by completing the following 126
calculations in September of each year: 127

~~(a)(i)~~ Determine the percentage increase in the gross 128
domestic product deflator determined by the bureau of economic 129
analysis of the United States department of commerce from the 130

first day of January of the preceding calendar year to the last 131
day of December of the preceding calendar year; 132

~~(b)(ii)~~ Multiply that percentage increase by the total income 133
threshold for the current tax year; 134

~~(e)(iii)~~ Add the resulting product to the total income 135
threshold for the current tax year; 136

~~(d)(iv)~~ Round the resulting sum to the nearest multiple of 137
one hundred dollars. 138

The commissioner shall certify the amount resulting from the 139
adjustment to each county auditor not later than the first day of 140
December each year. The certified amount applies to the following 141
tax year for persons described in division (A)~~(2)~~~~(e)~~(1)(b)(iii) of 142
this section. The commissioner shall not make the adjustment in 143
any calendar year in which the amount resulting from the 144
adjustment would be less than the total income threshold for the 145
current tax year. 146

(2) Real property taxes on a homestead owned and occupied, or 147
a homestead in a housing cooperative occupied, by a disabled 148
veteran shall be reduced for each year for which an application 149
for the reduction has been approved. The reduction shall equal the 150
product obtained by multiplying fifty thousand dollars of the true 151
value of the property in money by the amounts described in 152
divisions (A)(1)(c)(ii) to (iv) of this section. The reduction is 153
in lieu of any reduction under section 323.158 of the Revised Code 154
or division (A)(1) of this section. The reduction applies to only 155
one homestead owned and occupied by a disabled veteran. 156

If a homestead qualifies for a reduction in taxes under 157
division (A)(2) of this section for the year in which the disabled 158
veteran dies, and the disabled veteran is survived by a spouse who 159
occupied the homestead when the disabled veteran died and who 160
acquires ownership of the homestead or, in the case of a homestead 161

that is a unit in a housing cooperative, continues to occupy the 162
homestead, the reduction shall continue through the year in which 163
the surviving spouse dies or remarries. 164

(B) To provide a partial exemption, real property taxes on 165
any homestead, and manufactured home taxes on any manufactured or 166
mobile home on which a manufactured home tax is assessed pursuant 167
to division (D)(2) of section 4503.06 of the Revised Code, shall 168
be reduced for each year for which an application for the 169
reduction has been approved. The amount of the reduction shall 170
equal two and one-half per cent of the amount of taxes to be 171
levied by qualifying levies on the homestead or the manufactured 172
or mobile home after applying section 319.301 of the Revised Code. 173
For the purposes of this division, "qualifying levy" has the same 174
meaning as in section 319.302 of the Revised Code. 175

(C) The reductions granted by this section do not apply to 176
special assessments or respread of assessments levied against the 177
homestead, and if there is a transfer of ownership subsequent to 178
the filing of an application for a reduction in taxes, such 179
reductions are not forfeited for such year by virtue of such 180
transfer. 181

(D) The reductions in taxable value referred to in this 182
section shall be applied solely as a factor for the purpose of 183
computing the reduction of taxes under this section and shall not 184
affect the total value of property in any subdivision or taxing 185
district as listed and assessed for taxation on the tax lists and 186
duplicates, or any direct or indirect limitations on indebtedness 187
of a subdivision or taxing district. If after application of 188
sections 5705.31 and 5705.32 of the Revised Code, including the 189
allocation of all levies within the ten-mill limitation to debt 190
charges to the extent therein provided, there would be 191
insufficient funds for payment of debt charges not provided for by 192
levies in excess of the ten-mill limitation, the reduction of 193

taxes provided for in sections 323.151 to 323.159 of the Revised Code shall be proportionately adjusted to the extent necessary to provide such funds from levies within the ten-mill limitation.

