

As Reported by the House Ways and Means Committee

135th General Assembly

Regular Session

2023-2024

Sub. H. B. No. 187

Representatives Hall, Bird

**Cosponsors: Representatives Roemer, White, Creech, Schmidt, Dean, Plummer,
Lear, Young, T., Demetriou, Jones, Carruthers, Kick, Fowler Arthur, Lorenz**

A BILL

To amend sections 5713.01, 5713.03, 5715.01, 1
5715.012, 5715.24, 5715.25, 5715.251, and 2
5715.26 of the Revised Code to modify the 3
procedures used to value real property for tax 4
purposes and to abate property taxes on certain 5
municipal and community improvement corporation 6
property. 7

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

Section 1. That sections 5713.01, 5713.03, 5715.01, 8
5715.012, 5715.24, 5715.25, 5715.251, and 5715.26 of the Revised 9
Code be amended to read as follows: 10

Sec. 5713.01. (A) Each county shall be the unit for 11
assessing real estate for taxation purposes. The county auditor 12
shall be the assessor of all the real estate in the auditor's 13
county for purposes of taxation, but this section does not 14
affect the power conferred by Chapter 5727. of the Revised Code 15
upon the tax commissioner regarding the valuation and assessment 16
of real property used in railroad operations. 17

(B) The auditor shall assess all the real estate situated 18
in the county at its taxable value in accordance with sections 19
5713.03, 5713.31, and 5715.01 of the Revised Code and with the 20
rules and methods applicable to the auditor's county adopted, 21
prescribed, and promulgated by the tax commissioner. The auditor 22
shall view and appraise or cause to be viewed and appraised at 23
its true value in money, each lot or parcel of real estate, 24
including land devoted exclusively to agricultural use, and the 25
improvements located thereon at least once in each six-year 26
period and the taxable values required to be derived therefrom 27
shall be placed on the auditor's tax list and the county 28
treasurer's duplicate for the tax year ordered by the 29
commissioner pursuant to section 5715.34 of the Revised Code. 30
The commissioner may grant an extension of one year or less if 31
the commissioner finds that good cause exists for the extension. 32
When the auditor so views and appraises, the auditor may enter 33
each structure located thereon to determine by actual view what 34
improvements have been made therein or additions made thereto 35
since the next preceding valuation. The auditor shall revalue 36
and assess at any time all or any part of the real estate in 37
such county, including land devoted exclusively to agricultural 38
use, where the auditor finds that the true or taxable values 39
thereof have changed, and when a conservation easement is 40
created under sections 5301.67 to 5301.70 of the Revised Code. 41
The auditor may increase or decrease the true or taxable value 42
of any lot or parcel of real estate in any township, municipal 43
corporation, or other taxing district by an amount which will 44
cause all real property on the tax list to be valued as required 45
by law, or the auditor may increase or decrease the aggregate 46
value of all real property, or any class of real property, in 47
the county, township, municipal corporation, or other taxing 48
district, or in any ward or other division of a municipal 49

corporation by a per cent or amount which will cause all 50
property to be properly valued and assessed for taxation in 51
accordance with Section 36, Article II, Section 2, Article XII, 52
Ohio Constitution, this section, and sections 5713.03, 5713.31, 53
and 5715.01 of the Revised Code. 54

(C) When the auditor determines to reappraise all the real 55
estate in the county or any class thereof, ~~when the tax~~ 56
~~commissioner orders an~~ or to increase in the aggregate true or 57
taxable value of the real estate in any taxing subdivision, or 58
when the taxable value of real estate is increased by the 59
application of a uniform taxable value per cent of true value 60
pursuant to the order of the commissioner, the auditor shall 61
advertise the completion of the reappraisal or equalization 62
action in a newspaper of general circulation in the county once 63
a week for the three consecutive weeks next preceding the 64
issuance of the tax bills, or as provided in section 7.16 of the 65
Revised Code for the two consecutive weeks next preceding the 66
issuance of the tax bills. When the auditor changes the true or 67
taxable value of any individual parcels of real estate, the 68
auditor shall notify the owner of the real estate, or the person 69
in whose name the same stands charged on the duplicate, by mail 70
or in person, of the changes the auditor has made in the 71
assessments of such property. Such notice shall be given at 72
least thirty days prior to the issuance of the tax bills. 73
Failure to receive notice shall not invalidate any proceeding 74
under this section. 75

(D) The auditor shall make the necessary abstracts from 76
books of the auditor's office containing descriptions of real 77
estate in such county, together with such platbooks and lists of 78
transfers of title to land as the auditor deems necessary in the 79
performance of the auditor's duties in valuing such property for 80

taxation. Such abstracts, platbooks, and lists shall be in such 81
form and detail as the tax commissioner prescribes. 82

