



Ohio Revised Code

Section 5812.46 Income taxes.

Effective: April 6, 2017

Legislation: House Bill 432 - 131st General Assembly

(A) A tax required to be paid by a trustee based on receipts allocated to income shall be paid from income.

(B) A tax required to be paid by a trustee based on receipts allocated to principal shall be paid from principal, even if the tax is called an income tax by the taxing authority.

(C) A tax required to be paid by a trustee on the trust's share of an entity's taxable income shall be paid as follows:

(1) From income, to the extent that receipts from the entity are allocated only to income;

(2) From principal, to the extent that receipts from the entity are allocated only to principal;

(3) Proportionately from principal and income, to the extent that receipts from the entity are allocated to both income and principal;

(4) From principal, to the extent that the tax exceeds the total receipts from the entity.

(D) After applying divisions (A) to (C) of this section, the trustee shall adjust income or principal receipts to the extent that the trust's taxes are reduced because the trust receives a deduction for payments made to a beneficiary.