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

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

To obtain a reduction in real property taxes under division (A) of section 323.152 of the Revised Code, the occupant of a homestead in a housing cooperative shall file an application with the nonprofit corporation that owns and operates the housing cooperative, in accordance with this paragraph. Not later than the first day of March each year, the corporation shall obtain applications from the county auditor's office and provide one to each new occupant. Not later than the first day of May, any occupant who may be eligible for a reduction in taxes under division (A) of section 323.152 of the Revised Code shall submit the completed application to the corporation. Not later than the fifteenth day of May, the corporation shall file all completed applications, and the information required by division (B) of section 323.159 of the Revised Code, with the county auditor of the county in which the occupants' homesteads are located. Continuing applications shall be furnished to an occupant in the manner provided in division (C)(4) of this section.

(1) An application for reduction based upon a physical

disability shall be accompanied by a certificate signed by a 225
physician, and an application for reduction based upon a mental 226
disability shall be accompanied by a certificate signed by a 227
physician or psychologist licensed to practice in this state, 228
attesting to the fact that the applicant is permanently and 229
totally disabled. The certificate shall be in a form that the tax 230
commissioner requires and shall include the definition of 231
permanently and totally disabled as set forth in section 323.151 232
of the Revised Code. An application for reduction based upon a 233
disability certified as permanent and total by a state or federal 234
agency having the function of so classifying persons shall be 235
accompanied by a certificate from that agency. An application by a 236
disabled veteran for the reduction under division (A)(2) of 237
section 323.152 of the Revised Code shall be accompanied by a 238
letter or other written confirmation from the United States 239
government or United States department of veterans affairs, or its 240
predecessor or successor agency, showing that the veteran 241
qualifies as a disabled veteran. 242

An application for a reduction under division (A) of section 243
323.152 of the Revised Code constitutes a continuing application 244
for a reduction in taxes for each year in which the dwelling is 245
the applicant's homestead. 246

(2) An application for a reduction in taxes under division 247
(B) of section 323.152 of the Revised Code shall be filed only if 248
the homestead or manufactured or mobile home was transferred in 249
the preceding year or did not qualify for and receive the 250
reduction in taxes under that division for the preceding tax year. 251
The application for homesteads transferred in the preceding year 252
shall be incorporated into any form used by the county auditor to 253
administer the tax law in respect to the conveyance of real 254
property pursuant to section 319.20 of the Revised Code or of used 255
manufactured homes or used mobile homes as defined in section 256

5739.0210 of the Revised Code. The owner of a manufactured or 257
mobile home who has elected under division (D)(4) of section 258
4503.06 of the Revised Code to be taxed under division (D)(2) of 259
that section for the ensuing year may file the application at the 260
time of making that election. The application shall contain a 261
statement that failure by the applicant to affirm on the 262
application that the dwelling on the property conveyed is the 263
applicant's homestead prohibits the owner from receiving the 264
reduction in taxes until a proper application is filed within the 265
period prescribed by division (A)(3) of this section. Such an 266
application constitutes a continuing application for a reduction 267
in taxes for each year in which the dwelling is the applicant's 268
homestead. 269

(3) Failure to receive a new application filed under division 270
(A)(1) or (2) or notification under division (C) of this section 271
after an application for reduction has been approved is 272
prima-facie evidence that the original applicant is entitled to 273
the reduction in taxes calculated on the basis of the information 274
contained in the original application. The original application 275
and any subsequent application, including any late application, 276
shall be in the form of a signed statement and shall be filed 277
after the first Monday in January and not later than the first 278
Monday in June. The original application and any subsequent 279
application for a reduction in real property taxes shall be filed 280
in the year for which the reduction is sought. The original 281
application and any subsequent application for a reduction in 282
manufactured home taxes shall be filed in the year preceding the 283
year for which the reduction is sought. The statement shall be on 284
a form, devised and supplied by the tax commissioner, which shall 285
require no more information than is necessary to establish the 286
applicant's eligibility for the reduction in taxes and the amount 287
of the reduction, and, except for homesteads that are units in a 288
housing cooperative, shall include an affirmation by the applicant 289