(E) The auditor, with the approval of the tax 83
commissioner, may appoint and employ such experts, deputies, 84
clerks, or other employees as the auditor deems necessary to the 85
performance of the auditor's duties as assessor, or, with the 86
approval of the tax commissioner, the auditor may enter into a 87
contract with an individual, partnership, firm, company, or 88
corporation to do all or any part of the work; the amount to be 89
expended in the payment of the compensation of such employees 90
shall be fixed by the board of county commissioners. If, in the 91
opinion of the auditor, the board of county commissioners fails 92
to provide a sufficient amount for the compensation of such 93
employees, the auditor may apply to the tax commissioner for an 94
additional allowance, and the additional amount of compensation 95
allowed by the commissioner shall be certified to the board of 96
county commissioners, and the same shall be final. The salaries 97
and compensation of such experts, deputies, clerks, and 98
employees shall be paid upon the warrant of the auditor out of 99
the general fund or the real estate assessment fund of the 100
county, or both. If the salaries and compensation are in whole 101
or in part fixed by the commissioner, they shall constitute a 102
charge against the county regardless of the amount of money in 103
the county treasury levied or appropriated for such purposes. 104

(F) Any contract for goods or services related to the 105
auditor's duties as assessor, including contracts for mapping, 106
computers, and reproduction on any medium of any documents, 107
records, photographs, microfiche, or magnetic tapes, but not 108
including contracts for the professional services of an 109
appraiser, shall be awarded pursuant to the competitive bidding 110
procedures set forth in sections 307.86 to 307.92 of the Revised 111

Code and shall be paid for, upon the warrant of the auditor, 112
from the real estate assessment fund. 113

(G) Experts, deputies, clerks, and other employees, in 114
addition to their other duties, shall perform such services as 115
the auditor directs in ascertaining such facts, description, 116
location, character, dimensions of buildings and improvements, 117
and other circumstances reflecting upon the value of real estate 118
as will aid the auditor in fixing its true and taxable value 119
and, in the case of land valued in accordance with section 120
5713.31 of the Revised Code, its current agricultural use value. 121
The auditor may also summon and examine any person under oath in 122
respect to any matter pertaining to the value of any real 123
property within the county. 124

Sec. 5713.03. The county auditor, from the best sources of 125
information available, shall determine, as nearly as 126
practicable, the true value of the fee simple estate, as if 127
unencumbered but subject to any effects from the exercise of 128
police powers or from other governmental actions, of each 129
separate tract, lot, or parcel of real property and of 130
buildings, structures, and improvements located thereon and the 131
current agricultural use value of land valued for tax purposes 132
in accordance with section 5713.31 of the Revised Code, in every 133
district, according to the rules prescribed by this chapter and 134
section 5715.01 of the Revised Code, and in accordance with the 135
uniform rules and methods of valuing and assessing real property 136
as adopted, prescribed, and promulgated by the tax commissioner. 137
The auditor shall determine the taxable value of all real 138
property by reducing its true or current agricultural use value 139
by the percentage ordered by the commissioner. In determining 140
the true value of any tract, lot, or parcel of real estate under 141
this section, if such tract, lot, or parcel has been the subject 142

of an arm's length sale between a willing seller and a willing 143
buyer within a reasonable length of time, either before or after 144
the tax lien date, the auditor may consider the sale price of 145
such tract, lot, or parcel to be the true value for taxation 146
purposes. However, the sale price in an arm's length transaction 147
between a willing seller and a willing buyer shall not be 148
considered the true value of the property sold if subsequent to 149
the sale: 150

(A) The tract, lot, or parcel of real estate loses value 151
due to some casualty; 152

(B) An improvement is added to the property. 153

Nothing in this section or section 5713.01 of the Revised 154
Code and no rule adopted under section 5715.01 of the Revised 155
Code shall require the county auditor to change the true value 156
in money of any property in any year except a year ~~in to~~ which 157
~~the tax commissioner is required to determine under section~~ 158
5715.24 of the Revised Code ~~whether the property has been~~ 159
~~assessed as required by law~~applies. 160

The county auditor shall adopt and use a real property 161
record approved by the commissioner for each tract, lot, or 162
parcel of real property, setting forth the true and taxable 163
value of land and, in the case of land valued in accordance with 164
section 5713.31 of the Revised Code, its current agricultural 165
use value, the number of acres of arable land, permanent pasture 166
land, woodland, and wasteland in each tract, lot, or parcel. The 167
auditor shall record pertinent information and the true and 168
taxable value of each building, structure, or improvement to 169
land, which value shall be included as a separate part of the 170
total value of each tract, lot, or parcel of real property. 171

Sec. 5715.01. (A) The tax commissioner shall direct and 172
supervise the assessment for taxation of all real property. The 173
commissioner shall adopt, prescribe, and promulgate rules for 174
the determination of true value and taxable value of real 175
property by uniform rule for such values and for the 176
determination of the current agricultural use value of land 177
devoted exclusively to agricultural use. 178