that ownership of the homestead was not acquired from a person, 290
other than the applicant's spouse, related to the owner by 291
consanguinity or affinity for the purpose of qualifying for the 292
real property or manufactured home tax reduction provided for in 293
division (A) or (B) of section 323.152 of the Revised Code. The 294
form shall contain a statement that conviction of willfully 295
falsifying information to obtain a reduction in taxes or failing 296
to comply with division (C) of this section results in the 297
revocation of the right to the reduction for a period of three 298
years. In the case of an application for a reduction in taxes for 299
persons described in division (A)~~(2)~~~~(e)~~(1)(b)(iii) of section 300
323.152 of the Revised Code, the form shall contain a statement 301
that signing the application constitutes a delegation of authority 302
by the applicant to the tax commissioner or the county auditor, 303
individually or in consultation with each other, to examine any 304
tax or financial records relating to the income of the applicant 305
as stated on the application for the purpose of determining 306
eligibility for the exemption or a possible violation of division 307
(D) or (E) of this section. 308

(B) A late application for a tax reduction for the year 309
preceding the year in which an original application is filed, or 310
for a reduction in manufactured home taxes for the year in which 311
an original application is filed, may be filed with the original 312
application. If the county auditor determines the information 313
contained in the late application is correct, the auditor shall 314
determine the amount of the reduction in taxes to which the 315
applicant would have been entitled for the preceding tax year had 316
the applicant's application been timely filed and approved in that 317
year. 318

The amount of such reduction shall be treated by the auditor 319
as an overpayment of taxes by the applicant and shall be refunded 320
in the manner prescribed in section 5715.22 of the Revised Code 321

for making refunds of overpayments. On the first day of July of 322
each year, the county auditor shall certify the total amount of 323
the reductions in taxes made in the current year under this 324
division to the tax commissioner, who shall treat the full amount 325
thereof as a reduction in taxes for the preceding tax year and 326
shall make reimbursement to the county therefor in the manner 327
prescribed by section 323.156 of the Revised Code, from money 328
appropriated for that purpose. 329

(C)(1) If, in any year after an application has been filed 330
under division (A)(1) or (2) of this section, the owner does not 331
qualify for a reduction in taxes on the homestead or on the 332
manufactured or mobile home set forth on such application, the 333
owner shall notify the county auditor that the owner is not 334
qualified for a reduction in taxes. 335

(2) If, in any year after an application has been filed under 336
division (A)(1) of this section, the occupant of a homestead in a 337
housing cooperative does not qualify for a reduction in taxes on 338
the homestead, the occupant shall notify the county auditor that 339
the occupant is not qualified for a reduction in taxes or file a 340
new application under division (A)(1) of this section. 341

(3) If the county auditor or county treasurer discovers that 342
the owner of property not entitled to the reduction in taxes under 343
division (B) of section 323.152 of the Revised Code failed to 344
notify the county auditor as required by division (C)(1) of this 345
section, a charge shall be imposed against the property in the 346
amount by which taxes were reduced under that division for each 347
tax year the county auditor ascertains that the property was not 348
entitled to the reduction and was owned by the current owner. 349
Interest shall accrue in the manner prescribed by division (B) of 350
section 323.121 or division (G)(2) of section 4503.06 of the 351
Revised Code on the amount by which taxes were reduced for each 352
such tax year as if the reduction became delinquent taxes at the 353

close of the last day the second installment of taxes for that tax 354
year could be paid without penalty. The county auditor shall 355
notify the owner, by ordinary mail, of the charge, of the owner's 356
right to appeal the charge, and of the manner in which the owner 357
may appeal. The owner may appeal the imposition of the charge and 358
interest by filing an appeal with the county board of revision not 359
later than the last day prescribed for payment of real and public 360
utility property taxes under section 323.12 of the Revised Code 361
following receipt of the notice and occurring at least ninety days 362
after receipt of the notice. The appeal shall be treated in the 363
same manner as a complaint relating to the valuation or assessment 364
of real property under Chapter 5715. of the Revised Code. The 365
charge and any interest shall be collected as other delinquent 366
taxes. 367

(4) Each year during January, the county auditor shall 368
furnish by ordinary mail a continuing application to each person 369
receiving a reduction under division (A) of section 323.152 of the 370
Revised Code. The continuing application shall be used to report 371
changes in total income, ownership, occupancy, disability, and 372
other information earlier furnished the auditor relative to the 373
reduction in taxes on the property. The continuing application 374
shall be returned to the auditor not later than the first Monday 375
in June; provided, that if such changes do not affect the status 376
of the homestead exemption or the amount of the reduction to which 377
the owner is entitled under division (A) of section 323.152 of the 378
Revised Code or to which the occupant is entitled under section 379
323.159 of the Revised Code, the application does not need to be 380
returned. 381

(5) Each year during February, the county auditor, except as 382
otherwise provided in this paragraph, shall furnish by ordinary 383
mail an original application to the owner, as of the first day of 384
January of that year, of a homestead or a manufactured or mobile 385

home that transferred during the preceding calendar year and that 386
qualified for and received a reduction in taxes under division (B) 387
of section 323.152 of the Revised Code for the preceding tax year. 388
In order to receive the reduction under that division, the owner 389
shall file the application with the county auditor not later than 390
the first Monday in June. If the application is not timely filed, 391
the auditor shall not grant a reduction in taxes for the homestead 392
for the current year, and shall notify the owner that the 393
reduction in taxes has not been granted, in the same manner 394
prescribed under section 323.154 of the Revised Code for 395
notification of denial of an application. Failure of an owner to 396
receive an application does not excuse the failure of the owner to 397
file an original application. The county auditor is not required 398
to furnish an application under this paragraph for any homestead 399
for which application has previously been made on a form 400
incorporated into any form used by the county auditor to 401
administer the tax law in respect to the conveyance of real 402
property or of used manufactured homes or used mobile homes, and 403
an owner who previously has applied on such a form is not required 404
to return an application furnished under this paragraph. 405

(D) No person shall knowingly make a false statement for the 406
purpose of obtaining a reduction in the person's real property or 407
manufactured home taxes under section 323.152 of the Revised Code. 408

(E) No person shall knowingly fail to notify the county 409
auditor of changes required by division (C) of this section that 410
have the effect of maintaining or securing a reduction in taxes 411
under section 323.152 of the Revised Code. 412

(F) No person shall knowingly make a false statement or 413
certification attesting to any person's physical or mental 414
condition for purposes of qualifying such person for tax relief 415
pursuant to sections 323.151 to 323.159 of the Revised Code. 416

Sec. 4503.064. As used in sections 4503.064 to 4503.069 of 417
the Revised Code: 418

(A) "Sixty-five years of age or older" means a person who 419
will be age sixty-five or older in the calendar year following the 420
year of application for reduction in the assessable value of the 421
person's manufactured or mobile home. 422

(B) "Permanently and totally disabled" means that a person 423
~~who~~ other than a disabled veteran has, on the first day of January 424
of the year of application, including late application, for 425
reduction in the assessable value of a manufactured or mobile 426
home, ~~has~~ some impairment in body or mind that makes the person 427
unable to work at any substantially remunerative employment which 428
the person is reasonably able to perform and which will, with 429
reasonable probability, continue for an indefinite period of at 430
least twelve months without any present indication of recovery 431
therefrom or has been certified as permanently and totally 432
disabled by a state or federal agency having the function of so 433
classifying persons. 434

(C) "Homestead exemption" means the reduction in taxes 435
allowed under division (A) of section 323.152 of the Revised Code 436
for the year in which an application is filed under section 437
4503.066 of the Revised Code. 438

(D) "Manufactured home" has the meaning given in division 439
(C)(4) of section 3781.06 of the Revised Code, and includes a 440
structure consisting of two manufactured homes that were purchased 441
either together or separately and are combined to form a single 442
dwelling, but does not include a manufactured home that is taxed 443
as real property pursuant to division (B) of section 4503.06 of 444
the Revised Code. 445

(E) "Mobile home" has the meaning given in division (O) of 446
section 4501.01 of the Revised Code and includes a structure 447

consisting of two mobile homes that were purchased together or 448
separately and combined to form a single dwelling, but does not 449
include a mobile home that is taxed as real property pursuant to 450
division (B) of section 4503.06 of the Revised Code. 451