(1) The uniform rules shall prescribe methods of 179
determining the true value and taxable value of real property. 180
The rules shall provide that in determining the true value of 181
lands or improvements thereon for tax purposes, all facts and 182
circumstances relating to the value of the property, its 183
availability for the purposes for which it is constructed or 184
being used, its obsolete character, if any, the income capacity 185
of the property, if any, and any other factor that tends to 186
prove its true value shall be used. In determining the true 187
value of minerals or rights to minerals for the purpose of real 188
property taxation, the tax commissioner shall not include in the 189
value of the minerals or rights to minerals the value of any 190
tangible personal property used in the recovery of those 191
minerals. 192

(2) The uniform rules shall prescribe the method for 193
determining the current agricultural use value of land devoted 194
exclusively to agricultural use, which method shall reflect 195
standard and modern appraisal techniques that take into 196
consideration the productivity of the soil under normal 197
management practices, typical cropping and land use patterns, 198
the average price patterns of the crops and products produced 199
and the typical production costs to determine the net income 200
potential to be capitalized, and other pertinent factors. 201

In determining the agricultural land capitalization rate 202
to be applied to the net income potential from agricultural use, 203
the commissioner shall use standard and modern appraisal 204
techniques. In calculating the capitalization rate for any year, 205
the commissioner shall comply with both of the following 206
requirements: 207

(a) The commissioner shall use an equity yield rate equal 208
to the greater of (i) the average of the total rates of return 209
on farm equity for the twenty-five most recent years for which 210
those rates have been calculated and published by the United 211
States department of agriculture economic research service or 212
another published source or (ii) the loan interest rate the 213
commissioner uses for that year to calculate the capitalization 214
rate; 215

(b) The commissioner shall assume that the holding period 216
for agricultural land is twenty-five years for the purpose of 217
computing buildup of equity or appreciation with respect to that 218
land. 219

The commissioner shall add to the overall capitalization 220
rate a tax additur. The sum of the overall capitalization rate 221
and the tax additur shall represent as nearly as possible the 222
rate of return a prudent investor would expect from an average 223
or typical farm in this state considering only agricultural 224
factors. 225

The commissioner shall annually determine and announce the 226
overall capitalization rate, tax additur, agricultural land 227
capitalization rate, and the individual components used in 228
computing such amounts in a determination, finding, computation, 229
or order of the commissioner published simultaneously with the 230
commissioner's annual publication of the per-acre agricultural 231

use values for each soil type.	232
(3) Notwithstanding any other provision of this chapter	233
and Chapter 5713. of the Revised Code, the current agricultural	234
use value of land devoted exclusively to agricultural use shall	235
equal the following amounts for the years specified:	236
(a) In counties that undergo a reappraisal or triennial	237
update in 2017 <u>2023</u> , the current agricultural use value of the	238
land for each of the 2017, 2018, and 2019 <u>2023, 2024, and 2025</u>	239
tax years shall equal the sum <u>average</u> of the following amounts	240
<u>determined under this section and section 5713.31 of the Revised</u>	241
<u>Code, and rules adopted pursuant to those sections:</u>	242
(i) The current agricultural use value of the land for	243
that tax year, as determined under this section and section	244
5713.31 of the Revised Code, and rules adopted pursuant those	245
sections, without regard to the adjustment under division (A)(3)	246
(a)(ii) of this section;	247
(ii) One half of the amount, if any, by which the value of	248
the land for the 2016 tax year, as determined under this	249
section, section 5713.31 of the Revised Code, and the rules	250
adopted pursuant those sections and issued by the tax	251
commissioner for counties undergoing a reappraisal or triennial	252
update in the 2016 tax year, exceeds the value determined under	253
division (A)(3)(a)(i) of this section <u>The current agricultural</u>	254
<u>use value of the land for the 2022 tax year, as determined for</u>	255
<u>counties undergoing a reappraisal or triennial update in the</u>	256
<u>2022 tax year;</u>	257
(iii) <u>The current agricultural use value of the land for</u>	258
<u>the 2021 tax year, as determined for counties undergoing a</u>	259
<u>reappraisal or triennial update in the 2021 tax year.</u>	260

(b) In counties that undergo a reappraisal or triennial update in ~~2018~~2024, the current agricultural use value of the land for each of the ~~2018, 2019, and 2020~~2024, 2025, and 2026 tax years shall equal the ~~sum~~average of the following amounts determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant to those sections:

(i) The current agricultural use value of the land for that tax year, ~~as determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant those sections, without regard to the adjustment under division (A) (3) (b) (ii) of this section;~~

(ii) ~~One half of the amount, if any, by which the value of the land for the 2017 tax year, as determined under this section, section 5713.31 of the Revised Code, and the rules adopted pursuant those sections and issued by the tax commissioner for counties undergoing a reappraisal or triennial update in the 2017 tax year, exceeds the value determined under division (A) (3) (b) (i) of this section.~~The current agricultural use value of the land for the 2023 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2023 tax year;

(iii) The current agricultural use value of the land for the 2022 tax year, as determined for counties undergoing a reappraisal or triennial update in the 2022 tax year.

(c) In counties that undergo a reappraisal or triennial update in ~~2019~~2025, the current agricultural use value of the land for each of the ~~2019, 2020, and 2021~~2025, 2026, and 2027 tax years shall equal the ~~sum~~average of the following amounts determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant to those sections:

(i) The current agricultural use value of the land for 291
that tax year, ~~as determined under this section and section~~ 292
~~5713.31 of the Revised Code, and rules adopted pursuant those~~ 293
~~sections, without regard to the adjustment under division (A) (3)~~ 294
~~(c) (ii) of this section;~~ 295

(ii) ~~One half of the amount, if any, by which the value of~~ 296
~~the land for the 2018 tax year, as determined under this~~ 297
~~section, section 5713.31 of the Revised Code, and the rules~~ 298
~~adopted pursuant those sections and issued by the tax~~ 299
~~commissioner for counties undergoing a reappraisal or triennial~~ 300
~~update in the 2018 tax year, exceeds the value determined under~~ 301
~~division (A) (3) (c) (i) of this section~~ 302
The current agricultural 302
use value of the land for the 2024 tax year, as determined for 303
counties undergoing a reappraisal or triennial update in the 304
2024 tax year; 305

(iii) The current agricultural use value of the land for 306
the 2023 tax year, as determined for counties undergoing a 307
reappraisal or triennial update in the 2023 tax year. 308

(4) The uniform rules shall prescribe the method for 309
determining the value of federally subsidized residential rental 310
property through the use of a formula that accounts for the 311
following factors: 312

(a) Up to three years of operating income of the property, 313
which includes gross potential rent, and any income derived from 314
other sources as reported by the property owner to the county 315
auditor under section 5713.031 of the Revised Code. Operating 316
income shall include an allowance for vacancy losses, which 317
shall be presumed to be four per cent of gross potential rent, 318
and unpaid rent losses, which shall be presumed to be three per 319
cent of gross potential rent. These presumptive amounts may be 320

exceeded with evidence demonstrating the actual income of the 321
property. 322

(b) Operating expenses of the property, which shall be 323
presumed to be forty-eight per cent of operating income plus 324
utility expenses as reported by the property owner to the county 325
auditor under section 5713.031 of the Revised Code. Operating 326
expenses shall also include replacement reserve fund or account 327
contributions which shall be presumed to be five per cent of 328
gross potential rent. These presumptive amounts may be exceeded 329
with evidence demonstrating the actual expenses of the property. 330
Real property taxes, depreciation, and amortization expenses and 331
replacement of short-term capitalized assets shall be excluded 332
from operating expenses. 333

(c) A market-appropriate, uniform capitalization rate plus 334
a tax additur accounting for the real property tax rate of the 335
property's location. For federally subsidized residential rental 336
property described in division (A)(1) of section 5713.031 of the 337
Revised Code, one percentage point shall be subtracted from the 338
uniform capitalization rate. 339

The uniform rules shall also prescribe a minimum total 340
value for federally subsidized residential rental property of 341
five thousand dollars multiplied by the number of dwelling units 342
comprising the property or one hundred fifty per cent of the 343
property's unimproved land value, whichever is greater. The 344
formula and other rules adopted by the commissioner pursuant to 345
this division shall comply with Ohio Constitution, Article XII, 346
Section 2. 347

As used in division (A)(4) of this section, "federally 348
subsidized residential rental property" has the same meaning as 349
in section 5713.031 of the Revised Code and "dwelling unit" has 350

the same meaning as in section 5321.01 of the Revised Code. 351

(B) The taxable value shall be that per cent of true value 352
in money, or current agricultural use value in the case of land 353
valued in accordance with section 5713.31 of the Revised Code, 354
the commissioner by rule establishes, but it shall not exceed 355
thirty-five per cent. The uniform rules shall also prescribe 356
methods of making the appraisals set forth in section 5713.03 of 357
the Revised Code. The taxable value of each tract, lot, or 358
parcel of real property and improvements thereon, determined in 359
accordance with the uniform rules and methods prescribed 360
thereby, shall be the taxable value of the tract, lot, or parcel 361
for all purposes of sections 5713.01 to 5713.26, 5715.01 to 362
5715.51, and 5717.01 to 5717.06 of the Revised Code. County 363
auditors shall, under the direction and supervision of the 364
commissioner, be the chief assessing officers of their 365
respective counties, and shall list and value the real property 366
within their respective counties for taxation in accordance with 367
this section and sections 5713.03 and 5713.31 of the Revised 368
Code and with such rules of the commissioner. There shall also 369
be a board in each county, known as the county board of 370
revision, which shall hear complaints and revise assessments of 371
real property for taxation. 372