(F) "Late application" means an application filed with an 452
original application under division (A)(3) of section 4503.066 of 453
the Revised Code. 454

(G) "Total income" ~~has~~ and "disabled veteran" have the same 455
~~meaning~~ meanings as in section 323.151 of the Revised Code. 456

Sec. 4503.065. (A) ~~This (1) Division (A) of this~~ section 457
applies to any of the following persons: 458

~~(1)(a)~~ (a) An individual who is permanently and totally disabled; 459

~~(2)(b)~~ (b) An individual who is sixty-five years of age or older; 460

~~(3)(c)~~ (c) An individual who is the surviving spouse of a 461
deceased person who was permanently and totally disabled or 462
sixty-five years of age or older and who applied and qualified for 463
a reduction in assessable value under this section in the year of 464
death, provided the surviving spouse is at least fifty-nine but 465
not sixty-five or more years of age on the date the deceased 466
spouse dies. 467

~~(B)(2)~~ (2) The manufactured home tax on a manufactured or mobile 468
home that is paid pursuant to division (C) of section 4503.06 of 469
the Revised Code and that is owned and occupied as a home by an 470
individual whose domicile is in this state and to whom this 471
section applies, shall be reduced for any tax year for which an 472
application for such reduction has been approved, provided the 473
individual did not acquire ownership from a person, other than the 474
individual's spouse, related by consanguinity or affinity for the 475
purpose of qualifying for the reduction. An owner includes a 476
settlor of a revocable or irrevocable inter vivos trust holding 477

the title to a manufactured or mobile home occupied by the settlor 478
as of right under the trust. 479

~~(1)~~(a) For manufactured and mobile homes for which the tax 480
imposed by section 4503.06 of the Revised Code is computed under 481
division (D)(2) of that section, the reduction shall equal one of 482
the following amounts, as applicable to the person: 483

~~(a)~~(i) If the person received a reduction under this section 484
for tax year 2007, the greater of the reduction for that tax year 485
or the amount computed under division ~~(B)(2)~~(A)(2)(b) of this 486
section; 487

~~(b)~~(ii) If the person received, for any homestead, a 488
reduction under division (A) of this section for tax year 2014 or 489
under division (A)(1) of section 323.152 of the Revised Code for 490
tax year 2013 or the person is the surviving spouse of such a 491
person and the surviving spouse is at least fifty-nine years of 492
age on the date the deceased spouse dies, the amount computed 493
under division ~~(B)(2)~~(A)(2)(b) of this section. For purposes of 494
divisions ~~(B)(1)(b)~~(A)(2)(a)(ii) and ~~(e)~~(iii) of this section, a 495
person receives a reduction under division (A) of this section or 496
division (A)(1) of section 323.152 of the Revised Code for tax 497
year 2014 or 2013, respectively, if the person files a late 498
application for that respective tax year that is approved by the 499
county auditor under section 4503.066 or 323.153 of the Revised 500
Code. 501

~~(e)~~(iii) If the person is not described in division 502
~~(B)(1)(a)~~(A)(2)(a)(i) or ~~(b)~~(ii) of this section and the person's 503
total income does not exceed thirty thousand dollars, as adjusted 504
under division ~~(B)(5)~~(A)(2)(e) of this section, the amount 505
computed under division ~~(B)(2)~~(A)(2)(b) of this section. 506

~~(2)~~(b) The amount of the reduction under division 507
~~(B)(2)~~(A)(2)(b) of this section equals the product of the 508

following: 509

~~(a)~~(i) Twenty-five thousand dollars of the true value of the 510
property in money; 511

~~(b)~~(ii) The assessment percentage established by the tax 512
commissioner under division (B) of section 5715.01 of the Revised 513
Code, not to exceed thirty-five per cent; 514

~~(e)~~(iii) The effective tax rate used to calculate the taxes 515
charged against the property for the current year, where 516
"effective tax rate" is defined as in section 323.08 of the 517
Revised Code; 518