(C) The commissioner shall neither adopt nor enforce any 373
rule that requires true value for any tax year to be any value 374
other than the true value in money on the tax lien date of such 375
tax year or that requires taxable value to be obtained in any 376
way other than by reducing the true value, or in the case of 377
land valued in accordance with section 5713.31 of the Revised 378
Code, its current agricultural use value, by a specified, 379
uniform percentage. 380

Sec. 5715.012. The tax commissioner shall make sales- 381
assessment ratio studies of sales and assessments of real 382
property for the purpose of determining the common level of 383
assessment of real property within the counties pursuant to 384
section 5715.19 of the Revised Code and for the purpose of 385
making equalization determinations, for tax years before 2024, 386
or recommendations, for tax year 2024 and thereafter, pursuant 387
to section 5715.24 of the Revised Code. ~~Such~~ 388

(A) Division (A) of this section shall apply to all tax 389
years other than tax years 2023, 2024, and 2025. Sales- 390
assessment ratio studies shall be based on a representative 391
sampling during the three years prior to the tax year to which 392
the sample is applied of open market arms' length sales by a 393
willing seller to a willing buyer for a current like use within 394
the class or classes of real property sampled by the board. 395
Where there are not sufficient arms' length sales to constitute 396
a representative sampling for such studies within a class, the 397
commissioner may also conduct appraisals of real property in 398
that class, which shall be a part of such studies. Such studies 399
and other information of the commissioner may be used by the 400
commissioner as guidelines, where applicable, in ~~the making~~ 401
~~equalization of recommendations with respect to~~ a class or 402
classes of real property. ~~Such~~ The commissioner shall not use 403
such studies or other information of the commissioner ~~shall not~~ 404
~~be applied by the commissioner in making equalization~~ 405
recommendations on a taxing district, countywide, or statewide 406
basis ~~for the purpose of equalization~~ unless the commissioner 407
first finds there are sufficient arms' length sales for a like 408
use included in the sample in a class, or arms' length sales and 409
appraisals conducted by the commissioner for a like use included 410
in the sample in a class, to provide an indication that said 411

sales or sales and appraisals in the class are representative of 412
all parcels in the class. 413

In addition, the commissioner shall make other studies of 414
the value of real property within the counties which may be used 415
as guidelines, where applicable, in the equalization of a class 416
or classes of real property. 417

(B) Division (B) of this section shall apply to tax years 418
2023, 2024, and 2025. Sales-assessment ratio studies shall be 419
based on all open market arms' length sales during the three 420
calendar years prior to the tax year to which the study is 421
applied between a willing seller and a willing buyer for a 422
current like use within the class or classes of real property 423
studied. In conducting such studies, the commissioner shall not 424
give more weight to sales occurring in any particular year 425
during that three-year period. The commissioner shall confirm 426
the sales data with data collected by county auditors. If the 427
number of arms' length sales for a like use within a class of 428
property in a county during that three-year period does not 429
equal at least five per cent of the total number of properties 430
in the county within that class, the commissioner may also 431
require that the county auditor conduct appraisals of real 432
property in that class, which shall be a part of such studies. 433
The commissioner shall use such studies and other information, 434
including current economic conditions, in making equalization 435
determinations, for tax year 2023, or recommendations, for tax 436
years 2024 and 2025, with respect to a class or classes of real 437
property. The commissioner shall not use such studies or other 438
information of the commissioner or a county auditor in making 439
equalization determination or recommendations, as applicable, on 440
a taxing district, countywide, or statewide basis unless the 441
commissioner first finds there are sufficient arms' length sales 442

for a like use included in the sample in a class, or arms' 443
length sales and appraisals conducted by an auditor for a like 444
use included in the sample in a class, to provide an indication 445
that said sales or sales and appraisals in the class are 446
representative of all parcels in the class. 447

In addition, the commissioner shall collaborate with 448
county auditors to collect data and make other studies of the 449
value of real property within the counties, which may be used as 450
guidelines, where applicable, in the equalization of a class or 451
classes of real property. 452

Sec. 5715.24. (A) The tax commissioner, annually, shall 453
~~determine~~analyze whether the real property and the various 454
classes thereof in the several counties, municipal corporations, 455
and taxing districts which have completed a sexennial 456
reappraisal in the current year and which will have the new 457
taxable values placed on the tax list and duplicate have been 458
assessed as required by law, and whether the values set forth in 459
the agricultural land tax list in such taxing districts 460
correctly reflect the true and agricultural use values of the 461
lands contained therein. The ~~determination shall be made~~ 462
commissioner shall complete this analysis prior to the first 463
Monday in August unless the commissioner, for good cause, 464
extends the date. If, in the ~~commissioner finds that~~ 465
commissioner's opinion, the real property or any class thereof 466
in any such county, municipal corporation, or taxing district, 467
as reported to it by the several county auditors of the counties 468
that have completed such reappraisal, is not listed for taxation 469
or recorded on the agricultural land tax list in accordance 470
therewith, the commissioner shall recommend an increase or 471
decrease in the appropriate aggregate value of the real property 472
or any class thereof in any such county, township, municipal 473