~~(d)~~(iv) The quantity equal to one minus the sum of the 519
percentage reductions in taxes received by the property for the 520
current tax year under section 319.302 of the Revised Code and 521
division (B) of section 323.152 of the Revised Code. 522

~~(3)~~(c) For manufactured and mobile homes for which the tax 523
imposed by section 4503.06 of the Revised Code is computed under 524
division (D)(1) of that section, the reduction shall equal one of 525
the following amounts, as applicable to the person: 526

~~(a)~~(i) If the person received a reduction under this section 527
for tax year 2007, the greater of the reduction for that tax year 528
or the amount computed under division ~~(B)~~(4)(A)(2)(d) of this 529
section; 530

~~(b)~~(ii) If the person received, for any homestead, a 531
reduction under division (A) of this section for tax year 2014 or 532
under division (A)(1) of section 323.152 of the Revised Code for 533
tax year 2013 or the person is the surviving spouse of such a 534
person and the surviving spouse is at least fifty-nine years of 535
age on the date the deceased spouse dies, the amount computed 536
under division ~~(B)~~(4)(A)(2)(d) of this section. For purposes of 537
divisions ~~(B)~~(3)(b)(A)(2)(c)(ii) and ~~(e)~~(iii) of this section, a 538
person receives a reduction under division (A) of this section or 539

under division (A)(1) of section 323.152 of the Revised Code for 540
tax year 2014 or 2013, respectively, if the person files a late 541
application for a refund of overpayments for that respective tax 542
year that is approved by the county auditor under section 4503.066 543
of the Revised Code. 544

~~(e)(iii)~~ If the person is not described in division 545
~~(B)(3)(a)(A)(2)(c)(i)~~ or ~~(b)(ii)~~ of this section and the person's 546
total income does not exceed thirty thousand dollars, as adjusted 547
under division ~~(B)(5)(A)(2)(e)~~ of this section, the amount 548
computed under division ~~(B)(4)(A)(2)(d)~~ of this section. 549

~~(4)(d)~~ The amount of the reduction under division 550
~~(B)(4)(A)(2)(d)~~ of this section equals the product of the 551
following: 552

~~(a)(i)~~ Twenty-five thousand dollars of the cost to the owner, 553
or the market value at the time of purchase, whichever is greater, 554
as those terms are used in division (D)(1) of section 4503.06 of 555
the Revised Code; 556

~~(b)(ii)~~ The percentage from the appropriate schedule in 557
division (D)(1)(b) of section 4503.06 of the Revised Code; 558

~~(e)(iii)~~ The assessment percentage of forty per cent used in 559
division (D)(1)(b) of section 4503.06 of the Revised Code; 560

~~(d)(iv)~~ The tax rate of the taxing district in which the home 561
has its situs. 562

~~(5)(e)~~ Each calendar year, the tax commissioner shall adjust 563
the income threshold described in divisions 564
~~(B)(1)(e)(A)(2)(a)(iii)~~ and ~~(B)(3)(e)(A)(2)(c)(iii)~~ of this 565
section by completing the following calculations in September of 566
each year: 567

~~(a)(i)~~ Determine the percentage increase in the gross 568
domestic product deflator determined by the bureau of economic 569

analysis of the United States department of commerce from the 570
first day of January of the preceding calendar year to the last 571
day of December of the preceding calendar year; 572

~~(b)(ii)~~ Multiply that percentage increase by the total income 573
threshold for the ensuing tax year; 574

~~(e)(iii)~~ Add the resulting product to the total income 575
threshold for the ensuing tax year; 576

~~(d)(iv)~~ Round the resulting sum to the nearest multiple of 577
one hundred dollars. 578

The commissioner shall certify the amount resulting from the 579
adjustment to each county auditor not later than the first day of 580
December each year. The certified amount applies to the second 581
ensuing tax year. The commissioner shall not make the adjustment 582
in any calendar year in which the amount resulting from the 583
adjustment would be less than the total income threshold for the 584
ensuing tax year. 585

(B) The manufactured home tax levied pursuant to division (C) 586
of section 4503.06 of the Revised Code on a manufactured or mobile 587
home that is owned and occupied by a disabled veteran shall be 588
reduced for any tax year for which an application for such 589
reduction has been approved, provided the disabled veteran did not 590
acquire ownership from a person, other than the disabled veteran's 591
spouse, related by consanguinity or affinity for the purpose of 592
qualifying for the reduction. An owner includes an owner within 593
the meaning of division (A)(2) of this section. 594

(1) For manufactured and mobile homes for which the tax 595
imposed by section 4503.06 of the Revised Code is computed under 596
division (D)(2) of that section, the reduction shall equal the 597
product obtained by multiplying fifty thousand dollars of the true 598
value of the property in money by the amounts described in 599
divisions (A)(2)(b)(ii) to (iv) of this section. 600

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

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

If a manufactured or mobile home qualifies for a reduction in taxes under this division for the year in which the disabled veteran dies, and the disabled veteran is survived by a spouse who occupied the home when the disabled veteran died and who acquires ownership of the home, the reduction shall continue through the year in which the surviving spouse dies or remarries.

(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 to which the owner or spouse is entitled under this section shall not exceed the difference between the reduction to which the owner or spouse is entitled under division (A) or (B) of this section and the amount of the reduction under the homestead exemption.

(D) No reduction shall be made with respect to 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. 4503.066. (A)(1) To obtain a tax reduction under section 4503.065 of the Revised Code, the owner of the home shall file an

application with the county auditor of the county in which the 632
home is located. An application for reduction in taxes based upon 633
a physical disability shall be accompanied by a certificate signed 634
by a physician, and an application for reduction in taxes based 635
upon a mental disability shall be accompanied by a certificate 636
signed by a physician or psychologist licensed to practice in this 637
state. The certificate shall attest to the fact that the applicant 638
is permanently and totally disabled, shall be in a form that the 639
department of taxation requires, and shall include the definition 640
of totally and permanently disabled as set forth in section 641
4503.064 of the Revised Code. An application for reduction in 642
taxes based upon a disability certified as permanent and total by 643
a state or federal agency having the function of so classifying 644
persons shall be accompanied by a certificate from that agency. An 645
application by a disabled veteran for the reduction under division 646
(B) of section 4503.065 of the Revised Code shall be accompanied 647
by a letter or other written confirmation from the United States 648
government or United States department of veterans affairs, or its 649
predecessor or successor agency, showing that the veteran 650
qualifies as a disabled veteran. 651

(2) Each application shall constitute a continuing 652
application for a reduction in taxes for each year in which the 653
manufactured or mobile home is occupied by the applicant. Failure 654
to receive a new application or notification under division (B) of 655
this section after an application for reduction has been approved 656
is prima-facie evidence that the original applicant is entitled to 657
the reduction calculated on the basis of the information contained 658
in the original application. The original application and any 659
subsequent application shall be in the form of a signed statement 660
and shall be filed not later than the first Monday in June. The 661
statement shall be on a form, devised and supplied by the tax 662
commissioner, that shall require no more information than is 663
necessary to establish the applicant's eligibility for the 664

reduction in taxes and the amount of the reduction to which the 665
applicant is entitled. The form shall contain a statement that 666
signing such application constitutes a delegation of authority by 667
the applicant to the tax commissioner or the county auditor, 668
individually or in consultation with each other, to examine any 669
tax or financial records that relate to the income of the 670
applicant as stated on the application for the purpose of 671
determining eligibility under, or possible violation of, division 672
(C) or (D) of this section. The form also shall contain a 673
statement that conviction of willfully falsifying information to 674
obtain a reduction in taxes or failing to comply with division (B) 675
of this section shall result in the revocation of the right to the 676
reduction for a period of three years. 677