corporation, taxing district, or ward or division of a municipal 474
corporation, by a per cent or amount that, in the commissioner's 475
opinion, will cause such property to be correctly valued on the 476
agricultural land tax list and to be correctly assessed on the 477
tax list at its taxable value so that every class of real 478
property shall be listed and valued for taxation and valued for 479
purposes of sections 5713.33 to 5713.35 of the Revised Code as 480
required by law. In ~~determining~~ analyzing whether a class of 481
real property has been assessed at its correct taxable value and 482
in ~~determining~~ recommending any per cent or amount by which the 483
aggregate value of the class from a prior year ~~shall~~ should be 484
increased or decreased to be correctly assessed, the 485
commissioner shall consider only the aggregate values of 486
property that existed in the prior year and that is to be taxed 487
in the current year. In addition to any other adjustments the 488
commissioner ~~considers~~ recommends as necessary to comply with 489
this requirement, the value of new construction shall not be 490
regarded as an increase in such aggregate value from the prior 491
year, and the value of property destroyed or demolished since 492
the prior year shall be deducted from the aggregate value of 493
that class for the prior year. 494

~~In implementing~~ A county auditor may implement all or a 495
portion of any increase or decrease in valuation of real 496
property ~~ordered~~ recommended by the commissioner pursuant to 497
this section, ~~the county~~. When implementing any such increase 498
or decrease, the auditor shall, when practicable, increase or 499
decrease the taxable valuation of parcels in accordance with 500
actual changes in valuation of real property which occur in 501
different subdivisions, neighborhoods, or among classes of real 502
property in the county. 503

(B) Division (A) of this section also applies to a county 504

in the third calendar year following the year in which a 505
sexennial reappraisal is completed. 506

Sec. 5715.25. If the tax commissioner ~~increases~~ recommends 507
an increase or decreases ~~decrease in~~ the aggregate value of the 508
real property or any class thereof on the tax list or 509
agricultural land tax list in any taxing district or subdivision 510
of the state under section 5715.24 of the Revised Code, ~~he~~ the 511
commissioner shall transmit to each county auditor a statement 512
which specifies the amount or per cent ~~to that the commissioner~~ 513
recommends be added to or deducted from the valuation of such 514
property or class thereof in each taxing district or subdivision 515
in ~~his~~ the county auditor's county. 516

Sec. 5715.251. The ~~county auditor~~ tax commissioner may 517
appeal to the board of tax appeals any ~~determination of change~~ 518
county auditor's adjustment, or lack of adjustment, in the 519
abstract of real property of a taxing district in the auditor's 520
county that ~~is made by~~ does not conform with the recommendations 521
made by the tax commissioner under section 5715.24 of the 522
Revised Code. The ~~appeal commissioner shall be taken~~ file the 523
notice of appeal with the board and the auditor within thirty 524
days after receipt of ~~the statement by the county auditor of the~~ 525
~~commissioner's determination by the filing by the county auditor~~ 526
~~of a notice of appeal with the board and the commissioner~~ an 527
adjusted abstract or notice declining to make adjustments under 528
division (A) of section 5715.26 of the Revised Code. Such notice 529
of appeal shall set forth the ~~determination recommendations~~ 530
of the commissioner, as well as the auditor's abstract or adjusted 531
abstract appealed from and the errors therein complained of. 532
Proof of the filing of such notice with the ~~commissioner~~ auditor 533
shall be filed with the board. The board shall have exclusive 534
jurisdiction of the appeal. 535

In all such appeals, ~~the commissioner~~county auditor shall 536
be made appellee. Unless waived, notice of the appeal shall be 537
served upon the ~~commissioner~~auditor by certified mail. The 538
prosecuting attorney shall represent the ~~county~~ auditor in such 539
an appeal. 540

The ~~commissioner~~auditor, upon written demand filed by the 541
~~county auditor~~commissioner, shall within thirty days after the 542
filing of such demand file with the board ~~a certified transcript~~ 543
~~of the record of the commissioner's proceedings pertaining any~~ 544
records or evidence that the auditor used to compile the 545
determination abstract or adjusted abstract complained of and, 546
including the evidence the commissioner auditor considered in 547
making such determination declining to make the commissioner's 548
recommended changes. 549

If upon hearing and consideration of such record and 550
evidence the board decides that the ~~determination abstract or~~ 551
adjusted abstract appealed from is reasonable and lawful, it 552
shall affirm the same, but if the board decides that such 553
~~determination abstract~~ is unreasonable or unlawful, the board 554
shall ~~reverse and vacate the determination or~~ order the auditor 555
to modify it and shall enter final order in accordance with such 556
modification. 557