(3) A late application for a reduction in taxes for the year 678
preceding the year for which an original application is filed may 679
be filed with an original application. If the auditor determines 680
that the information contained in the late application is correct, 681
the auditor shall determine both the amount of the reduction in 682
taxes to which the applicant would have been entitled for the 683
current tax year had the application been timely filed and 684
approved in the preceding year, and the amount the taxes levied 685
under section 4503.06 of the Revised Code for the current year 686
would have been reduced as a result of the reduction. When an 687
applicant is permanently and totally disabled on the first day of 688
January of the year in which the applicant files a late 689
application, the auditor, in making the determination of the 690
amounts of the reduction in taxes under division (A)(3) of this 691
section, is not required to determine that the applicant was 692
permanently and totally disabled on the first day of January of 693
the preceding year. 694

The amount of the reduction in taxes pursuant to a late 695
application shall be treated as an overpayment of taxes by the 696

applicant. The auditor shall credit the amount of the overpayment 697
against the amount of the taxes or penalties then due from the 698
applicant, and, at the next succeeding settlement, the amount of 699
the credit shall be deducted from the amount of any taxes or 700
penalties distributable to the county or any taxing unit in the 701
county that has received the benefit of the taxes or penalties 702
previously overpaid, in proportion to the benefits previously 703
received. If, after the credit has been made, there remains a 704
balance of the overpayment, or if there are no taxes or penalties 705
due from the applicant, the auditor shall refund that balance to 706
the applicant by a warrant drawn on the county treasurer in favor 707
of the applicant. The treasurer shall pay the warrant from the 708
general fund of the county. If there is insufficient money in the 709
general fund to make the payment, the treasurer shall pay the 710
warrant out of any undivided manufactured or mobile home taxes 711
subsequently received by the treasurer for distribution to the 712
county or taxing district in the county that received the benefit 713
of the overpaid taxes, in proportion to the benefits previously 714
received, and the amount paid from the undivided funds shall be 715
deducted from the money otherwise distributable to the county or 716
taxing district in the county at the next or any succeeding 717
distribution. At the next or any succeeding distribution after 718
making the refund, the treasurer shall reimburse the general fund 719
for any payment made from that fund by deducting the amount of 720
that payment from the money distributable to the county or other 721
taxing unit in the county that has received the benefit of the 722
taxes, in proportion to the benefits previously received. On the 723
second Monday in September of each year, the county auditor shall 724
certify the total amount of the reductions in taxes made in the 725
current year under division (A)(3) of this section to the tax 726
commissioner who shall treat that amount as a reduction in taxes 727
for the current tax year and shall make reimbursement to the 728
county of that amount in the manner prescribed in section 4503.068 729

of the Revised Code, from moneys appropriated for that purpose. 730

(B) If in any year for which an application for reduction in 731
taxes has been approved the owner no longer qualifies for the 732
reduction, the owner shall notify the county auditor that the 733
owner is not qualified for a reduction in taxes. 734

During January of each year, the county auditor shall furnish 735
each person whose application for reduction has been approved, by 736
ordinary mail, a form on which to report any changes in total 737
income, ownership, occupancy, disability, and other information 738
earlier furnished the auditor relative to the application. The 739
form shall be completed and returned to the auditor not later than 740
the first Monday in June if the changes would affect the person's 741
eligibility for the reduction. 742

(C) No person shall knowingly make a false statement for the 743
purpose of obtaining a reduction in taxes under section 4503.065 744
of the Revised Code. 745

(D) No person shall knowingly fail to notify the county 746
auditor of any change required by division (B) of this section 747
that has the effect of maintaining or securing a reduction in 748
taxes under section 4503.065 of the Revised Code. 749

(E) No person shall knowingly make a false statement or 750
certification attesting to any person's physical or mental 751
condition for purposes of qualifying such person for tax relief 752
pursuant to sections 4503.064 to 4503.069 of the Revised Code. 753

(F) Whoever violates division (C), (D), or (E) of this 754
section is guilty of a misdemeanor of the fourth degree. 755

Section 2. That existing sections 323.151, 323.152, 323.153, 756
4503.064, 4503.065, and 4503.066 of the Revised Code are hereby 757
repealed. 758

Section 3. That the amendment by this act of sections 759

323.151, 323.152, 323.153, 4503.064, 4503.065, and 4503.066 of the	760
Revised Code applies to tax year 2013 and each tax year	761
thereafter.	762