The secretary of the board shall send the order of the 558
board to the county auditor and to the commissioner, and they 559
shall take such action in connection therewith as is required to 560
give effect to the order of the board. At the request of the 561
county auditor, the board of tax appeal's order shall be sent by 562
certified mail at the county auditor's expense. 563

Sec. 5715.26. (A) (1) Upon receiving the statement required 564
by section 5715.25 of the Revised Code, the county auditor ~~shall~~ 565

~~forthwith may~~ add to or deduct from each tract, lot, or parcel 566
of real property or class of real property all or a portion of 567
the ~~required~~ recommended percentage or amount of the valuation 568
thereof, adding or deducting any sum less than five dollars so 569
that the value of any separate tract, lot, or parcel of real 570
property shall be ten dollars or some multiple thereof. 571

(2) After making ~~the any~~ additions or deductions ~~required~~ 572
~~by under~~ this section, the auditor shall transmit to the tax 573
commissioner the appropriate adjusted abstract of the real 574
property of each taxing district in the auditor's county in 575
which an adjustment was ~~required~~ made. If the auditor does not 576
make any adjustments to the abstract of real property of any 577
taxing district, the auditor shall so notify the tax 578
commissioner. 579

~~(3) If the commissioner increases or decreases the~~ 580
~~aggregate value of the real property or any class thereof in any~~ 581
~~county or taxing district thereof and does not receive within~~ 582
~~ninety days thereafter an adjusted abstract conforming to its~~ 583
~~statement for such county or taxing district therein, the~~ 584
~~commissioner shall withhold from such county or taxing district~~ 585
~~therein fifty per cent of its share in the distribution of state~~ 586
~~revenues to local governments pursuant to sections 5747.50 to~~ 587
~~5747.55 of the Revised Code and shall direct the department of~~ 588
~~education and workforce to withhold therefrom fifty per cent of~~ 589
~~state revenues to school districts pursuant to Chapter 3317. of~~ 590
~~the Revised Code. The commissioner shall withhold the~~ 591
~~distribution of such funds until such county auditor has~~ 592
~~complied with this division, and the department shall withhold~~ 593
~~the distribution of such funds until the commissioner has~~ 594
~~notified the department that such county auditor has complied~~ 595
~~with this division.~~ 596

(B) (1) If the ~~commissioner's determination is appealed~~ 597
commissioner files an appeal under section 5715.251 of the 598
Revised Code, the county auditor, treasurer, and all other 599
officers shall forthwith proceed with the levy and collection of 600
the current year's taxes in the manner prescribed by law. The 601
taxes shall be determined and collected as ~~if the commissioner~~ 602
~~had determined under section 5715.24 of the Revised Code that~~ 603
~~the real property and the various classes thereof in the county~~ 604
~~as shown in the auditor's abstract were assessed for taxation~~ 605
~~and the true and agricultural use values were recorded on the~~ 606
~~agricultural land tax list as required by law, as adjusted under~~ 607
division (A) of this section. 608

(2) If as a result of the appeal to the board it is 609
finally determined either that all real property and the various 610
classes thereof have not been assessed as required by law or 611
that the values set forth in the agricultural land tax list do 612
not correctly reflect the true and agricultural use values of 613
the lands contained therein, the county auditor shall forthwith 614
add to or deduct from each tract, lot, or parcel of real 615
property or class of real property the required percentage or 616
amount of the valuation in accordance with the order of the 617
board or judgment of the court to which the board's order was 618
appealed, and the taxes on each tract, lot, or parcel and the 619
percentages required by section 319.301 of the Revised Code 620
shall be recomputed using the valuation as finally determined. 621
The order or judgment making the final determination shall 622
prescribe the time and manner for collecting, crediting, or 623
refunding the resultant increases or decreases in taxes. 624

Section 2. That existing sections 5713.01, 5713.03, 625
5715.01, 5715.012, 5715.24, 5715.25, 5715.251, and 5715.26 of 626
the Revised Code are hereby repealed. 627

Section 3. (A) As used in this section:	628
(1) "Community improvement corporation" means a community improvement corporation created under Chapter 1724. of the Revised Code.	629 630 631
(2) "Qualified property" means property that satisfies the qualifications for tax exemption under section 5709.08 of the Revised Code or any other section of the Revised Code that provides a tax exemption for property owned or used by a municipal corporation or community improvement corporation and that meets either of the following requirements:	632 633 634 635 636 637
(a) The property is owned by a municipal corporation or a community improvement corporation and was acquired by a municipal corporation which recorded the deed for the property between the following dates:	638 639 640 641
(i) April 15, 2013, and April 30, 2013;	642
(ii) January 1, 2008, and January 31, 2008;	643
(iii) January 1, 2006, and January 15, 2006;	644
(iv) February 1, 2000, and February 15, 2000.	645
(b) The property is a parcel of real property that is owned by a municipal corporation or community improvement corporation and to which one of the following applies:	646 647 648
(i) The parcel was created pursuant to the subdivision, between August 1, 2004, and August 15, 2004, of an existing parcel that had been previously acquired by a municipal corporation and where the deed for the previously existing parcel was recorded by a municipal corporation between December 15, 1999, and December 31, 1999;	649 650 651 652 653 654

(ii) The parcel was created pursuant to the subdivision, 655
between January 1, 2008, and January 31, 2008, of an existing 656
parcel that had been previously acquired by a municipal 657
corporation and where the deed for the previously existing 658
parcel was recorded by a municipal corporation between February 659
15, 2002, and March 1, 2002; 660

(iii) The parcel was created pursuant to the subdivision, 661
between January 1, 2008, and January 15, 2008, of an existing 662
parcel that had been previously acquired by a municipal 663
corporation and where the deed for the previously existing 664
parcel was recorded by a municipal corporation between December 665
20, 2007, and January 10, 2008. 666

(B) Notwithstanding sections 5713.08, 5713.081, and 667
5715.27 of the Revised Code, and without regard to any time or 668
payment limitations under any section of the Revised Code, the 669
owner of qualified property at any time within twelve months 670
after the effective date of this section may file an application 671
with the Tax Commissioner requesting that the qualified property 672
be placed on the exempt list and that all unpaid taxes, 673
penalties, and interest on the property be abated, including 674
taxes, penalties, and interest that have become a lien prior to 675
the date of acquisition of title to the property by the 676
qualified property's owner. 677

(C) The application shall be made on the form prescribed 678
by the Tax Commissioner under section 5715.27 of the Revised 679
Code and shall list the name of the county in which the property 680
is located; the property's legal description, taxable value, and 681
the amount, in dollars, of the unpaid taxes, penalties, and 682
interest; the date of acquisition of title to the property; the 683
use of the property during any time that the unpaid taxes 684

accrued; and any other information required by the Commissioner. 685
The county auditor shall supply the required information upon 686
request of the applicant. 687

(D) Upon request of the applicant, the county treasurer 688
shall determine if all taxes, penalties, and interest that 689
became a lien on the qualified property before it was first used 690
by the property's owner or a prior owner for an exempt purpose 691
have been paid in full. If so, the county treasurer shall issue 692
a certificate to the applicant stating that all such taxes, 693
penalties, and interest have been paid in full. The applicant 694
shall attach the county treasurer's certificate to the 695
application filed with the Tax Commissioner under this section. 696

(E) Upon receipt of an application, the Tax Commissioner 697
shall determine if the qualified property meets the 698
qualifications set forth in this section and if so shall issue 699
an order directing that the property be placed on the exempt 700
list of the county in which it is located and that all unpaid 701
taxes, penalties, and interest for each year that the property 702
met the qualifications for exemption described in section 703
5709.08 or another section of the Revised Code be abated. If the 704
Commissioner finds that the property is or previously was being 705
used for a purpose that would disqualify it for such exemption, 706
the Tax Commissioner shall issue an order denying the 707
application with respect to such tax years where the 708
Commissioner finds that disqualifying use. 709

(F) If the Tax Commissioner finds that the property is not 710
entitled to the tax exemption and abatement of unpaid taxes, 711
penalties, and interest for any of the years for which the 712
applicant claims an exemption or abatement, the Commissioner 713
shall order the county treasurer of the county in which the 714

property is located to collect all taxes, penalties, and 715
interest on the property for those years as required by law. 716

Section 4. (A) Notwithstanding any provision of the 717
Revised Code to the contrary, the Tax Commissioner shall modify 718
the determinations made under section 5715.24 of the Revised 719
Code in tax year 2023 to comply with the amendment by this act 720
of section 5715.012 of the Revised Code and, within fifteen days 721
after the effective date of this section, shall transmit to each 722
applicable county auditor a statement reflecting that updated 723
determination in the same manner as required in section 5715.25 724
of the Revised Code. A county auditor may appeal the updated 725
determination by filing an appeal within thirty days after the 726
receipt of such statement in the same manner as authorized in 727
section 5715.251 of the Revised Code. In any county that 728
receives an updated determination under this section, the time 729
for delivery of the tax duplicate of the county treasurer by the 730
county auditor as provided in section 319.28 of the Revised Code 731
shall be extended to the first Monday in December and may be 732
extended further in accordance with section 323.17 of the 733
Revised Code. The times for payment of taxes shall similarly be 734
extended in the same manner as other delays in the delivery of 735
the tax list under that section. 736

(B) The amendment by this act of sections 5713.01, 737
5713.03, 5715.24, 5715.25, 5715.251, and 5715.26 of the Revised 738
Code applies to tax year 2024 and every tax year thereafter. 739

Section 5. Notwithstanding any provision of the Revised 740
Code to the contrary, if necessary, the Tax Commissioner shall 741
issue updated 2023 current agricultural use value tables to 742
reflect the amendment by this act of section 5715.01 of the 743
Revised Code. The updated values shall be issued within fifteen 744

days after the effective date of this section.

745